

UF LAW

UNIVERSITY OF FLORIDA FREDRIC G. LEVIN COLLEGE OF LAW • SPRING 2009



CELEBRATING 100 YEARS

of UF Law 1909 - 2009



Dear Ms. Brounley:

As University of Florida Law graduates and chairman and co-chairman of the moot court team from the Class of 1988, we both read your fall 2008 edition of *UF LAW* with great interest. The appearance of Chief Justice Roberts is an incredible accomplishment for our alma mater. However, the caption under the chief justice's photograph, which reads that his participation "marks the first time in the UF moot court's nearly 100-year history that a justice of the United States Supreme Court" had participated on the panel of a final four, is in error.

We should know. When we were in law school, we were in charge of creating the intramural competition and final four in the fall of 1987. To humor ourselves, we decided to invite each member of the United States Supreme Court to judge the final four that we were planning. We thought it would be great to get rejection letters back from the justices as mementos of the occasion.

One by one, each justice responded and, not surprisingly, declined our invitation to join us in Gainesville... their letters were posted in the moot court office one by one for all to see. Only one justice did not send a rejection letter: Justice Byron "Whizzer" White.

One day, we returned to the moot court office from class and saw a tiny post-it note to "call the United States Supreme Court" along with a scribbled phone number. Trying to determine which of our classmates had set us up with a practical joke proved futile, so finally we called the number just to see who was pulling the prank. The voice on the other end answered "Justice White." Still, we were wondering who had gotten their grandfather to answer this call to the DC area code.

A few minutes later, and a little convincing from the justice himself, we realized it was no joke. Justice White had given us his direct line and agreed to come to Gainesville and head our panel. He had wanted to visit Disney World with his lovely wife, Marion, and agreed to stop along the way to judge the final four.

Dean Read was so excited that we had

"Justice White had given us his direct line and agreed to come to Gainesville and head our panel."

"pulled this off" that he gave us free rein to handle the entire trip and visit. As a result, we spent two full days with Justice White and his wife, from the airport pick-up to the final goodbyes. The final four was moved to the University Auditorium to handle the huge crowd, and four nervous law students argued the case of *Kent Pack v. Sands Hospital* about a fictional hospital employee whose privacy rights had been violated by a work publication. We remember it well, because we wrote the record on appeal, and had the distinct pleasure of educating Justice White about the intricacies of the case before he went on stage. We also remember a certain local hospital threatening to file suit against the school and us over their perceived similarities to our fictional case.

The visit by Justice White was a special moment in the history of the law school,

as was Chief Justice Roberts' recent visit. Let us hope that another 20 years does not pass before another Supreme Court justice visits the hallowed halls of the UF law school.

—R. Craig Cooley (JD 88)
Kendall A. Almerico (JM 85, JD 88)

EDITOR'S NOTE: Thank you for setting the record straight in such an enjoyable and informative way. Justice White's visit was, indeed, an exceptional event for UF Law. In the photograph at left, Justice White (joined by five other judges) considered the competition's hypothetical case in which the privacy of an individual infected with HIV/AIDS was violated in the workplace. Privacy and HIV/AIDS was a hot topic in 1987 and many of the questions posed by the hypothetical had yet to be decided in real courts.

The Latin expression *NOTA BENE!*, meaning "Mark well!", consists of an imperative verb form and an adverb. You cannot pluralize it by adding an "s" to *NOTA*. Even if you could, what would it mean?

—David Trachtenberg (JD 82)

EDITOR'S NOTE: *Mea culpa!*

Erratum: The Fall 2008 issue of *UF LAW* incorrectly printed the name and class year of Martha W. Barnett (JD 73) in the annual report section. We are pleased to report Ms. Barnett was most gracious in accepting our sincere apologies for this error.



If YOU have commentary, whether exegetic or approbatory, we want to know! Send your letter to the editor — bearing in mind submissions will be edited for style, grammar and length — to Lindy Brounley, UF LAW Editor, UF Law Communications, P.O. Box 117633, Gainesville, FL 32611-7633, or e-mail it to Brounley@law.ufl.edu.

Lindy Brounley (JM 88)
UF LAW Editor



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“The participation
and loyalty of
our alumni make
us stronger in so
many ways.”



Q: If you look back at what the University of Florida College of Law has accomplished in the past century, what do you think has been and is its greatest strength?

Our alumni, without question. As a collective they represent some of the most passionate members of the University of Florida Gator Nation. Individually, many of our graduates have gone on to significant leadership roles, and that reflects well on the quality of our students and the training they received here. UF Law alumni include four presidents of the American Bar Association since 1973 — and Steve Zack will become president-elect in August 2009; the majority of The Florida Bar presidents, including its current president, Jay White; four governors of Florida; and hundreds of state senators and representatives and Florida Cabinet members. Nine became college presidents, including two at UF. More than a dozen have served as deans of law schools. We rank in the top five among public law schools in the number of graduates serving as federal district and circuit court judges. The participation and loyalty of our alumni make us stronger in so many ways. Of the 333 UF alumni who have received the UF Distinguished Alumnus Award, 95 are alumni of the law school. This speaks powerfully about the leadership provided by our college during the last century.

Q: How are you celebrating the college's centennial?

We welcomed 250 registrants for our centennial all-class reunion in April, and we were gratified at the number of alums who wanted to come back to campus. We are still finalizing plans for this fall, and I can't say much yet, but I believe we will host a top-level legal speaker here in the fall. Plans are also underway for an alumni open house/tailgate prior to the homecoming game, as well as a number of other events. Watch upcoming issues of *UF Law eNews* (available through your e-mail or our Web site) for developing news. We also have developed an online historical timeline for the college that features the opportunity for alums to contribute their own stories. (More on page 28.)

Q: What challenges will the college deal with in the next 100 years?

Well, 100 years is a long time, but certainly we will have to continually fine-tune our academic



**DEAN
ROBERT
JERRY**

*Levin Mabie
& Levin
Professor
of Law*

and administrative programs to keep pace with developments in the legal field. For now, we are working hard to help our graduates find employment in this very difficult economy and to maintain the quality of the college in an extremely tight-budget environment.

Q: What can alums do to help?

Obviously, private support is very important to us and the students it benefits. We also rely on our alumni and friends to remember the value of hiring UF Law graduates. An emerging but very important role for those who care about our college is to become its advocates in social media, from Facebook to blogs, and make sure others know the truth about the many good things going on here.

Q: What is your top priority right now?

These are complex and challenging times, and it's difficult to choose one very important goal over another. But certainly we have to focus on the strategic planning process so we can best prepare our institution and our graduates to deal successfully with a rapidly shifting legal environment. I wrote last time of our major strategic planning effort, "UF Law 2015," which also will help us prepare for the Strategic Plan & Self-Study required for the ABA sabbatical site visit in spring 2010. I know that the faculty on our Strategic Planning Committee welcome alumni suggestions, and I encourage our readers to let us know how we can improve our programs, services and direction. ■

NEWS BRIEFS



Photo from left: Jonathan Blocker, Guichard St. Surin, Nickisha "Nicki" Webb and Alfredo Zamora

Joshua S. Altshuler, Crystal Espinosa, Kevin Hall, Jennifer Hartzler, Heather J. Howdeshell, Kathryn Ward Hurd, David Karp, Allison Riggs, Brandon Sherlinski, Emily A. Snider and Nickisha Webb.

JUDICIAL CLERKSHIPS

Stepping stone from law school to law firm

Successfully completing a judicial clerkship gives recent law school grads the edge when law firms are looking to hire. That was the message delivered by judicial clerks who were on campus recently to share their professional experiences and perspectives to interested students.

"Nine out of 10 times a law firm will pick the applicant with practical legal experience and you get that working as a judicial clerk," said Jennifer Deeb (JD 00) who clerks for a senior U.S. District judge in Tampa. "As a clerk, you continue to learn about a variety of legal topics

BLSA

BLSA trial team earns spot in Final Four

The UF BLSA trial team competed in the annual mock trial competition for the Southern Region Black Law Students Association (SRBLSA) Feb. 4-8. Held in Nashville, Tenn., this year's competition included 25 teams from law schools throughout the southern states. UF's team successfully argued four trials to earn a spot in the Final Four. The case involved a fraternity hazing session gone awry for one unlucky pledge. Arguing for the state were Jonathan Blocker (3L) and Guichard St. Surin (1L). Nickisha "Nicki" Webb (3L) and Alfredo Zamora (2L) advocated for the defendant, the fraternity president. UF Law students Kailey Evans (3L), Rinaldo Allen (3L), Nicole Mouakar (3L) and Elvis Santiago (3L) assisted the team, alumna and local attorney Majeedah Murad critiqued the team's legal arguments and trial techniques, and researchers

Brandon Sapp (1L) and Daphne Duplessis (1L) discovered invaluable information on case law. In 2007, UF finished first runner up at the SRBLSA competition. That team subsequently won the national title at the National Black Law Students Association (NBLSA) mock trial competition a few months later.

BOOK AWARDS

Students honored for academic excellence

Students, faculty and friends of the law school gathered in the Chesterfield Smith Ceremonial Classroom Feb. 27 to honor book award recipients for the spring semester. Presented every semester, book awards recognize the top performers in each class, and give alumni a chance to support academic excellence at the UF Levin College of Law. More than 100 students were honored for their performance in classes in the spring. Multiple award winners included

UF Hero Becomes Comic Book Superhero

Virgil Hawkins, the alter-ego of the popular African-American comic character "Static" in the regular DC Universe is making his first appearance in the new "Terror Titans" miniseries. The comeback was reported in the *Philadelphia Daily News* in February, which describes the Static character as "a teenage Everyman that readers of all races can relate to, much like Spider-Man. At the same time, he is proud of his heritage." Static's alter-ego is named Virgil Hawkins, after the lead plaintiff in the fight to desegregate the University of Florida College of Law.



ranging from arraignments to social security appeals. This experience will make you more marketable.”

Amanda Reid-Payne, Ph.D., (JD 04) said the contacts you make during a clerkship can also pay huge dividends later on in your career.

“When you take on a clerkship, you join a ‘family,’” said Reid-Payne. “That means forming professional relationships with past clerks who are now serving as attorneys in law firms. The judge will also make sure you are plugged into all the right organizations and associations. It’s a great network.”

Congratulations to the following UF Law graduates entering judicial clerkships this year:

- Lorna Cobb, Chief Judge Hugh Lawson, U.S. District Court for the Middle District of Georgia;
- Larry Dougherty, Judge Charles R. Wilson, 11th Circuit Court of Appeals;
- Michael Friedman, U.S. Bankruptcy Judge Paul G. Hyman;
- Margaret Hunt, Judge Morales Howard, U.S. District Court for the Middle District of Florida;
- David Karp, Judge Susan Bucklew, U.S. District Court for the Middle District of Florida;
- Sasha Lohn-McDermott, Judge Virginia M. Hernandez Covington, U.S. District Court for the Middle District of Florida;
- Elizabeth Manno, Judge John Richard Smoak, U.S. District Court for the Northern District of Florida;
- Charles Roberson, Senior Judge Peter T. Fay, 11th Circuit Court of Appeals;
- Dante Trevisani, Senior Judge James L. King, U.S. District Court for the Southern District of Florida;
- Lindsay Saxe, Judge Steven D. Merryday, U.S. District for the Middle District of Florida;
- Ben Williamson, Judge M. Casey Rodgers, U.S. District Court for the Northern District of Florida.

Journal turns the page on going paperless

BY ADRIANNA C. RODRIGUEZ

Binderless shelves, empty paper drawers and dusty recycle bins prove the University of Florida *Journal of Law and Public Policy* (JLPP) is busier than ever.

JLPP has set an extraordinary precedent as the first journal at UF, and possibly nationwide, to go green — replacing once cluttered shelves, heavy binders and overworked printers with an electronic system that allows journal members to edit articles electronically, and from remote locations, without printing a single document.

“JLPP is setting the precedent for all other UF law journals and reviews,” said Dena Setzer, the journal’s editor in chief and a third-year law student. “Our members are constantly thinking outside the box about ways we can improve our own publication and editorial process, as well as ways we can positively impact our law school community.”

The journal’s electronic editing process was developed by Alex King, the journal’s managing editor and a second-year law student, using software available for free download from the Internet.

King created an account for the journal on Windows Live. Once on JLPP’s network, members can access the journal’s SkyDrive, a program that allows documents to be stored, uploaded and downloaded by registered group members. Through the SkyDrive, journal members access and edit articles from anywhere, download the sources related to footnotes, highlight material relevant to the footnotes being edited, make any corrections and upload edited documents back to the SkyDrive for all journal members to access and edit. It’s a unique system that facilitates close collaboration on working documents, even when group members are miles apart.

“I am very impressed with the JLPP students’ willingness to tackle the difficult challenge of developing a paperless editing system for the journal,” said Mary Jane Angelo, UF associate professor of law specializing in environmental law. “They have come up with a very creative way to eliminate the need for the large quantities of paper that are typically used during the editing process.”

Before the system, journal members would print reams of paper to document each source for every footnote, and stacks of binders were compiled of research used in every footnote of every article published in each of the three issues of the journal printed each year. By enabling article edits to be done electronically, King estimates the journal has eliminated 17,500 printed pages for each issue.

“It was extremely wasteful and very expensive,” King said of the old editing system.

Although the software used to implement the system was free, journal members did make a significant investment of time developing and learning how to use it. Each person underwent five training sessions, where they became familiar with using the editing system, worked to make improvements to it and developed a 30-page manual for future journal members to continue the system.

“This is a positive step toward creating a more environmentally conscious college,” Angelo said. “Not only does it save paper and the energy associated with producing, distributing and printing, but it also saves money, which is so important during this time of severe budget cuts. I hope that JLPP’s new system will serve as an inspiration and a model for other journals.”



IRS chief counsel talks tax policy at annual graduate tax lecture

BY LESLIE COWAN (2L)

If the old adage that death and taxes are the only certain things in the world holds true, then perhaps Clarissa C. Potter, acting chief counsel for the Internal Revenue Service, can boast the ultimate job security. On March 20, Potter presented a lecture to the Levin College of Law titled “Globalization’s Current Challenges to U.S. Tax Policy Makers and Administrators.”

Potter, a graduate of Yale Law School and former professor of the Georgetown University Law Center, has held positions in both the Treasury Department’s Office of Tax Policy and the Joint Committee on Taxation of the United States Congress. Potter also practiced with the firm Sullivan & Cromwell in New York. Undoubtedly, her wealth of experience serves her well in her current position with the IRS.

Her lecture to UF Law students and faculty focused on the challenges of creating tax policies that are enforceable and that encourage compliance, especially involving foreign accounts and income.

“If the IRS can’t administrate it, you encourage noncompliance,” she said.

Potter said the IRS currently employs 1,600 lawyers, with 600 or 700 of them experts in different areas of substantive tax law. These experts work closely with lawmakers in drafting tax legislation. Tax legislation may be proposed by the Treasury Department only once a year as part of the annual budget.

“The IRS provides the manpower for drafting and publishing regulations,” Potter said. The Office of Tax Policy of the Treasury Department is responsible for additional development of revenue procedures and for general guidance.

Interestingly, Potter is not employed directly by the IRS but instead is employed by the general counsel of the Treasury Department. Potter stated that the chief counsel’s office is regarded as lawyers to the IRS. By distancing her position from the IRS, she is able to serve as an advisor rather than an executive of the IRS, which allows her to report what she calls the “hard news” to the commissioner, who is the head of the IRS, and to sustain attorney-client privilege.

Potter often works with the IRS to help regulate offshore accounts and develop guidelines for penalizing taxpayers who hide income overseas. She explained that advances in technology that aid in easily moving money around make overseas accounts and income more difficult to track.

The IRS offers some redemption for those who have successfully evaded foreign income reporting requirements on past tax documents and wish to come clean without facing prosecution. They may voluntarily disclose past foreign income and then pay back taxes, interest, and some penalties. Potter differentiated this practice from granting amnesty, but added that it does provide protection against criminal prosecution.

In contrast, if a taxpayer willfully fails to disclose foreign income, he or she may face criminal prosecution in addition to penalties in excess of 100 percent of the hidden income.

Potter emphasized that overregulation is not the answer, as it causes honest taxpayers to worry unnecessarily about which credits they are entitled to and provides incentive for those who are dishonest to continue their noncompliance. Instead, she touts legislation and regulation that provides incentives for compliance without being too complicated.

“If the IRS can’t administrate it, you encourage noncompliance.”

FJIL

Florida Journal of International Law publishes work by Israeli justice

The *Florida Journal of International Law* published work by Justice Eliezer Rivlin of the Supreme Court of Israel in its most recent issue (21 *Fla. J. Int’l L.* 1).

Justice Rivlin’s work, titled “Thoughts on Referral to Foreign Law, Global Chain-novel, and Novelty,” examines the use, or lack thereof, of foreign legal authorities by courts around the world. Throughout his thought-provoking piece, Justice Rivlin takes aim at such legal luminaries as Judge Richard Posner and justices of both the Canadian and Israeli supreme courts.



Rivlin

Rivlin states, “referral to foreign law does not necessarily mean the adoption of foreign choices or reliance on foreign experiences in reaching a judicial decision. It does mean a better evaluation of competing options, an available source of empirical experience and a source of novel ideas and knowledge.”

Rivlin examines the debate that often occurs when courts in the United States refer to foreign law. The controversy over reference to foreign law, writes Rivlin, often stems from disagreement over the proper approach the U.S. Supreme Court should take towards interpreting the Constitution of the United States.

Ultimately, Rivlin contends that referral to foreign law serves an important goal: overcoming domestic juristic biases. Rivlin explains that status quo biases are hurtful to the development of domestic law when they are based on irrationality or chill the evolution of modern law.

—Mohammad O. Jazil, Editor in Chief, FJIL



AWARDS

Dougherty wins antitrust writing competition

Spring break took an unexpected turn for Larry Dougherty (JD 09) when he got a telephone call saying he'd won a national law student writing competition sponsored by the Antitrust Section of the American Bar Association. "It was stunning news," said Dougherty. "I'd submitted an entry but never expected to hear anything about it."

The award came with \$2,000 and an expenses-paid trip to the section's annual spring meeting in Washington, D.C. "It's the big get-together for antitrust practitioners," Dougherty said. "I met leading lawyers, circuit judges, and economists. It was a great experience."

Dougherty's winning entry was his published law review note, which dealt with a newer theory of personal jurisdiction in antitrust cases. The note stemmed from research he'd done for Professor William H. Page during his 1L summer.

During his third year of law school, Dougherty served as editor in chief of the *Florida Law Review*. He is now clerking for U.S. Circuit Judge Charles R. Wilson of the 11th Circuit Court of Appeals.

Dougherty entered law school as a non-traditional student following his first career as a reporter with the Pulitzer Prize-winning *St. Petersburg Times*. Dougherty's last beat for the newspaper was covering federal courts and agencies in Tampa. He fondly recalls the experience, which he feels started him on the path to law school.

"The federal courthouse always had interesting cases going on," Dougherty said. "I was learning more about the cases than I needed to for the stories I wrote."

Looking back on his success in law school, Dougherty is more grateful to no one more than his wife, Taylor Ward.

"If you think reading a torts book is hard, dealing with young children when your husband isn't around is harder. We're both very excited that we're almost at the end of this part of the journey," he said.

STUDENTS

Students form Faculty Recruitment Committee

In fall 2008, the Faculty Recruitment Committee was formed with the help of the Office of Student Affairs. The committee is led by founder David Kerner (2L) and Kali Feinman (2L) and consists of 16 diverse members of the law school

community, ranging from 1Ls to members of the LLM tax program.

The committee, which works under the Faculty Appointments Committee, was designed to interact with professorial candidates who were invited to interview for a tenure-track faculty position.

"It is the FRC's hope to put the student body's best foot forward during this important function and to let the candidate know that our student body is involved and invested in the affairs of the law college," said Kerner. "We believe that student body input is vital to the faculty recruitment process, and with the help of the members of the committee, I know we were able to fulfill the committee's mission of doing just that."

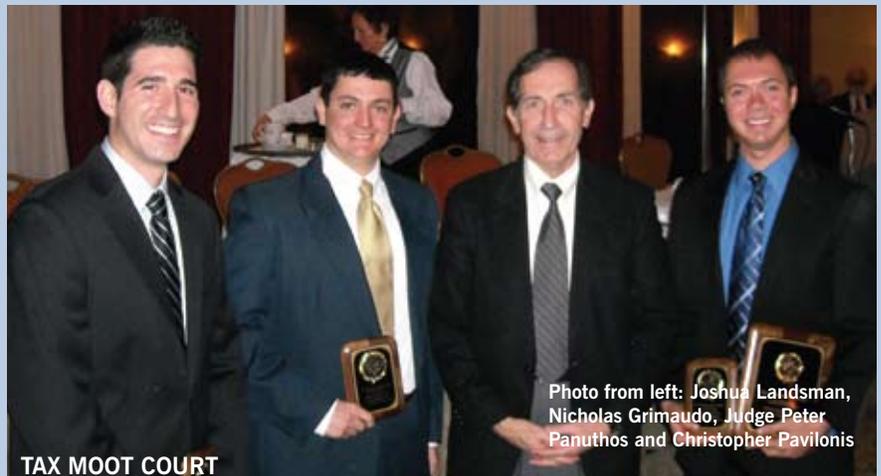


Photo from left: Joshua Landsman, Nicholas Grimaudo, Judge Peter Panuthos and Christopher Pavilonis

TAX MOOT COURT

National tax moot court team wins second place

The UF College of Law tax moot court team was first runner up in the The Florida Bar Tax Section 2009 National Tax Moot Court Competition.

They received the award on Feb. 7, in St. Petersburg, Fla. Participants included Chris Pavilonis (3L), Nicholas Grimaudo (3L) and Joshua Landsman (2L). The team advanced through the early rounds, including victories over Widener and Suffolk, then defeated the University of Wisconsin in the quarter finals and the University of Baltimore in the semi-finals. LSU, now three-time national champions, edged out the team in the finals. This was the University of Florida's first time entering the competition, which hosts 16 teams of JD students from around the country. The topic involved an attempted, but flawed, section 1031 exchange of real property and a section 721 contribution to an LLC. In competition, the UF team argued both sides of the issue. The team received support and coaching from its faculty adviser, Professor Steven Willis, and moot court member Stacey Schwimmer.

MILITARY JUSTICE

Team wins second place

The team of Lorna Cobb, Shelly Garg, Philip Moring and Gustav Schmidt won second place in the Military Justice Moot Court Competition held at Naval Air Station in Jacksonville, Fla., during the last week of February. This competition focused on an emerging military justice issue and required

competitors to learn provisions of the Uniform Code of Military Justice. The team argued in front of current naval military judges, including the chief judge of the Navy-Marine Corps Court of Criminal Appeals. Overall, the competition simulated the Navy JAG experience. Aside from hosting the competition, the Navy provided competitors with the opportunity to operate a flight simulator and tour a Navy frigate ship.



Photo from left: Shelly Garg, Gustav Schmidt, Lorna Cobb, Philip Moring.

FUNDRAISER

Profs take pie in the face for a good cause

Professor Danaya Wright (above) beams through a whipped-cream face mask she's just received as part of an April 20 pie throw fundraiser to benefit the Kalksteentfontein Primary School (KPS) in South Africa. The UF/University of Cape Town Study Abroad Program organized the pie throw, enlisting adventurous UF Law faculty and staff to stand as targets, and UF Law students paid \$5 each to take aim at a professor, or \$2 each to cream a staffer. From all accounts, students considered it well worth the money. ■

EXTRACURRICULAR

LawLawPalooza showcases law students' talent

The annual LawLawPalooza blew the doors off Gainesville's Backstage Lounge on March 19. The event, which showcases multi-talented UF Law students and faculty, was hosted by the Association for Public Interest Law (APIL) and the John Marshall Bar Association (JMBA).

Though fun and entertainment are big factors in LawLawPalooza, APIL and JMBA's main goal is to raise money for a good cause. All funds raised through ticket sales were donated to the APIL fellowship, a \$2,000 stipend for law students who have accepted unpaid public interest summer internships.

LawLaw Palooza featured five bands that rocked the house — including Dean Jerry's Mustaches, Crazy Dicta, Superfish, and The Monster — as well as individual performers like Shelly Garg (pictured), who performed a lively Bollywood dance.





Marc Edelman, Michael McCann and Joshua Golka speak on the labor panel at the Second Annual Sports Law Symposium.

At the Podium

ENTERTAINMENT & SPORTS LAW:

Making the cut

BY IAN FISHER (2L)

The founder of ESPN and a former White House communications director were among the prominent figures of the sports law and business world who gathered for the 2009 Second Annual UF Sports Law Symposium, held Jan. 23.

Hosted by UF Law’s Entertainment and Sports Law Society, the event kicked off with a discussion on recruiting, moderated by Professor Thomas Hurst, followed by a panel on negotiation. Other panel discussions included labor issues and the future of sports business, each moderated by UF Law professors Nick Ohanesian (adjunct) and Jeffrey Harrison. Speakers included sports law professors at various U.S. legal institutions, sports and marketing agents at top sports and talent agencies, public relations professionals and top wealth advisors.

Kevin Sullivan, communications assistant for former President George W. Bush, also spoke on his position overseeing White House message development and communications planning as well as

his experiences as senior vice president for corporate communications & media relations at NBC Universal and as vice president for NBC Sports.

Other speakers included Glenn Toby, an agent for the NFL’s Asante Samuel, other NFL players, and hip-hop artists, and Bill Rasmussen, who founded ESPN in 1979.

Named “The Father of Cable Sports” by *USA Today* (Sept. 1994), Rasmussen’s entrepreneurial daring led to ESPN, the world’s first 24-hour cable television network, where he pioneered such innovations as “SportsCenter,” wall-to-wall coverage of NCAA regular season and “March Madness” basketball, and NFL draft coverage.

NELSON SYMPOSIUM:

The squeeze on local governments

BY SPENSER SOLIS AND ANDRE SALHAB

The Eighth Annual Richard E. Nelson Symposium brought more than 100 top legal experts, local government attorneys, municipal managers, and students together on Feb. 13 to discuss

challenges and proposed solutions to the multitude of problems faced by local governments.

The conference, titled “The Squeeze on Local Governments,” included presentations from experts on topics such as land-use, local government, property and environmental law. Michael Allan Wolf, a professor of law and the Richard E. Nelson Chair in Local Government Law, organized the conference.

During his presentation, Frank S. Alexander, a professor of law at Emory Law School, described the impact of the foreclosure crisis on state and local governments. Foreclosures increase costs for local governments because they can bring with them instances of vandalism, arson and copper theft and said a single foreclosure in a neighborhood will reduce the value of properties within a half mile by 2.5 percent. To avoid that, Alexander suggested that local governments provide short-term leases to reoccupy vacant property.

Robert Guthrie, senior assistant county attorney for Orange County, Fla., outlined his county’s plans to use federal funding to purchase foreclosed structures. Through the Neighborhood Stabilization Program (NSP), Orange County will improve troubled homes by coordinating with organizations such as Habitat for Humanity.

John D. Echeverria, executive director of the Georgetown Environmental Law & Policy Institute and a professor at Vermont Law School, explained the implications of Florida’s Bert J. Harris Jr. Private Property Protection Act. Implemented in 1995 as a way of balancing private property rights and public land use and environmental regulations, the act is designed to curtail governmental encroachment on property rights. Despite its good intentions, the act has dramatically weakened the government’s ability to regulate property, he said, because it limits government’s ability to address complex property questions regarding abandonment, blight and economic development.



Associate Dean Kathie Price looks on as David Beame, an entertainment lawyer and a manager, talks about the relationship between musicians and managers at the seventh annual Music Law Conference.

MUSIC LAW:

From the suits to the stage

BY ANDRE SALHAB

It may have been a cold night, but it was one hot party at Common Grounds, a Gainesville, Fla., club, on Feb. 20. Hundreds of people showed up at the Seventh Annual Music Law Conference Music Showcase. The showcase featured bands like Superfish, a band specializing in funky New Orleans style music, and Danny Perez, a hip-hop artist.

The next day, the conference allowed lawyers from areas around the nation to talk with musicians, lawyers and students about issues related to entertainment law. The discussion focused on rights after the death of a musician, during which panelist Gary Roth, assistant vice president for BMI, used a diagram to explain rights that musicians have in the music industry while living. He explained some of the essentials of copyright law and emphasized the importance of contracts.

As part of that theme, John Thomas, a professor of law at the Quinnipiac University School of Law in Connecticut, discussed a case about musician Robert Johnson, who died in 1938. Thomas said there were many known talents who made money off of Johnson through listening and learning, including Eric Clapton, Led Zeppelin and the Rolling Stones.

The problem was the issue of publishing rights and to this day, this case is still being decided in the courts.

Other panel discussions explored artist management, free music downloads and ethics in the music law industry. Breakout sessions, new to this year's conference, were held after lunch and included topics on intellectual property litigation in the music industry, getting your foot in the door to the entertainment industry, succeeding in the industry and money management for musicians.

PIEC:

Sustainable solutions to Florida's environmental woes

BY SPENSER SOLIS

The 15th Annual Public Interest Environmental Conference (PIEC) gave environmentalists, scientists, lawyers and law students the opportunity to seek solutions to Florida's environmental woes. The law student-organized conference titled, "Beyond Doom and Gloom: Illuminating a Sustainable Future for Florida," took place Feb. 26-28.

Participants could choose from three tracks, each consisting of a different series of sessions. The science and technology track examined what research is currently available about Florida's environmental situation. The second track focused on pro-

gressive regulation, which consists of affecting state environmental policies. The third track, social marketing, emphasized methods to influence the average American's understanding and support of environmental policy changes.

One of the many environmental issues in Florida stems from water and fertilizer use during lawn care. There are currently five million acres of lawns in the state, and watering those lawns can account for as much as 75 percent of all municipal water use.

Another important issue in Florida is diesel emissions. Florida is a focal point for ships because of its large number of ports, and 56 percent of U.S. cruise ships leave from Florida. Port maintenance can cause a variety of problems, including disruption of sealife due to shipping and dredging activities.

An afternoon session titled, "The Long Slow Flood," addressed the dangers of rising sea levels. Florida's coastline is particularly vulnerable to changes in sea level since the construction of armored sea walls has disrupted natural coastal erosion patterns. An eco-friendly alternative to armored seawalls is the use of "living shorelines," which use natural elements to create sustainable coastlines, as an environmentally friendly alternative to seawalls.

WOLF FAMILY LECTURE:

Social obligation: The court's new concept for landowners

BY SCOTT EMERSON

The right to exclude others from private property is not what it used to be. That was the message recently delivered by Gregory Alexander, a prominent Cornell University land-use law professor and speaker for the Second Annual Wolf Family Lecture in the American Law of Real Property.

"U.S. courts are looking at the social responsibility of landowners to provide access for the health and sociability of the public," Alexander said. "The state of New Jersey is taking the lead on this issue provoking new thoughts on private property and owners' rights."

Alexander explained that courts have historically ruled in favor of private landowners when challenged with land rights and access issues. But in 2005, the New Jersey Supreme Court narrowed the scope on private land ownership and broadened its view on social obligation.

“In its decision on *Raleigh Avenue Beach Association v. Atlantis Beach Club*, the court ruled that private, non-profit entities did not have unlimited rights to restrict public access,” Alexander said.

This ruling, based in part on an earlier NJ Supreme Court decision in *Matthews v. Bay Head Improvement Association* (1984), takes into account the availability and need of public access.

“The landmark ruling in 2005 by the New Jersey Supreme Court could set precedence for other states,” Alexander concluded.

The Wolf Family Lecture in the American Law of Real Property series was endowed by a gift from UF Law Professor Michael Allan Wolf and his wife, Betty. Wolf, the Richard E. Nelson Chair in Local Government Law, is the general editor of a 17-volume treatise, *Powell on Real Property*, the most referenced real-property treatise in the country, which is cited regularly by the courts, including several citations in the U.S. Supreme Court. The treatise is a legal source that lawyers, law professors and judges have relied upon for more than 50 years.

WEYRAUCH LECTURE:

The complication of familial class and classification

BY LESLIE COWAN (2L)

In her March 23 lecture, titled “Family Classes,” Naomi Cahn discussed the way that economic class controls general thought about conception and family planning, coloring the “entire range of issues from contraception to abortion.”

Cahn, the John Theodore Fey Research Professor of Law at George Washington University Law School, spoke at the Levin College of Law as the speaker for the third annual Weyrauch lecture, a lecture dedicated to the memory of the late Walter Weyrauch, a UF Law professor and legal scholar.

Cahn asserted that the “rates of unplanned pregnancies, abortion, and unplanned births” are lower for higher-income groups who have greater financial resources and more options as a result. Abortion, a notorious “toxic issue in the culture wars,” has also always been a class issue, she said. Because of the increased rate of unplanned pregnancies, poor women are more likely to get an abortion than are wealthier women. With the self-perpetuating cycle of little access to contraception, lower levels of education, and limited healthcare, the rates of unplanned pregnancies for lower socioeconomic classes are on the rise.

Cahn posed three steps that will lead the way forward in terms of establishing a pattern for policymakers to follow in addressing class inequities in reproductive health and planning. First, comprehensive sex education, including education about birth control in addition to or in lieu of abstinence education is key. Second, provision of comprehensive access to contraception, so that those currently limited by financial constraints will have access to better family planning. Her third suggestion is to increase adolescent access to contraception and education to empower them to protect themselves and to make educated choices.

In addition to economic variables impacting family planning, Cahn identified one of the most controversial class of families with no legal recognition — those that include a homosexual relationship — as lacking “a whole set of rights that are attached to the class of the family that you are able to enter into,” especially involving inheritance, medical decisions, and social recognition.

DUNWODY LECTURE:

Dissecting Florida’s Bush-Gore ‘extravaganza’

BY ANDRE SALHAB

Internationally-known constitutional scholar Akhil Reed Amar, the Sterling Professor of Law and Political Science

at Yale University, spoke at the 28th Annual Florida Law Review Dunwody Distinguished Lecture in Law. Judges, former editors in chief of the *Florida Law Review*, and a room full of UF Law school faculty and students overfilled the Chesterfield Smith Ceremonial Classroom on March 24 to hear him.

The topic of Amar’s lecture, titled “Bush, Gore, Florida, and the Constitution,” dealt with the problems behind what he referred to as “the Bush-Gore Florida extravaganza of 2000.” Since 2000, he said, scholars from across the spectrum have weighed in on the statutory and constitutional issues dealing with this case.

“At this late date, now that all the shouting here in Florida has subsided and so many scholarly assessments are already in print, some of you may quite reasonably be wondering whether there are any new things

left to say about the Bush-Gore episode,” said Amar, who received the DeVane Medal, Yale’s highest award for teaching excellence in 2008.

“I think there are.”

Throughout the lecture, Amar discussed different aspects of the Bush-Gore debacle, including the courts and the Constitution, the role of the legislature, equal protection, voter intent, and reform. He used humor and fact to express to the audience his views on the case and explained who he felt was at fault.

“For decades, if not centuries, American voters have been asked to put their ‘X’ marks in boxes next to candidate names, and human umpires have had to judge if the ‘X’ is close enough to the box to count,” Amar said. “On election day, different umpires officiating in different precincts have always called slightly different strike zones. If these judgments are made in good faith and within a small zone of close calls, why are they unconstitutional? If they are unconstitutional, then every election America has ever had is unconstitutional.”

A webcast of the lecture is available for viewing on the *Florida Law Review* Web site, located at www.floridalawreview.com/. ■





TOUGHING OUT

Tough Times

Navigating the shifting terrain of the legal job market

BY LINDY MCCOLLUM-BROUNLEY

When the going gets tough, the tough get going.” So said the famous football coach Knute Rockne, but if you’ve been laid off or had your job deferred you wouldn’t be alone if you felt Rockne’s view of adversity rings trite. The ABA estimates nearly 11,000 attorneys across the country have been laid off in the past 18 months and firms and individual lawyers alike are struggling to weather the worst economic crisis the country has faced since the Great Depression.

Nonetheless, keeping an optimistic outlook and persisting where others give up could be the edge that helps you land on your feet.

“Your attitude is probably the most important thing when it comes to job searching. Your attitude is also the only thing you can control about your job search,” said legal recruiting consultant Ann Skalaski, of Skalaski Consulting Inc. Skalaski provided

“The ABA estimates nearly 11,000 attorneys across the country have been laid off in the past 18 months...”

job search tips during a recent UF Law presentation, “Managing Your Job Search in a Down Economy,” hosted by the Center for Career Development.

Where to start? Skalaski said the first rule of thumb job seekers should follow is to network, network, network. Staying plugged into your professional and collegiate networks takes on special importance when one considers the fact that the majority of jobs are unadvertised and finding them depends on who you know.

“Networking really is the best way to get a job. It’s the most important activity you can engage in,” Skalaski said. “There are countless studies out there that say 80 percent of jobs come from networking.”

As recommended by Assistant Dean Linda Calvert Hanson of the Center for Career Development, tell every professional person you know that you are looking for a job — whether they’re your accountant, dentist, or hair-dresser — because word of mouth is the most powerful form of advertising and you never know who might prove helpful to you in your job search. Network at bar association meetings, UF Law alumni receptions, and continuing legal education sessions to make contact with people in the know. Also, volunteer for pro bono work — besides doing good, pro bono work will keep your legal skills sharp and you’ll be circulating in settings that could lead to paid work.

You can network online too. In addition to popular online social communities such as LinkedIn and Facebook, you should take advantage of the Gator Nation Network, a no-cost, private online community hosted by the UF Alumni Association that allows UF alumni to securely connect with classmates and colleagues. Visit the Gator Nation Network at <https://incircle.ufalumni.ufl.edu> to create an account that will plug you into alumni groups like the South Florida LitiGators and the D.C. Gators.

The Center for Career Development at UF Law, while concentrating on working with current students in their job searches, hosts the UF Law Symplicity job bank of job postings advertising both entry-level and lateral positions. Contact the center at careers@law.ufl.edu to obtain a password for Symplicity and other password protected job sites such as Vault, the Intercollegiate Job Bank and the Non-Traditional Legal Careers Report, all of which list job postings from across the country. Also sign up to receive the UF Law Alumni Job Hotline by sending a blank e-mail to alumni-job-subscribe@law.ufl.edu. The UF Law Alumni Job Hotline e-mails notices of upcoming alumni receptions and positions with short deadlines that aren't posted to the college's Symplicity job bank.

Do research to keep your finger on the pulse of emerging opportunities. You'll find an amazing array of resources online. In addition to alumni resources available on the UF Law Center for Career Development Web site at www.law.ufl.edu/career/alumni/, be sure to check out the American Bar Association's online "Economic Recovery Resources" guide, located at <http://new.abanet.org/economicrecovery/default.aspx>. The guide offers job postings and networking opportunities, as well as articles and links to other materials that outline the creative strategies some people are using to market themselves differently to bridge the gap or successfully land permanent jobs. The guide also features discounted continuing legal education credits, tips for professional development, and information on practice management, career transitioning, recession-related legal issues, and resources for stress management.

Finally, develop a long-range career plan but keep an open mind when presented with work opportunities that fall short of your expectations. A job offer may mean a move to a different city, or it may not be at the rate of pay you'd like or within your preferred specialty area — but, if it comes with a paycheck, it's worth considering, at least for the short term.

The legal profession has experienced an unprecedented shift, and people's careers and lives have been uprooted by unforeseen market changes. There are no easy answers and no magic bullet to make things right. Nonetheless, despite sounding clichéd, Knute Rockne's aphorism for tough times is true — guts and determination do make a difference, and the tough really do get going. ■

Creative loafing for deferred associates

One UF Law graduate, who shall remain anonymous, has developed a Web site for newly-minted lawyers who suddenly find their jobs deferred, typically for a period of six months or longer. The site, www.deferredassociate.com, is designed to serve as a clearinghouse of ideas on how to spend those months of deferment pleasantly and profitably.

The law grad, using the pen name "The Deferred Associate," writes, "Time off can be a blessing or a curse. Like law school and work, it is what you make of it. This site is designed to give some ideas and resources that will help you spin the time off into something positive."

The site's blog and news page invites commentary and news from readers, and the site's suggestions for short-term job options one might consider during the time of deferment are both clever and sensible. For example, the site's pro bono page is entitled, "Building up a Karma bank," and part of the description reads, "Pro bono work gives you a chance to truly cut your teeth. If you want to, you'll meet with tons of clients and spend time in court. If you don't, you can pretty much pick what you're interested in and jump in. Granted, you won't find much pro bono antitrust, qui tam, or M&A work, but there is plenty of time for that later."

Other ideas for wiling away the months of deferment include pursuing short-term judicial clerkships, going back to school as a student or a teacher, contract work, short-term solo practice or using the down time to travel to that special place you've always wanted to visit.

Visit www.deferredassociate.com for more entertaining but great ideas on how to make the most of your deferment. ■



"Pro bono work gives you a chance to truly cut your teeth."

Calling all Gator Lawyers

Does your firm have a job opening? Want to get the word out to other Gator lawyers? Send us your job posting, and project-based or contract positions for inclusion in the UF Law Center for Career Development's Symplicity job bank, we'll help spread the word. The Center for Career Development is also ready and willing to assist your firm with all aspects of recruiting for vacancies, listing job openings, coordinating resume collections and hosting on-campus interviews. Contact the center at 352-273-0860, or visit www.law.ufl.edu/career/employers/index.shtml for more information.

THE PRESIDENT'S 'CZAR'

From Gator to a leader of the president's Green Team

BY DIANE CHUN

Carol M. Browner

Assistant to the President
for Energy and Climate

HOMETOWN:

Born in Miami, she grew up in South Florida, where her parents taught at Miami-Dade Community College.

FAMILY:

Married former congressman and current lobbyist Thomas Downey in 2007; one son, Zachary, from previous marriage.

EDUCATION:

BA degree in English from University of Florida in 1977, law degree from UF in 1979.

Florida-born Carol Browner seems quite comfortable with her new title as Washington's "climate and energy czar."

Her role as President Barack Obama's director of the White House Office of Energy and Climate Change is newly created, but the 53-year-old Browner brings a lifetime of environmental concern to Obama's "green team."

Not only that, but her road to the White House Executive Office Building includes stops in Gainesville at the University of Florida.

In a recent interview about her position, Browner applauds the fact that the federal government has an array of agencies, cabinet secretaries and administrators who have clout "that we can bring to bear in terms of creating a green economy, changing how we think about energy, energy security and reducing our energy use."

"Carol understands that our efforts to create jobs, achieve energy security and combat climate change demand integration among different agencies, cooperation between federal, state and local governments and partnership with the private sector," Obama said in announcing Browner's nomination.

Born in Miami in 1955, Browner is the oldest of the three daughters of Michael Browner and Isabella Harty-Hugues. Both are professors at Miami-Dade Community College.

Her parents limited their daughters' TV time, instead encouraging their children to read and explore their environment.

Browner spent many hours hiking the Everglades, and grew up to love biking, skiing and jogging.

She credits her folks with her first lessons in politics and an appreciation for the natural world.

She once told the *New York Times*, "I want my son

Zachary to be able to grow up and enjoy the natural wonders of the United States in the same way that I have."

The 1970s brought Browner to Gainesville, where she earned a degree in English from the University of Florida in 1977 before enrolling in law school. She graduated from UF's Levin College of Law in 1979.

Jon Mills directs the Center for Governmental Responsibility

at the law school. The center was in its infancy when Mills hired Browner as his secretary. She soon moved up to become a researcher for the center.

Even then, Mills says today, he could see that Browner had the focus and drive to achieve that would lead her to great things.

He describes one incident that he and Browner can laugh about today.

He was traveling in Poland, and in those days, Mills said, you had to make arrangements for a long-distance call back to the United States "about two days in advance."

"I want my son...to
be able to grow up
and enjoy the natural
wonders of the United
States in the same
way that I have."



University of Florida grad Carol Browner speaks at a news conference in Chicago on Dec. 15 after she was nominated to be "Climate and Energy Czar" by then president-elect Barack Obama.

He made a call to the office ... collect.

Browner had been told never to accept collect calls on the office line. She heard the long-distance operator asking if she'd take a collect call, but promptly said "no" and hung up...to the sound of a strangled groan from Mills at the other end of the line.

"She says now that it was the sound of her career going down the drain," Mills now jokes.

Browner has maintained ties to UF, including teaching in the Levin College of Law's study abroad program in Costa Rica in 2002.

Tom Ankersen, who directs the program, recalls Browner's week-long lecture series on climate change and other ecological "hot topics."

He also remembers Browner's willingness to pile into the bed of a small pickup for a long and bumpy ride from the capital city, San Jose, to the rain forests of the Osa Peninsula.

Browner, a long-time bird watcher who has served on the board of the Audubon Society, happily sought out the exotic species of that isolated region of Costa Rica.

Richard Hamann, an associate in law for the Center for Governmental Responsibility, also taught in the study abroad program. He has known Browner since her time as secretary of Florida's Department of Environmental Protection.

Hamann applauds Obama's choice of Browner as his "energy czar."

"She's a combination of idealism and pragmatism that can be very effective," Hamann says. "And clearly, she is committed to protecting the environment."

Browner knows environmental regulation both from the Washington and state perspective.

Browner has experience balancing between groups that seem to have conflicting interests — the environment and economics.

As Florida's Secretary of Environmental Regulation, a post she held from 1991 to 1993, Browner was chief negotiator for the state in a suit to restore the national flow of water to Everglades National Park. The project was the largest ecological restoration effort ever undertaken in the United States.

She is also credited with negotiating a landmark agreement with Disney that allowed the company to develop 400 acres of wetlands on their Disney World property in exchange for investing \$40 million to preserve and protect more than 8,500 acres of wetlands in Central Florida.

"Browner had a vision of protecting an entire ecosystem," said Todd W. Mansfield, a senior vice president of Walt Disney Development Company. "She is a very, very long-term thinker."

As Secretary of Environmental Regulation, Browner led one of the nation's largest

state environmental agencies. For two years, she managed a staff of 1,500 and a budget of \$650 million.

As head of the federal Environmental Protection Agency from 1993 to 2001, she oversaw 17,000 employees and was responsible for a budget of \$7 billion.

Of EPA critics within the business community, Browner says, "I've found business leaders don't oppose strong environmental programs. What drives them crazy is a lack of certainty. We can change that."

Her focus in her various environmental positions has always been on preventing pollution rather than on cleaning it up, both critics and supporters say.

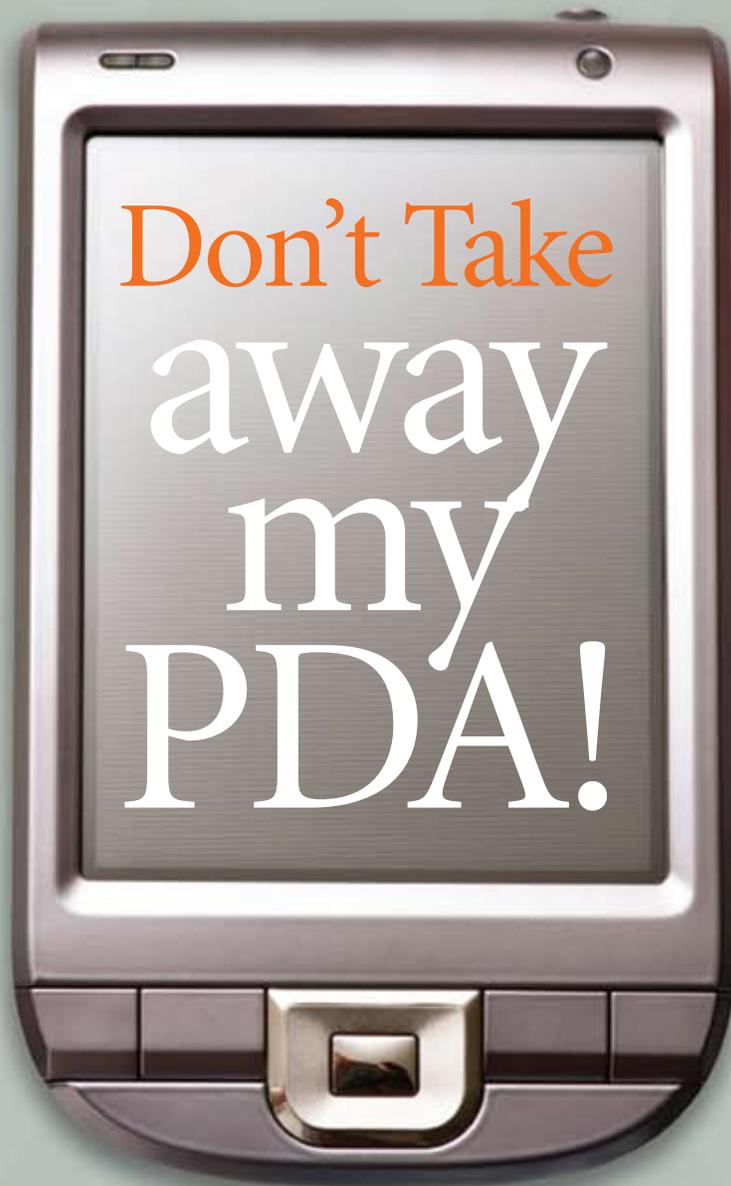
She has been described as a good listener and a strong negotiator who is willing to compromise when necessary.

She comes to her new office in the Executive Office Building from a position with former Secretary of State Madeleine Albright's global strategy firm, the Albright Group.

She looks forward to helping direct economic stimulus dollars toward "shovel-ready" projects to weatherize homes, make schools and federal buildings more energy efficient and stimulate development of wind and solar energy.

"The good news is that there are tremendous opportunities in terms of clean energy and green jobs," Browner said. ■

(Reprinted with permission from Gainesville Magazine)



Open government laws struggle
to keep pace with changing technology

BY ADRIANNA C. RODRIGUEZ

Forget the suit, the smile or the traditional wave, the indispensable accessory of the modern public official is the CrackBerry.... Uh, make that BlackBerry.

Instant access to e-mails and the Internet is a must-have for many, but the technology that allows e-mails and text messages to be sent from laptops and PDAs with the blink of an eye may also be closing the door on open government laws — and posing new challenges for public access to the meetings and records of public officials.

Gov. Sarah Palin, for instance, became notorious for trying to avoid public records requests by using private e-mail and her two BlackBerry PDAs.

During the campaign trail, it was revealed that vice-presidential candidate Palin routinely discussed state business as governor of Alaska from private Yahoo! e-mail accounts, gov.sarah@yahoo.com and gov.palin@yahoo.com, rather than from her state e-mail account.

In January, after weeks of debate, President Barack Obama, whose administration has reiterated its commitment to transparency time and time again, was allowed to keep his BlackBerry. He had been pressured to give it up by Whitehouse counsel concerned that information on the presidential BlackBerry would be subject to the Freedom of Information Act, and by security personnel worried about hackers. Nonetheless, the president persisted. The content of the communication ultimately will decide what messages transmitted from Obama's BlackBerry will be subject to the Freedom of Information Act.

With the eyes of the national and international media and the public on the president, it seems certain Obama's BlackBerry will be closely guarded for both security and public records. But what about the less-known town mayors and city commissioners who don't garner international interest? Who's watching their BlackBerrys?

"Keeping up with technology presents huge challenges to Florida's Government in the Sunshine law," said Sandra F. Chance, Esq., (JD 90) executive director of the Brechner Center for Freedom of Information at the University of Florida and McClatchy Professor in Freedom of Information at the College of Journalism and Communication.



Sandra F. Chance (JD 90)

“Keeping up with technology presents huge challenges to Florida’s Government in the Sunshine law.”

Florida's open meetings law, also known as the Sunshine Law, was passed in 1967 and is one of the strongest in the country. However, Florida isn't one of the 23 states across the country that addresses the use of technology in conducting public meetings in state open meetings statutes.

Regardless of the technology used, public officials in Florida must still comply with the requirements of the state's Sunshine Law, which include giving proper notice for a meeting, allowing the public to attend meetings and taking minutes of the meetings, said Chance.

However, the ease of sending e-mails and text messages has made it easier for public officials to communicate with each other about public business outside of public meetings.

“New technology can be very beneficial and increase public participation in the government decision-making process,” Chance said. “But, the same technology has the potential to increase secrecy. So, new technologies should not be used until it is clear that all the requirements of Florida’s open meetings and public records laws can be met.”

The problem of public officials conducting city business via private e-mail was at the center of an 11-month lawsuit against the Venice, Fla., City Council.

The lawsuit alleged that several current and former city officials had used e-mail to conduct business out of the public’s view, which constituted an improperly noticed meeting. The suit also alleged that the officials had used liaisons to communicate with each other about city business, and had improperly saved or deleted e-mails related to city business.

At the Florida Attorney General’s office, Lambert has seen an increase in complaints about officials using e-mails, text messages and instant messages. She’s even received calls from constituents who can see instant message boxes reflecting from computer or PDA screens on the glasses of public officials during meetings.

“The medium is unimportant, the content is key,” Lambert said. “It doesn’t matter if you are using smoke signals, instant messages or BlackBerry pens.”

Although it is not a violation of the law for public officials to use text messaging or instant messaging for personal matters, the appearance of impropriety is enough to raise eyebrows.

“The potential for abuse is clear and we’re seeing more and more cases where officials are texting during meetings,”

the public can access the meetings.

Many states have also established management and retention policies for archiving e-mails and instant messages, but Florida so far has not been among them.

Earlier this year, the e-mail retention policies of the Florida legislature came under scrutiny when a spokeswoman from former Florida House Speaker Ray Sansom’s office revealed that his office deleted his e-mail every 30 days to make room on the server and that House members could decide whether to archive e-mails.

The Associated Press requested Sansom’s e-mail in connection with a meeting of the president and trustees of Northwest Florida State College, a public college, and in connection with a \$110,000 job Sansom accepted at the college before becoming House speaker.

Sansom is under investigation for, among other things, Sunshine Law violations in helping to arrange the meeting that may have been improperly noticed and at which no minutes were taken.

Retention and archiving e-mails, text messages and instant messages presents one of the greatest problems for access and public records because different service providers and versions of programs have different retention schedules.

“Not all instant messages are created equal. It really hinges on what software format you use,” Lambert said, explaining that different companies and different versions make all the difference in terms of ability to archive.

Additionally, not all cell phone providers have the same retention schedules for text messages.

Most users are unaware of their service provider’s retention policy. Such was the case with the now infamous Detroit Mayor Kwame Kilpatrick, who unwittingly paid for six months of message retention in his wireless plan. That proved to be fateful for the mayor. In 2008, Kilpatrick resigned and served 99 days in jail for obstruction of justice after sexually-explicit text messages obtained by *The Detroit Free Press* revealed he and top aide Christine Beatty



Alexis Lambert (JD 04)

“The medium is unimportant, the content is key...It doesn’t matter if you are using smoke signals, instant messages or BlackBerry pens.”



In the settlement, the city council admitted to violating the Sunshine Law, but no individual commissioner admitted wrongdoing.

“When it comes to e-mail the same rules apply,” said Alexis Lambert (JD 04), appointed by Attorney General Bill McCollum as Florida’s Sunshine Law attorney. “You can’t control what you receive in your private e-mail, but you can control how you respond to it. You can’t launder your government e-mail by sending it to your Hotmail account.”

Chance said. “If they can’t talk about the issue outside of the meetings, clearly they can’t talk about it via texting. And, when officials are texting during a meeting, there’s an appearance of impropriety, even if they’re just sending a text to their kids. So, it’s just better not to text about or during government business, period.”

In the states that have addressed technology in open meetings, most laws allow for the use of technology so long as

had perjured themselves at trial. The text messages revealed that both Kilpatrick and Beatty had lied during testimony about their sexual relationship and about the firing of a police chief. Beatty served 69 days in jail for obstruction of justice.

In Florida, the problems created by new technology were among the issues addressed by the Commission on Open Government Reform in the Final Report released in January. The commission was charged with reviewing Florida's open meetings and open records laws and issuing recommendations for improvement of those laws. Its recommendations included prohibiting text messaging and instant messaging during public hearings or meetings and a call for all state agencies to develop a process for public access to public record e-mails, among other things.

Chance said most public officials intend to abide by the Sunshine Law but may not fully understand the requirements of the law, especially with technology changing so rapidly. Improving public officials' access to education and training on compliance with public records and open meetings laws could be one avenue to improving compliance.

To this end, in March, the Florida Attorney General's office launched MyFLSunshine.com. The Web site hosts training videos on compliance with different aspects of the state Sunshine Law and a searchable database of attorney general opinions on matters related to open government questions.

In the wake of the Sunshine Law suit, the city of Venice has implemented a new policy that prohibits council members from using private e-mail accounts for city business, requires all public officials to attend Sunshine Law training and requires officials to forward to their city e-mail accounts all e-mails regarding city business sent to private e-mail accounts.

"While these new technologies make our lives easier, no question about it, officials could violate the laws if they use them incorrectly to conduct public business," Chance said. "A democratic society isn't always the most efficient, but it is always the most effective." ■

Breaking down the art of e-mail discovery

BY IAN FISHER (2L)

Jason R. Baron just received more than 200 million e-mails.

But that's nothing compared to what someone in his position could get in eight years.

Baron, the director of litigation for the National Archives and Records Administration, spoke to students on Feb. 26 in UF Law's groundbreaking class on e-discovery, taught by adjunct professors William Hamilton (JD 83) and Ralph Losey (JD 79). The moment President George W. Bush's term ended, Baron's office took possession of all of the e-mails that went through the White House in Bush's eight years. Baron expects a lot more from the Obama administration.

"...if he [the president] lasts two terms...he will have generated, at the rate that we're going, a billion e-mails."

for his office if it had to go through a billion White House e-mails for litigation.

Baron should know. He and his office were involved in the *United States v. Philip Morris*, a multi-billion dollar case. In the case, Baron was responsible for searching more than 20 million e-mails from the Clinton administration as well as 50 years of tobacco-related documents. To do this, he used 12 keywords to search all of the e-mails, narrowing the number to 200,000.

After that, 25 lawyers took six months going through every e-mail to determine which were relevant. They determined about 100,000 were relevant and produced about 80,000. Only a few were ever introduced at trial, which is troublesome according to Baron.

"The natural inclination is to figure out a bunch of keywords that you can then go query your own client's database or think of keywords to propound to the other side," Baron said. "That's not wrong. I guess my proposition is that it's a little naive to think that 12 keywords are going to reliably and efficiently get the relevant evidence that's in a haystack in a giant collection, like White House e-mail, of 20 million documents."

Baron gave one example of the many problems that arose with keyword searching: when Marlboro was searched, many e-mails with Upper Marlboro, a city in Maryland, came up.

Because of these and other problems with information retrieval, Baron got involved with the Text Retrieval Conference, or TREC, which is operated by the National Institute of Standards and Technology. TREC's goal is to promote research into the science of information retrieval.

Until TREC, Baron said only one study had been done on lawyers finding relevant documents. In that study, there were 350,000 pages of 40,000 documents. Lawyers estimated that they found 75 percent of the relevant documents, however a research team found that the lawyers only identified about 20 percent of the relevant documents.

Many software companies are trying to solve these search problems with new programs that promise more efficient searches, but Baron said it is unclear which expensive program to buy and whether they actually work as promised. With all of these e-discovery issues, Baron recommended that students really learn the area because knowledge of it will give them a head start in a rough job market.

"We are just at the beginning, sort of the dawn of some new paradigm in the law," Baron said. "There is something happening out there, something different — and you can feel it." ■



Jason R. Baron

Family Values



The story of seven springs, two law students,
and one family's quest to conserve its land

BY LINDY MCCOLLUM-BROUNLEY

Say you find yourself sitting on a pot of gold. For the sake of argument, let's say the gold is a cherished family treasure you've been entrusted by the previous generation to protect for the next. What would you do with it?

Real estate is not gold, but it may as well be for many Florida land owners and their families faced with either sell or save. Large parcels of Florida land can be worth millions when sold for development. Despite occasional economic downturns, the state's history of boom-time growth has placed every acre of undeveloped land in the cross hairs, and, with Florida's population predicted to swell from 19 million to 36 million people by the year 2060, the pressure is on to sell.

"Landowners can make a huge amount of money just by selling their land to someone who's going to develop it, but what does that money mean to them in the long run relative to what the land meant to them?" said Judy Smith, a member of the Smith family, which owns more than 840 acres of land straddling Marion and Sumter counties. "My values would say they haven't gotten much — to have that connection to the land, there's just no money you could put on that."

The Smith land lies within the Withlacoochee River watershed, and it shelters seven of 15 springs, including the main springhead, that feed Gum Slough, a tributary of the Withlacoochee River. Despite the slough's pristine state, the area is on a collision course with widening ripples of suburbia emanating from the nearby mega-developments of Marion Oaks and The Villages.

Nonetheless, four Smith generations have grown to view their land, with its springs and surrounding wetlands, as unique and intrinsically valuable in its own right. The family knows that holding onto the property will be challenging, especially as development encroaches ever closer. They also know property taxes and inheritance taxes on generational transfers of property are extraordinarily burdensome, often forcing

land-rich, cash-poor families to sell all or part of their properties when they would rather keep them.

"The support infrastructure is set up for someone who wants to sell, wants to develop, wants to go the way of the dominant culture. It's very challenging and typically more costly to go against the flow," Smith said.

AGAINST THE FLOW

Going against the flow is exactly what Tom Ankersen was doing one cold November day in 2007. Ankersen, director of the University of Florida College of Law Conservation Clinic, was kayaking up the 4.5 mile Gum Slough from the Withlacoochee River with a group of students and faculty as part of the clinic's semi-annual field trip.

"This was the third time that I'd paddled Gum Slough, the second time with the clinic," Ankersen said. "It's one of the last wild spring runs left in Florida, it's almost entirely protected up to the springhead, which is privately owned, and it's beautiful."

"Landowners can make a huge amount of money just by selling their land to someone who's going to develop it, but what does that money mean to them in the long run relative to what the land meant to them?"



Wilson Smith sits behind the wheel of a farm truck at Seven Springs, Judy Smith is standing, and her brother Scott, his future wife Debbie, Judy's sister Lorie and Wilson's ward, Wayne, sit in the truck bed. (c. 1974)

After five hours of paddling the group finally made it to the springhead, a lovely second magnitude boil sheltered below a dome of oak branches. They laughed and talked as they rested in their kayaks, excited to have come so far and soaking in the sights of the spring and the privately-held lands surrounding it. That land was Smith family land, and Judy Smith happened to be the Smith in residence on that day, living in one of the two homes located near the spring.

“We were sitting there talking and a woman who introduced herself as Judy Smith came down and wanted to know who we were, even though she enjoyed having people come up there occasionally,” Ankersen said. “So, I told her we were with the Conservation Clinic at the College of Law, and she had heard of the clinic from one of the land owners further down the run who had given her a *FlaLaw* article about a previous clinic field trip up the slough. So, we started this conversation, and we were literally interviewing a client, a potential client, at the end of this field trip on a spring run.”

As they talked, Ankersen learned the remarkable history of the Smith family and its property. Smith’s grandfather, McGregor Smith Sr., then the president and chairman of Florida Power and Light, and his wife, Elizabeth, bought the Gum Slough property — or “Seven Springs” as the family came to call it — in the late 1960s. Seven Springs became a treasured wilderness retreat for the Smiths, a place to gather and reconnect. Two modest residences were built near the springhead, and generations of Smiths have loved the property.

Following the deaths of the senior Smiths, the land was divided in 1997 between their sons, McGregor Jr. and Wilson — McGregor’s property on the south shore of Gum Slough in Sumter County, and Wilson’s on the north side in Marion County. Despite its legal separation, the property as a whole remains a central gathering place for the family.

“It turns out there is a very complicated structure around the property. The family has created a non-profit organization, there’s a family foundation, there’s private ownership, and there’s an existing conservation easement on McGregor Smith’s part of the property,” Ankersen said.

Ankersen learned that Wilson Smith’s portion of the property did not yet have an easement in place, although Smith had been collaborating with his niece, Judy, and several other close friends to establish an easement



Judy Smith (sitting on dock) speaks with Tom Ankersen during the Conservation Clinic’s November 2007 field trip to Gum Slough. (photo by Tristan Harper)

to protect his land. Ankersen suggested the Conservation Clinic could help with that, and, with the Smith family onboard, he assigned the Gum Slough conservation easement project to two second-year law students, Tristan Harper and John November, during the spring 2008 semester. The students were among 11 accepted into the Conservation Clinic for the semester, and Ankersen considered them his best fit for working with the Smith family to research and write a conservation easement for Wilson Smith’s portion of the property.

“The Conservation Clinic’s mission is to provide a real world learning opportunity for students and every semester we divide available projects among them,” Ankersen said. “I chose Tristan and John for this project because they were very outdoorsy and very attracted to the idea; they just seemed to be naturals for it. ... They really took complete ownership of the project in a way that doesn’t happen very often.”

WORDS MATTER

Wilson, Judy and family friends, Mark Reno, Chip Mirman and Maggy Hurchalla, had already developed a strong working draft for an easement, which drew on their intimate familiarity with the land and shared desire to see it protected from development. This document would serve as the framework on which Ankersen and the law students would build as they began their own efforts researching the different aspects of establishing a conservation easement for the property.

“The property is so diverse. There are different types of habitats and land uses on the property, everything from cattle grazing, the area where the houses are, natural forests,

the spring zones and the springs themselves,” said Tristan Harper (JD 09). “So, with a diverse piece of property like that it was essential to come up with an easement that would effectively protect the property and the landowners’ interests without restricting them too much.”

“Seven Springs became a treasured wilderness retreat for the Smiths, a place to gather and reconnect.”

Under Ankersen’s guidance, the two students delved into the nitty-gritty of researching the property’s convoluted history and writing the easement — working with other land use attorneys and with Robert “Hutch” Hutchinson, the executive director of Alachua Conservation Trust, a non-profit land conservation organization based in Gainesville, Fla., tapped by the Smith family to serve as grantee for the easement. As their work progressed, the two were surprised by the complexity of the process — in terms of writing language to address the diverse characteristics of the property itself; of the legal issues impacting the easement; and in learning to work as a team, despite differences in personality and approaches to problem solving.

“I think they thought it was done at the end of the first draft, and there were at least five more complete redrafts of the easement. They began to realize how single words made a big difference in how the family perceived what was going on or how ACT perceived enforcement issues,” Hutchinson said. “So, if they had not learned prior to now that the power of language to change things on the ground is very real, they certainly learned after this exercise.”

Once executed, the conservation easement the students drafted would be written into the deed and become part of the property's chain of title — forever.

“When you read case law sometimes you realize that a decision came down to a word or two, and even when talking with people, a few words or how something is phrased can really make a difference,” said Harper. “The easement was a really interesting project in the respect of how to make every word count to avoid future liability. The idea of the easement is that it will last in perpetuity, and you don’t want something badly written lasting in perpetuity. It’s important to the Conservation Clinic, it’s important to the Alachua Conservation Trust, and it’s extremely important to the land owners and their future generations.”

This reality, combined with the ecological and land use diversity of the property, compelled Harper and November to think outside the box when considering how to draft the easement.

“Other easements could choose to grant certain reserved rights and restrict certain uses over the whole property, but we realized that the same reserved rights for the springs shouldn’t also be reserved for the areas where they were going to build or where they were going to do row-cropping,” John November (JD 09) said. “These distinctions made us realize that we had to treat each of these areas differently and we came up with the concept of treating each unique area as a zone with unique management criteria.”

The two, in collaboration with Conservation Clinic and ACT lawyers, developed a novel approach that resulted in, as Ankersen described it, “an elegant document that looks a lot like a zoning plan.” It prohibits subdivision of any part of the property and places stringent use restrictions on the springs and associated water recharge areas. However, more flexibility of use is allowed for the agricultural areas, including future construction of 10,000 square feet of building space for educational or research purposes.

“I was impressed by the meticulous care that had been taken in drafting the document. It’s probably the most detailed, complete conservation easement I’ve ever seen,” said property owner Wilson Smith. “I’d never expected anything that careful or that detailed, but I was delighted to see it. I certainly had no reservations about executing it.”

Smith, a 1952 graduate of UF Law and a double Gator, was the project’s principle client and a man with a formidable background in the law. Now retired at 81 years of age, during his long career Smith established the probate department at the Miami firm Steele, Hector & Davis and was heavily involved in the probate sections of the American Bar Association and The Florida Bar.

As the project progressed, Smith’s attention to legal details put Harper and November through their paces as the wording in several drafts of the easement was refined to his satisfaction. Because of the research and careful crafting of the descriptions invested into the zoning concept, the final document was more time and resource intensive to produce than a typical easement, but it’s one that all parties are proud to have achieved.

“I was very happy that it had come to a final consummation, that we had finally finished it... and what was finished was extremely well-done,” Smith said.

LESSONS LEARNED

At long last, following three semesters of the students’ work and collaboration between the family, the Conservation Clinic, Alachua Conservation Trust and private attorneys who donated their time to the effort, the easement was prepared for closing. Hutchinson and November met Smith and his niece, Lorie, Judy’s

sister, in Tampa on Sept. 26, 2008, and Smith placed his signature on the document, legally preserving Gum Slough’s headwaters in perpetuity.

“Wilson Smith’s joy was something very palpable as he resolved one of the big things he felt needed to be resolved when you want to own land responsibly,” Hutchinson said. “And, as a UF alum, he felt good about seeing young UF law students participate. ... The fact that we were working so closely with the university clinic made it good for him. I know he’s thrilled with how it turned out.”

The students also felt a tremendous sense of achievement and satisfaction. They had taken on and completed a project with enormous complexity — in terms of the legal issues it addressed, the ecological attributes of the property, and the delicate balance of family relationships at play. The experience was transformative for them, and they recognize it as a defining event for themselves and for the Smith family.

“They accomplished something big while they were in law school,” Ankersen said. “They, in essence, made law, which is what lawyers do. That doesn’t happen with every clinic project, certainly not with the speed in which this happened. But, they got it done, and it’s hard to complain about the result.” ■

Amendment 4

A amendment 4, passed by Florida voters last Nov. 4 with a whopping 67 percent of the vote, makes conserving private land a lot more affordable for Florida land owners. The amendment’s two-prong approach to tax relief for land owners is one Preston Robertson (JD 90), vice president for conservation and general counsel of the Florida Wildlife Federation, came up with after considering similar models in Georgia and other states.

“In Florida, at least until Amendment 4 passed, there was absolutely no financial benefit to a land owner to perpetually encumber their property with a conservation easement,” Robertson said. “It seemed to me that it would be nice to provide people who want to voluntarily protect their land some benefit to inspire them to do so, and that’s Amendment 4.

The first clause of the amendment removes all tax assessments from property under a conservation easement. The second clause provides for a “conservation use” assessment for qualifying properties similar to the greenbelt assessment agricultural lands already enjoy. Enabling legislation for the amendment was hammered out during the recently adjourned legislative session, and the amendment’s tax benefits are set to take effect Jan. 1, 2010.

For the full story, visit www.law.ufl.edu/uflaw. ■



Years of

Centennial Reunion

■ 1. UF mascots Albert and Alberta made special appearances at the UF Law Centennial All-classes Reunion Barbeque on April 25. ■ 2. David Cairns (JD 79), at right, and his daughter Elizabeth pose with Dean Robert H. Jerry II during the Centennial Welcome Reception. ■ 3. Fred Boone (JD 82), and parents Freda and Dan Boone (JD 54) were the proud representatives of the Law Offices of Boone, Boone, Koda & Froom, P.A., the firm that generously sponsored the Barbeque luncheon held in the Marcia Whitney Schott courtyard on April 25. ■ 4. Graduates of the 70s Decade; ■ 5. Graduates of the 90s Decade. ■ 6. Harry Michaels (JD 51), W. Dexter Douglass (JD 55), the Hon. Peter T. Fay (JD 56), Dan Boone (JD 54) and W. Reece Smith Jr. (JD 49) represented those graduating during the 40s and 50s at a Decade Dinner hosted by the Hon. Ben Overton (JD 52, not pictured) at his home in Oak Hammock at the University of Florida. ■ 7. W. Reece Smith Jr. (JD 49) speaks with *Florida Law Review* Editor In Chief Jon Philipson and Symposium Editor Dennis Gucciardo. ■ 8. The Hon. Stephan P. Mickle (JD 70), at left, and former Governor Buddy McKay (JD 67) converse during the April 24 Centennial Welcome Reception.



Heritage of Leadership SOCIETY

The University of Florida Levin College of Law held the 2009 Heritage of Leadership Recognition Society induction ceremony on April 25 to honor Henry A. Fenn, George A. Smathers (JD 38), and Richard B. Stephens. These individuals are preeminent graduates or friends of the college who assumed leadership positions on national and international levels and distinguished themselves in legal, governmental, academic and corporate sectors.



Henry A. Fenn (1909-1995)
Dean, University of Florida College of Law 1948-58; Florida Blue Key Distinguished Faculty 1971; UF Distinguished Service Professor 1975; Professor Emeritus 1978



George A. Smathers (1913-2007)
Class of 1938 Assistant U.S. Attorney, Miami 1940-42; Representative, U.S. House of Representatives, Fourth Congressional District, Florida 1947-51; Senator, U.S. Senate, Florida 1951-69



Richard B. Stephens (1917-1988)
Professor of Law, UF College of Law 1947-77; Florida Blue Key Distinguished Faculty; Visiting Professor, University of California at Davis, Martin Luther King School of Law 1977; Tax Lawyer of the Year 1985

To view event photos, biographies of the individuals inducted and a listing of all UF Law graduates inducted into the Heritage of Leadership Society and UF Distinguished Alumni, visit www.law.ufl.edu/uflaw.

UF Law



6



7



8

UF Distinguished Alumnus AWARD

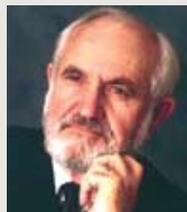
Four UF Law graduates were inducted into the ranks of University of Florida Distinguished Alumni during the college's May 15 Commencement Ceremony. Those honored were the Hon. Rosemary Barkett (JD 70), W. Dexter Douglass (JD 55), the Hon. Ben Overton (JD 52) and George H. Starke Jr.



Barkett 70



Douglass 55



Overton 52



Starke

A Donor Beneficial Giving Plan During a Down Economy

BY ELLEN R. GERSHOW (LLMT 83)



While interest rates are low, it is a good time to consider a charitable lead trust. A charitable lead trust is a trust in which an income interest is paid to one or more charitable beneficiaries for a term after which the remainder interest is paid to one or more noncharitable beneficiaries. A charitable lead trust may be established during the donor's life or as a testamentary trust. In order to qualify for the gift or estate tax deduction, the

charitable lead payment must be in the form of an annual guaranteed annuity or unitrust payment.

With the traditional (nongrantor) lifetime charitable lead trust, a donor is entitled to a charitable gift deduction for the value of the gift of the income interest to be paid to the charity, but not an income tax deduction. During the lead term, the donor does not report the income from the trust. The benefit to the donor is that he or she may pass an appreciating asset on to heirs at the end of the charitable term at a significant gift tax savings. The value of the charitable gift and the remainder (which is the taxable gift) are valued based on current interest rates published by the IRS. These rates are currently very low. If the assets in the trust appreciate at a greater rate or if interest rates increase during the income (lead) term, the excess appreciation or earnings will pass to the donees free of gift tax.

It is permitted, but unusual, for the property to revert to the donor at the end of the lead term. This may be a useful technique if the donor wants to make a charitable gift and has exceeded the percentage limitations applicable to charitable income tax deductions.

If a charitable lead trust is created at death, the estate is entitled to a charitable estate tax deduction for the value of the gift of the income interest to be paid to the charity. The receipt of the inheritance will be postponed, but the estate tax savings may be significant. The beneficiaries will also receive a stepped up basis in the property.

For more information about this giving vehicle or additional planned giving options, please contact Kelley Frohlich, sr. director of development at frohlich@law.ufl.edu or 352-273-0640.

In Recognition of New Gifts and Pledges

- \$100,000 endowment gift received from Dr. Inez A. Heath to support the Baynard Wickliffe Heath Memorial Lecture Series on U.S. Antitrust Policy
- \$51,734 cash gift & \$100,000 bequest pledge from John M. McNatt, Jr.

Class Gift Sets Record

The UF Law Class of 2009 set a new record with its \$118,900 class gift. The gift exceeds the closest class gift amount by more than \$40,000. Although the Class of 2009 is the largest graduating class ever, the proportion of higher numbers of students is less than the increase in the size of the gift, making the gift all the more remarkable. One graduate made a pledge of \$25,000 in honor of his father.

Dean Robert H. Jerry earlier commended the Class of 2009 for its generosity, stating "Your gift, which is made before you have taken the bar or received your first paycheck, makes a statement to each and every one of our alumni, and to all the citizens of Florida, that you care about the future of higher education and of your law school. I will challenge future classes to exceed your record, but the fact is that you have set a very high bar that will be very difficult to exceed. Thank you, 2009 graduates."



CELEBRATING

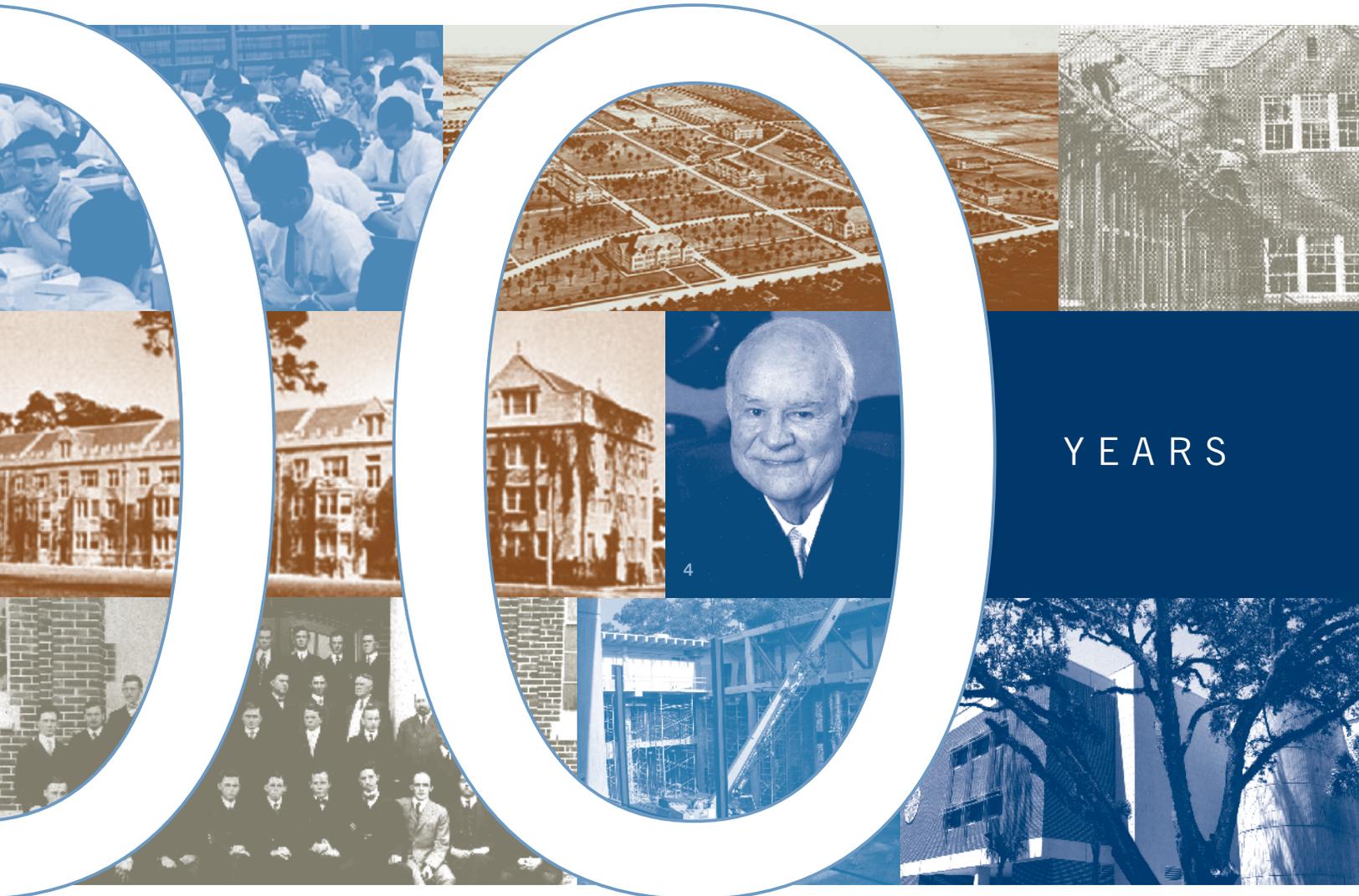
100 Years of UF Law

1909 - 2009

In celebration of the 100-year anniversary of the University of Florida Levin College of Law, this historical timeline is presented as an exploration — not just of time, but of people. It chronicles the actions and aspirations of men and women who yearned to understand the law and to practice it in support of their communities. Theirs is a rich and colorful tapestry of people and events, which helped shape UF Law into the institution it is today. Visit the college's online timeline at www.law.ufl.edu/history/timeline for a more detailed, interactive journey through UF Law history.

Harry R. Trusler, the law school's longest-serving dean, wrote:

"Law is a liberal education. It cultivates and disciplines the mind; develops personal capacity and leadership, and imparts the essentials of business and of government. Were there no such thing as the legal profession, the College of Law, in training for active life, would hold its own as a practical College of Arts and Sciences; for the history of man — the story of his struggles and achievements — is written just as fully and significantly



YEARS

in his laws as it is in his language, art, literature, philosophy, or sciences.”

Special credit must be given to Grace “Betty” Taylor, UF Law librarian and historian, for researching and authoring *Creating a Law Program at the University of Florida*, the document from which much of the content for this and the online UF Law timeline is drawn.

IN THE BEGINNING

Before the University of Florida was established, Kingsbury Academy, located in Ocala, Fla., was acquired by the state and renamed East Florida Seminary in 1853. After the Civil War, the seminary moved to Gainesville and was consolidated with the state’s land-grant Florida Agricultural College, based in Lake City, to become the University of the State of Florida in 1905, later

renamed the University of Florida in 1909. Classes began on Sept. 16, 1906, with the admission of 102 white male students.

This new university was established by the Legislature on June 5, 1905, under what was popularly known as the Buckman Act. Four years later, the State Board of Education met jointly with the Board of Control in Tallahassee and passed a resolution authorizing the Board of Control to establish a college of law in the University of Florida. The Board of Control met in Jacksonville in June of 1909, and provided for the University of Florida College of Law, which, “by the quality of its work and character of its equipment, would merit and command the confidence and support of the bench and bar of the State and would draw within its walls the young men who will constitute the future bar of Florida.”

Nathan Philemon Bryan served as chairman of the Board of Control during this period. He was a Florida native, had earned his undergraduate degree from Emory in 1893, a law degree in 1895 from Washington and Lee, and was admitted to The Florida Bar the same year. Referred to as the “father of the law school,” Bryan took an active role in securing the law school for the university, and remained involved while he was a U.S. senator, and judge of the U.S. Circuit Court of Appeals, Fifth Judicial Circuit.

1. Harry R. Trusler, UF Law’s longest serving dean (1915-1947).
2. UF Law’s Class of 1910, E.C. Clahoun, C.C. Small and L.P. Hardee.
3. Natalie Weinstein, one of three women, who, in 1933, were the first female graduates of UF Law.
4. Chesterfield Smith (JD 48), ABA president and “America’s Lawyer.”



1909

1916

1921

1925

1933

1909

The law school opens in the humble setting of one unplastered room in Thomas Hall Dormitory with 38 students and two faculty members. Two years of high school work is required for entry. The new dean, Albert J. Farrah, recruits the first three students from his former post at Stetson University. Students eat, sleep and attend class — all for \$165 a year — in Thomas Hall.

1910

Three law students, transfers from Stetson University, were the first students to graduate from the new University of Florida College of Law. Dean Trusler later said about this class of 1909-1910, “They entered an obscure law school of no rating, with an obscure faculty, a few second-hand books, and an admission requirement of two years of high school work, or its equivalent, with emphasis on the equivalent... These were the original faith boys, whose faith inspired faith — faith in themselves, their college, and their state.”

1914

The law school moves to the new \$24,000 law building (dedicated as Bryan Hall in 1941), one of the first permanent buildings on campus. Under the guidance of the school’s longest serving dean, Harry R. Trusler (1915-1947), the College of Law is admitted to membership in the Association of American Law Schools in 1920, and approved by the American Bar Association in 1925.



1916

Spessard L. Holland graduates. Holland goes on to become a Florida and U.S. senator and founding partner of Holland & Knight, now one of the largest law firms in the world. Referred to by President Lyndon B. Johnson as one of the five most powerful men in the Senate, Holland served in the U.S. Senate for 24 years, and went onto serve as Florida’s governor (1941-1945), a position which was later occupied by three UF Law graduates.

1921

Alto Adams graduates and goes on to become the first alumnus to serve as a Florida Supreme Court justice (1940-51) and chief justice (1949-51). To date, 19 UF alumni have served or are serving on the court, and 17 of the 19 have been chief justice.

1925

Stella Biddle became the first woman allowed to attend law school classes. Although Biddle had attempted to register as a student at the College of Law, her application was denied. Nonetheless Dean Harry Trusler — who had petitioned the state Legislature to allow women to enroll in the College

of Law — permitted her to attend classes as a visitor. She later became an attorney in Gainesville and in 2000 was recognized as one of the first 150 women admitted to The Florida Bar.

1933

Florida’s first female law graduates — Natalie Weinstein, Rose E. Friedlin and Clara Floyd Gehan — complete their law degrees at UF. On their first day of law school, male students formed lines in front of the school in protest. Despite the attention and gender discrimination, Gehan received the Harrison Award for highest overall grade point average upon graduation, went on to establish the first woman-owned law practice in Gainesville, and became president and director of Eighth Judicial Circuit Bar Association.

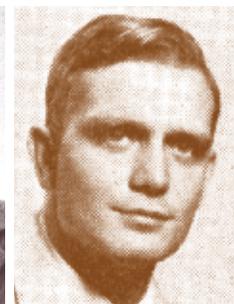
UF Law becomes one of nine law schools in the nation, and the first in the south, requiring a college degree for admission.

1934

Charles E. Bennett graduates. He was later elected to the U.S. House of Representatives in 1948 and went on to be Florida’s longest-serving congressman and the second longest-tenured member of the House when he retired in 1993. He sponsored legislation that created an ethics code and made “In God We Trust” the U.S. motto, requiring it to be added to coins and currency.

1939

George Baughman graduates and becomes the first of a distinguished group of eight graduates who become presidents of Florida colleges. One 1948 graduate, Harold Crosby, was president of two.



1940

1941

1948

1949

1954

1940

Stephen C. O'Connell, future U.S. senator, Florida Supreme Court justice and University of Florida president (1968-73), graduates from UF Law. While a student at the university, O'Connell was Student Body president, Blue Key president, participated on the boxing team, and was inducted into UF's Hall of Fame.

1941

In 1941 the law school building was dedicated and named in memory of Nathan Philemon Bryan, chairman of the Board of Control at the time of the founding of the College of Law, a former U.S. senator, and a U.S. circuit judge. In addition, the new, four-story law library annex was completed. The building was 50 percent larger than the library's previous space. The library space vacated in the law school building was renovated for classrooms, offices, and study and consultation rooms.

1942

Frank Maloney graduates and will return to serve as dean of his school from 1958-70. He is one of 13 graduates who become deans of law schools, including three who led their alma mater.

1943

World War II took its toll on enrollment at the university and college, and some war-years classes had only one person attending. To address this dearth of enrollees, a combined academic law course with Florida State College for Women at UF was offered at UF in 1943. In addition, the 10-year-old requirement of an undergraduate

degree as prerequisite for entry into law school was lowered to two years of college to broaden enrollment of new students. In 1943, 26 students enrolled, including seven women.

1948

Riding the wave of the GI Bill, 500 students enrolled at UF Law and studied under nine full-time and four part-time faculty members. Before the war only 1 percent of UF students were married — after the war, returning veterans, married and many with children, constituted a large percentage of the student body. Flavet Village, rows of prefabricated buildings, was created to provide housing relief.

Henry A. Fenn became dean, and the first issue of the *University of Florida Law Review* was published with Harold B. Crosby as editor in chief.

1949

Virgil D. Hawkins, formerly a faculty member of Bethune Cookman College, was denied admission to the University of Florida College of Law because of Florida's Jim Crow laws. Nine years later, Hawkins withdrew his application in exchange for a court order that desegregated the

state's university system, including UF's graduate and professional schools.

1950

The Florida Bar is created, with its first four presidents all Gator grads. Since that time, the majority of presidents have been UF Law alumni, including the 60th Bar President John "Jay" G. White (2008-09).

1954

Lawton Chiles, a fourth-generation Floridian who went on to become a U.S. senator and Florida's governor, was hired as a student assistant in the law library at 75 cents per hour. Law Librarian Ila R. Pridgen wrote in her notes that he was married with two children, recently returned from the Korean War, lived in Flavet, and was "a very nice looking boy."

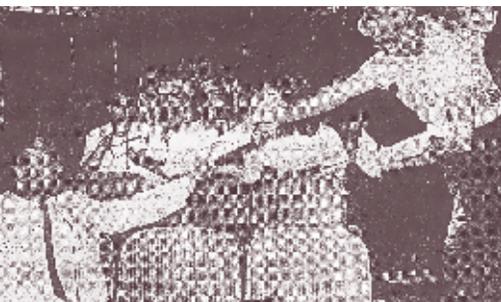
1955

The college is granted a charter by the Order of the Coif in recognition of high academic standards.

1958

Because of Virgil D. Hawkins' efforts, George H. Starke Jr. became UF's first African-American law student. 1962, W. George Allen became the first African-American to receive a UF law degree.





1958

1969

1969

1984

1959

The University of Florida College of Law celebrated its 50th anniversary.

1961

A new wing of the law school is completed and opens in the fall to ease overcrowding. The new space adds two new classrooms, a large seminar room, some offices and the added bonus of central air conditioning, a first for the law school and a rarity campus-wide.

1962

The law library catches fire from cigarette ashes smoldering in a wastebasket behind the circulation desk. Twenty-one days after assuming her post as head law librarian, Grace "Betty" Taylor faces the challenge of salvaging the remaining building and books and finding a solution to the loss of study space and resources for students.

1969

In January, the college occupied the new Spessard L. Holland Law Center, named in honor of a distinguished 1916 graduate (see 1916). Designed for 1,200 students, the number of classrooms increased from four to nine, seating from 248 to 699. Chief Justice of the U.S. Supreme Court Earl Warren delivered the keynote address during the building's Feb. 1 dedication ceremony.

Wilbert Langston purchased "the little store across the street." Ever since, Wilbert's has been popular with generations of law students, faculty and staff.

1973

Chesterfield Smith (JD 48) became the first UF alumnus to head the American Bar Association. As ABA president, he challenged President Richard Nixon during the Watergate investigations, famously declaring "No man is above the law." Smith was a founder of the Holland & Knight law firm and named in Tom Brokaw's book, *The Greatest Generation*, as "America's lawyer." Three other UF Law graduates, W. Reece Smith Jr., Talbot "Sandy" D'Alemberte, and Martha W. Barnett, went on to serve as ABA presidents, and a fourth, Stephen N. Zack, is slated to assume the position of ABA president in 2010.

Hazel Land, the first African-American woman to enroll at UF Law, graduated.

1974

The Graduate Tax Program begins. Today it is the college's premier signature program, with nearly 2,000 American and foreign graduates. Recognized by tax scholars and practitioners as one of the best nationwide, *U.S. News and World Report* consistently ranks it as among the top two.

1982

The Marcia Whitney Schott Courtyard was named in her honor with a donation from her husband, Lewis M. Schott. Both are 1946 graduates of UF Law.

1984

In response to a 1981 report by the American Bar Association, which noted "a critical need for additional space" at the college, construction on a new commons building was completed. The building was named Bruton-Geer Hall, after the parents of the donors, Judge James D. Bruton Jr. (a 1931 graduate) and his wife Quintilla Geer-Bruton. Their gift, \$1.1 million, was combined with state matching funds and the gifts of more than 780 alumni, friends, faculty, and students who contributed to the building campaign to raise \$2.2 million. U.S. Supreme Court Justice William Rehnquist spoke at the Sept. 15 dedication of Bruton-Geer Hall.





1999



2005



2008



2008



2009

1994

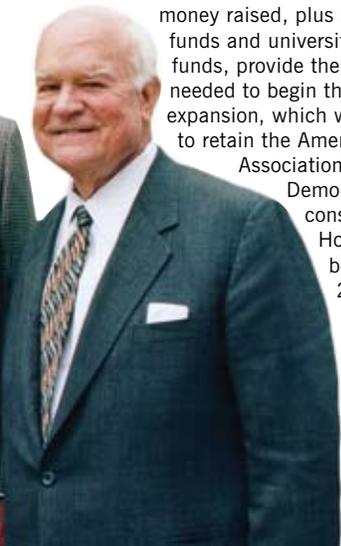
Despite its expanded facilities, the law school still needs more space. Thousands of volumes are permanently withdrawn from the Legal Information Center collection due to a shortage of shelf space. Former UF Law professor and trustee of the Law Center Association, Gov. Lawton Chiles, supports the law school's campaign to raise funds for a new Legal Information Center.

1999

1961 law graduate Fredric G. Levin gave the college a \$10 million dollar gift that was matched by \$10 million from the state and immediately moved the college's endowment into the top 10 of all public law schools in the nation. The College of Law was named in honor of Fredric G. Levin.

1999-2003

A critical grassroots effort by alumni raises \$6.3 million for major facilities construction and remodeling. The money raised, plus state matching funds and university matching funds, provide the \$25 million needed to begin the much-needed expansion, which was necessary to retain the American Bar Association accreditation. Demolition and construction of Holland Hall begins July 2003.



2005

U.S. Supreme Court Associate Justice Sandra Day O'Connor spoke at the September dedication of 11 new classrooms and the Lawton Chiles Legal Information Center. The 78,000-square-foot law library of 625,000 volumes serves as the centerpiece of the college's \$25 million renovation project, which was completed in August of 2004.



2006

U.S. Supreme Court Associate Justice Ruth Bader Ginsburg spoke at the September dedication of the Chesterfield Smith Ceremonial Classroom. A close personal friend of Smith, Justice Ginsburg said Chesterfield Smith was "the most magnetic, exuberant, irrepressible, altogether irresistible lawyer" she has ever known. The Chesterfield Smith Ceremonial Classroom was funded through a leadership gift from the Holland & Knight Charitable Foundation Inc.

2008

On Sept. 5, Chief Justice of the United States John G. Roberts Jr. participated on the judge's panel for the Justice Campbell Thornal Moot Court Final Four. His visit was followed by a Nov. 17 visit by U.S. Supreme Court Associate Justice John Paul Stevens. Stevens engaged in a "conversation" with law students, faculty and staff as part of the Criser Lecture Series.

2009

The college celebrates 100 years of educating leaders for the state, nation and legal profession. The Martin H. Levin Legal Advocacy Center is scheduled to be opened in September. The impressive stand-alone 20,000 sq. foot center rising south of Bruton-Geer Hall boasts a two-story grand foyer and glass entry with an open staircase. It will house a fully functional trial and appellate courtroom on the first floor with a 98-seat gallery, bench for seven judges, a jury box and attorneys' tables. The courtroom also accommodates judge's chambers and a jury deliberation room. The second floor houses two small classrooms and offices for retired faculty. Fred Levin, a 1961 alumnus of the UF law school, contributed \$2 million for the center as the lead gift to the University of Florida Levin College of Law. In addition to significant gifts from others, Levin's gift was matched by the State of Florida Facilities Enhancement Challenge Grant Program to bring the total contribution to \$5.2 million.

VISIT THE UF LAW TIMELINE

www.law.ufl.edu/history/timeline



PURSuing
Justice

Steve Zack at the head of the American Bar

BY ADRIANNA C. RODRIGUEZ

Stephen N. Zack

HOMETOWN:

Miami, Fla.

DEGREES:

University of Florida, BA
1969; University of Florida,
JD, 1971

FAMILY:

Wife: Marguerite;
Children: Jason, 36, and
Tracy, 33; Grandchildren:
Madison, 7, and Sasha, 1

AREAS OF EXPERTISE:

Complex commercial
litigation, class action suits,
product liability, multi-district
litigation, civil trial law,
eminent domain, corporate
and international law

CURRENT POSITION:

Administrative Partner, Boies,
Schiller & Flexner LLP

When Stephen N. Zack (JD 71) takes office as president of the American Bar Association next year, he won't be the first Gator to hold the prestigious office,

but his election will still be one for the record books.

Zack, who immigrated to the United States from Cuba at the age of 14, will be the first Hispanic-American president of the ABA in the organization's 130-year history.

"It feels a little amazing," said Zack of his election. "In 1961 it would probably be the last thing that I would have thought possible and I'm deeply appreciative."

Zack will lead the organization's 410,000 members and nearly \$100 million budget in tough times. His agenda will focus on alleviating the economic pressures facing the judiciary and improving civic education.

"The majority of high school students think the three branches of government are Democrat, Republican and Independent," Zack said. "This is very serious because our next generation won't understand the rights we have and their obligation to protect them."

"The effect of the economy on our justice system sometimes gets lost in the discussion of the economy."

Zack recalls his days in grade school when civics was a required class. He is concerned by the effects of the nationwide trend to offer civics classes as an elective, if they are offered at all.

In the wake of such developments, he argues that it is up to the legal profession to teach younger generations the importance of civil rights, the

importance of defending them, and to demand that civics courses be mandatory so that no high school student graduates without understanding the basis of their liberty.

One of his ideas is quite simple: since students are plugged-in these days, civics must reach them through technology. After all, he adds, the U.S.



Constitution can be downloaded from iTunes for just 99 cents, so it's not difficult these days to be like former Supreme Court Justice Hugo L. Black, who carried a copy of the U.S. Constitution at all times.

The second issue Zack will tackle as president of the ABA is funding the judiciary.

Zack said that courts, which have been traditionally underfunded, have been hit hard by the economic downturn.

"The effect of the economy on our justice system sometimes gets lost in the discussion of the economy," he said.

He also worries that inadequate compensation in both the federal and state court system is causing some of the best judges to leave the bench because they can't afford to be part of the judiciary.

"That's a great loss and one that we can't get back once they are gone," Zack said.

He is concerned about improving citizen access to courts and the fact that some courts around the country have had to cut back to working less than a

full week to compensate for the tighter budgets.

"If we do not adequately fund our judicial system the fundamental belief in the rule of law is going to be challenged," he said.

Zack's appreciation for the judiciary and dedication to preserving it is rooted in his childhood experiences.

"In 1961 the first indication of the loss of liberty in Cuba was the attacks on the judiciary. It went downhill from there," Zack said.

Zack was born in Detroit, Mich. His parents met while his Cuban mother was in Detroit to attend the university. When Zack was two months old his family moved back to Cuba. He spent the first 14 years of his life in Cuba and attended bilingual schools on the island. His family spoke both English and Spanish until Castro's regime prohibited speaking English.

"When you don't even have the right to speak the language you choose — you never forget it," Zack said.

Zack and his family immigrated to

Miami in 1961. He attended high school at Miami Beach High School before earning an undergraduate degree in political science with minors in comparative religions and English literature and his law degree from the University of Florida.

Early in his career, Zack was a founding member of the Cuban-American Bar Association. He also served as the first Hispanic-American president and the youngest president of The Florida Bar.

He served as Governor Bob Graham's General Counsel and chaired the State's Ethics Commission.

Zack was also appointed by Governor Lawton Chiles to serve on the Florida Constitution Revision Commission. He described that experience as one of the most interesting experiences of his life. Zack worked with the other members of the commission reading, reviewing and making recommendations for revising Florida's constitution, which were adopted by the citizens in a state-wide vote.

"All constitutions are only words unless there is a commitment by the citizens to accept and defend those rights. The Cuban Constitution in 1960 was virtually the same as the U.S. Constitution today," Zack said.

In his acceptance speech of the ABA presidency, symbolically delivered on Presidents' Day, Zack recalled that in difficult times, the county has turned to its lawyers. He cited Thomas Jefferson, Abraham Lincoln and Barack Obama as examples.

In a career spanning nearly four decades, Zack has never lost sight of attorneys' responsibility to upholding the laws of the country. In 2001, Zack served as trial counsel for Al Gore in *Bush v. Gore*.

He admonishes young attorneys to remember, "If you go into the law for only economic reasons, then you probably should not be in that profession. There are easier ways to make more money than the law," said Zack. "In the long term what's going to motivate you is that you want to right a wrong and help society." ■

A TALE OF Two Charges

BY ADRIANNA C. RODRIGUEZ

Donald D. Slesnick II

HOMETOWN:
Coral Gables, Fla.

DEGREES:
University of Virginia, BA, 1965; University of Florida, JD, 1968; Florida International University, MPA, 1980

FAMILY:
Wife: Jeannett; Children: Donald III (33) married to Cecilia, and Kathleen (36) married to Lamar Kauffman and Granddaughter Olivia (3) [Both children have UF degrees]

AREAS OF EXPERTISE:
Labor and Employment Law

CURRENT POSITION:
Mayor, City of Coral Gables, Fla.; Managing Partner, Slesnick & Casey, LLP

Don Slesnick (JD 68) still remembers the day he decided to run for mayor of Coral Gables, his hometown and a posh South Florida city of 43,000 residents.

Visiting Philadelphia, Pa., for an American Bar Association meeting, Slesnick's mind was pondering the country's past and the future of his own city, 1,200 miles away, as he sat in Philadelphia's historic City Tavern. The tavern had served as the unofficial meeting place of the nation's Founding Fathers during the First Continental Congress — the personal commitment of these men was not lost on Slesnick as he considered their historic course of action in writing the Declaration of Independence.

"I thought if two centuries ago people were willing to lay down their lives to establish this democracy, then I should, at least, be willing to make a meaningful political commitment on hometown issues for which I deeply care."

Slesnick began thinking of challenging the eight-year incumbent mayor of Coral Gables in the city's upcoming election. He had big ideas for improving Coral Gables and decided to give his best effort at seeing them through.

Back at home and with the invaluable support of his wife and campaign manager, Jeannett, Slesnick ran a whirlwind campaign, "idyllic" as he describes it, and won. That was eight years ago and Slesnick hasn't stopped working for the residents of Coral Gables.

This year, he was appointed chair to the National League of Cities City Futures Panel on Democratic Governance.

"It's an exciting time because with the new administration in Washington trying to be open and outreaching that's exactly what this panel is about," Slesnick said. "The challenge is how do we develop effective systems to authentically involve the public in policy deliberations?"

The panel comprised of public officials from cities across the country, works to improve citizen involvement in local government and facilitate communication between elected officials and their constituents. Slesnick explained this often involves first conducting opinion polls to understand which issues most concern residents. Then, workshops and focus group sessions are held to delve further into the core motivations driving residents' opinions and thoughts. These activities provide elected officials with the information

"It's not just because I am mayor and lawyer, but because my heart is with my hometown and the legal profession."

needed to begin building consensus on the direction the city should be moving.

Building consensus has become especially important as cities around the country struggle with shrinking budgets, a stagnant real estate market, declining value of commercial property and a dormant retail market, Slesnick said. The hard economic reality is that government revenues are shrinking as demand for government services continues to grow.

"People need to get involved and tell us what services they can live without," he said. "Are they willing to pay more taxes and keep the services as they are? If they aren't, which services do they think should be considered for trimming back?"

Slesnick holds roundtable luncheons with residents every other month to discuss issues affecting Coral Gables and its residents. Topics have included



tourism, culture and making the city more environmentally friendly.

Slesnick stays busy juggling two full-time jobs — his practice at Slesnick & Casey representing public-sector employee organizations, and as mayor of Coral Gables, a position that keeps him hopping between meetings and official functions.

In his “spare” time, Slesnick is very active in the ABA, where he serves in the House of Delegates and is a member of the governing Council of the Labor and Employment Section. He is also on the Board of Governors of the College of Labor and Employment Lawyers.

“Most of my activities involve either the city or the ABA,” Slesnick said. “It’s not just because I am mayor and lawyer, but because my heart is with my hometown and the legal profession.”

Slesnick has been in public service practically since graduating from law school. He spent a decade serving on Coral Gables’ Planning and Zoning Board, he was a member and founding chairman of the Florida Historic Preservation Advisory Council and led the Miami-Dade County Cultural Affairs Council for two terms as chair. Slesnick has also dedicated many volunteer hours to organizations such as the Coral Gables Community Foundation and the Dade Cultural Alliance. He has a special love for his work on the Orange Bowl Committee.

A Vietnam veteran, Slesnick did not grow up with law as a career in mind, but he learned to love the profession and its potential for impacting the community.

“I still preach to lawyers and law students to be involved with their community,” Slesnick said. “Don’t get so bogged down in the practice that you overlook the lawyer’s critical role in the well-being of the community.”

He laments the decline he has seen during his career in the number of lawyers going into public service and elected office.

“The training and background lawyers have is well suited to helping the nation stay on the right course while transforming into a dynamic, inclusive 21st Century society,” he said. ■

Crimefighter BY DAY

BY ADRIANNA C. RODRIGUEZ

James “Jay” G. Trezevant

HOMETOWN:
Tampa, Fla.

DEGREES:
University of Florida,
BS Accounting (Honors),
1983; MA, Accounting,
1987; JD (Honors),
1987; LLMT, 1989

FAMILY:
Wife: Peg, an artist

AREAS OF EXPERTISE:
Organized crime and economic crimes, such as health care fraud, securities fraud, tax fraud, and mail and wire fraud

CURRENT POSITION:
Assistant U.S. Attorney

Mobsters, murders, tax evasion and health care fraud, it may read like the back cover of a crime novel, but it’s just another day at the office for Assistant U.S. Attorney Jay G. Trezevant (JD 87).

“It’s as if every day I’m pushed from an airplane with yards of silk and thread and I have to fashion a parachute before I hit the ground,” said Trezevant of his work.

Trezevant, who works in the Middle District of Florida, Tampa Division, handles cases involving organized crime and economic crimes, such as health care fraud, securities fraud, tax fraud, and mail and wire fraud.

“Every attorney in this office is very, very bright and very, very dedicated,” Trezevant said. “We have the greatest jobs in the world. We get to wake up every day and throw ourselves into work we are very, very interested in, the kind of work that, if you were independently wealthy, you would do anyway just because it is that interesting.”

In his 12 years with the U.S. Attorney’s Office, Trezevant, a quadriplegic since high school, has earned a reputation as one of the hardest-working attorneys in the state, prosecuting a slew of criminals from corporate executives to mafia bosses.

“Jay is a tough, hard-hitting courtroom advocate,” said William F. Jung, Trezevant’s friend and colleague of more than 15 years. “He strikes hard blows but not foul ones. He is known for his intense preparation. He gives no quarter in the courtroom and expects none in return.”

Being an assistant U.S. attorney is a 24/7 job for

Trezevant, but he hardly sees it as work.

“Every day I wake up and think, ‘I’m excited to do what I’m doing,’” he said.

Among the highest profile cases Trezevant has prosecuted was that of the infamous New York-based Gambino crime family of La Cosa Nostra, which was led, at times, by capo Ronald Trucchio, also known as “Ronnie One Arm.”

In 2004, after years of investigations, Trezevant’s office secured an indictment against multiple members of the Gambino crime family crew, which had attempted to expand its reach to the Tampa area, extorting local valet parking businesses in the 1980s and 1990s.

A case charging John A. Gotti, also known as “Junior,” is one of

the last in the cluster of cases stemming from the initial 2004 indictment. Trial in the case is currently scheduled to begin this year on Sept. 14. Trezevant will travel to Manhattan to try the case in conjunction with the U.S. Attorney’s Office in the Southern District of New York. A companion case brought by Trezevant charging additional Gambino crime family associates has recently been transferred for trial from the Tampa area to the Eastern District of New York. That case is scheduled for trial in the summer.

All other Gambino crime family members and associates indicted in the cases have either pled guilty or been convicted at trial. Trucchio received a life sentence after being convicted at trial and is currently serving his sentence in a federal prison facility.

In another high profile case, Trezevant civilly prosecuted a whistleblower action on behalf of the United States against Vencor Inc., a large public company that operated nursing homes and acute care

“It’s as if every day I’m pushed from an airplane with yards of silk and thread and I have to fashion a parachute before I hit the ground.”



hospitals across the country. That case resulted in a \$104.5 million settlement in favor of the United States. Trezevant, well-known for his intense and thorough preparation, spent 18 months combing through many thousands of pages of documentation before filing the suit on behalf of the government. Although, he points out, “When dealing with complex health care fraud issues, 18 months can go by in a flash.”

“Jay is known for carefully pruning potential defendants, so only the true ‘bad guys’ face his professional energy,” Jung said. “Jay’s paramount concern, which can be seen in his opening and closing statements, is that the truth speaks through his presentation. I have never seen Jay lose a case, and it is his preparation and high ethical standards that cause this success.”

In speaking about past cases, Trezevant’s memory is impeccable, almost photographic, effortlessly

reciting addresses of individuals whose assets were frozen due to Medicare fraud, or the spelling of defendants’, attorneys’ and investigators’ names from cases he has prosecuted.

“The most important case to any prosecutor is the case he or she is working on in the moment,” he said.

“As an assistant U.S. attorney, you attempt to right a wrong, but you can never completely achieve justice because placing a murderer in prison doesn’t restore life to the person who was killed and seizing what remains of stolen money and assets doesn’t completely restore the victim organization,” Trezevant said

Trezevant joined the Tampa U.S. Attorney’s Office in 1997 with the “good fortune of timing” on his side. He was initially hired and assigned to handle whistleblower actions in health care matters



and cases just after the Health Insurance Portability and Accountability Act (HIPAA) was enacted, the Department of Justice was beginning to investigate and prosecute actions under HIPAA, and Florida's elderly population was growing.

Despite being enthralled with his job, the avid Gator fan frequently presents lectures and leads workshops on legal issues. It's his way of giving back to the profession.

Trezevant also finds time to volunteer in his community. He is chair of the Hillsborough County Arts Council and serves on the board of the ChairScholars Foundation, an organization that provides financial assistance to severely disabled students across the country so that they can attend great universities and reach their maximum potential. For Trezevant it is a cause close to his heart.

His own story has been shaped by a diving accident during his junior year of high school that left him a quadriplegic. He was fortunate to have had a supportive family and network of close friends that helped him deal with the obstacles of his disability while working to reach his goals. Through ChairScholars, Trezevant hopes to do the same for other students facing similar obstacles.

"Every individual has to deal with his or her own challenges," Trezevant said. "Every individual faces obstacles. I don't know that my challenges are any more significant than anyone else's. I have dealt with mine for so long that it has become somewhat second nature in my thinking. My approach is to simply move forward, do what I'm doing, and then figure out how to deal with any obstacles as they appear," he said.

During his time at UF, Trezevant's goal was to work as an attorney, though he first studied accounting realizing that the knowledge would be valuable to his legal career. In a decade, Trezevant earned four degrees from UF: bachelor's and master's degrees in accounting, a law degree and a Master of Laws in taxation.

While he had always planned on going into law, he never thought he would become a prosecutor. After several years working of counsel in Tampa to a Jacksonville tax law firm, he decided to take

a 180-degree turn with his career, abandoning his original vision of a career in a big law firm handling sophisticated tax transactions for a job at the Hillsborough County State Attorney's Office as a trial lawyer. Trezevant never looked back.

"The beauty of law is that you can do so many things," Trezevant said. "From the outset I thought I would work in the area of tax, transactional law or business-related law. It never occurred to me for a second that I would be a trial attorney."

"Working in the State Attorney's Office was really just a beginning, no different than furthering my education," he said. A person who readily acknowledges enjoying interpersonal communication, Trezevant began his work in the 13th Judicial Circuit in the early 1990s prosecuting low-level criminal conduct and misdemeanors such as DUI, petty theft, battery and assault cases. He found the work to be unusual and unexpected with something new each day as he worked his way up to prosecuting felonies, such as armed robbery and homicide.

"The court room worked very naturally for me so I enjoyed it," said Trezevant of the four years he spent working at the Hillsborough County State Attorney's Office. It was there that Trezevant began building a reputation based on meticulous preparation and masterful courtroom manner.

"Most lawyers that have worked with Jay would tell you the same thing—he has the rare combination of dry wit and a passion to prepare. That makes him a force in the courtroom," said Paul M. Sisco, who has known Trezevant for 16 years and worked with him in the state prosecutor's office. "He has been both my colleague and my adversary in cases over the years, but he has never been my enemy."

Trezevant enjoys his work at the U.S. Attorney's Office for much the same reason he enjoyed his work years ago in the State Attorney's Office: "There is always something new and challenging." He is dedicated to his work at the U.S. Attorney's Office and can't see leaving anytime soon.

"In my mind, there are four things that Jay holds in the highest regard: his wife, his friends, a well-prepared case, and an effective Gator game plan—maybe not always in that order," said Sisco. ■

[Editor's Note: The views reflected in this story are solely that of Mr. Trezevant and do not reflect the point of view of the U.S. Attorney's Office.]

“My approach is to simply move forward, do what I’m doing, and then figure out how to deal with any obstacles as they appear.”

CLASS NOTES



BRUCE H. BOKOR (JD 72), a partner in the Pinellas County-based firm Johnson, Pope, Bokor, Ruppel & Burns, LLP, was named “Mr. Clearwater” in January for his contributions to the Clearwater community. The award is the highest honor bestowed by the Clearwater Regional Chamber of Commerce, and was awarded to Bokor in recognition of his pro bono tax work on behalf of Clearwater community non-profit organizations.

1959

Robert D. Melton of Orlando, Fla., has been certified as a member of the Million Dollar Advocates Forum.

1963

Roland Gomez was honored by the Henry Latimer Center for Professionalism of The Florida Bar and the Standing Committee on Professionalism for acts of outstanding professionalism.

1964

Gerald F. Richman, shareholder with Richman Greer, PA, has been named to the Most Effective Lawyers 2008 by the *Daily Business Review* in the class action category.

1965

Leroy H. Moe retired at the end of 2008 after serving 36 years as a circuit judge

in Broward County, Fla. When he retired, Judge Moe was the senior circuit judge in Florida.

Alan J. Rubinstein has been selected for Best Lawyers in America for more than 20 years and has been named as a top attorney in Florida for 2009 by *Florida Super Lawyers* magazine. He has received that distinction for more than 10 years.

1968

Charles L. Brown has retired as circuit court judge for the 10th Judicial Circuit of Florida. Judge Brown was elected to the Polk County court in 1996 and appointed to the circuit court in 2000. He will continue to serve as a senior judge.

1969

Alan G. Greer, a shareholder with Richman Greer, PA, has been named to the Most Effective Lawyers 2008 by the *Daily Business Review* in the regulatory litigation category.

Bennie Lazzara, of Wilkes & McHugh, PA, along with firm attorney Jim Freeman, secured \$65 million in damages in a personal injury lawsuit against a trucking company at fault in an accident that left the 21-year-old victim with brain damage. It is believed to be one of the largest verdicts in Polk County, Fla., history.

Donald D. Slesnick II, mayor of Coral Gables, Fla., has been appointed to chair the National League of Cities (NLC) CityFutures Panel on Democratic Governance in 2009.

1971

W. C. Gentry was honored as the *Jacksonville Daily Record* Lawyer of the Year. The award has honored 22 previous recipients and was first given in 1986. The award is given each year to a lawyer who has made a difference to the Jacksonville community in terms of the profession and in impacting the lives of people.

SHARE YOUR NEWS The e-mail address to submit Class Notes news is FlaLaw@law.ufl.edu. You also can mail submissions to: 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 additions to the class note and provide permission to print.



Richman 64



Greer 69



Slesnick 69



Gentry 71

1973

Circuit Judge Bruce W. Jacobus was named Trial Judge of the Year by the Central Florida Chapter of the American Board of Trial Advocates (ABOTA). The award honored Judge Jacobus for exemplifying the highest ideals of the judiciary.

Gerald A. Rosenthal, senior partner of Rosenthal, Levy & Simon, PA, in West Palm Beach, Fla., has been named to The Best Lawyers in America 2009 for the 15th consecutive year. He was also inducted into the College of Workers' Compensation Attorneys.

Lawdragon magazine listed him as one of the "Leading Litigators in America" in 2006. Cunningham was also one of the lead counsels in a case against Ineos Americas LLC and Ineos Phenol for \$192 million in compensatory damages. The verdict, recently upheld by the circuit court in Mobile, Ala., stands as one of the top 10 verdicts awarded in the country in 2008.

1975

Marva L. Crenshaw was appointed to the 2nd District Court of Appeal by Gov. Charlie Crist.

for permitting marinas on March 20, 2009, in Daytona Beach, Fla. He also presented "Florida Department of Environmental Protection and St. Johns River Water Management District Wetlands Permitting Issues" in Jacksonville, Fla., as part of a Lorman Education Services seminar entitled "Wetland Regulation in Florida."

1976

Michael J. Dewberry, rejoined Rogers Towers, PA, of Jacksonville, Fla., and will practice in the business litigation department.

1974



LESLIE J. LOTT (JD 74), founding partner of Lott & Friedland, PA, was honored by Women of Tomorrow Mentor and Scholarship Program with its Excellence Award in recognition of her pro bono legal work for the organization.

1977

Kenneth J. Hirsh has been appointed the director of the law library and information technology, and clinical professor of law, at the University of Cincinnati College of Law. Previously, Hirsh had been director of computing services at the Duke University School of Law.

Charles S. Modell was named by *Minnesota Law & Politics Magazine* as a Super Lawyer in 2008 for his work in franchise law, and as a Top 100 Super Lawyer in the state of Minnesota. He was also recognized in the 2009 international *Who's Who in Franchising Law*.

Robert T. Cunningham Jr., of Cunningham Bounds, LLC, was named the "Mobile Best Lawyers Personal Injury Litigator of the Year" and has been named to *Lawdragon* magazine's esteemed "500 Leading Lawyers in America 2008" for a second time. In addition,

Wayne E. Flowers, shareholder at Lewis, Longman & Walker, PA, gave a presentation to the Volusia County Association for Responsible Development on the relationship between Volusia County's manatee protection plan and the state's requirements

Dennis Wall of Winter Springs and Orlando, Fla., has written "CAT Claims: Insurance Coverage for Disasters." The third edition of his book *Litigation and Prevention of Insurer Bad Faith* has also recently been published.



Jacobus 73



Rosenthal 73



Cunningham 74



Flowers 75



Dewberry 76



Wall 77

Brad Fallon (JD 97)

Internet entrepreneur finds law degree an asset

BY SPENSER SOLIS

Despite having never practiced law, Internet entrepreneur Brad Fallon (JD 97) has found plenty of opportunities to put his degree to use.

“It comes up all the time in business,” Fallon said. “I often say that I would recommend that people go to law school 10 times before they get an MBA.”

Fallon has started several successful online businesses, including KateAspen.com, MyWeddingFavors.com, StomperNet and Free IQ. After he founded his first company, an online network of wholesale and retail businesses called Smart Marketing Inc., Fallon’s law degree came in handy when one of his competitors copied all 10 of his products.

“I’m in federal court trying to get a TRO (temporary restraining order) to enforce our copyright on some of our designs the month after we started our wholesale company,” Fallon said.

As a businessman, Fallon has come into contact with everything from employment law to intellectual property and contract law.

“It’s hard to think of an aspect of the law that we haven’t had dealings with.”

Fallon, who describes himself as a “serial entrepreneur,” started in sales and had several small businesses for five years before attending law school. Fallon’s real-world experience prepared him for the amount of work law school required.

“I was in first semester classes with a bunch of people just out of college who were complaining about the workload,” Fallon said. “I had just come from a small business working 80 hours a week and struggling to make payroll.”

After graduating second in his class from UF Law, Fallon was faced with a tough decision: take on a coveted position as a clerk for a federal judge or work in a more lucrative sales job.

Fallon found the sales job, which paid three times as much as the largest law firms at the time, simply too enticing to resist.

“For the income, going back to sales paid a lot better,” he said. “And it seemed to be a more direct route to entrepreneurship and owning a business, which is what I’d always wanted to do long-term.”

For Fallon, the Internet has proven to be an effective medium to practice business that has enabled him to succeed in ways that weren’t previously possible.

Fallon founded MyWeddingFavors.com in an Atlanta basement in 2004 with a \$50-per-month Yahoo! Store. In its first year, the company sold more than \$1 million.

The next year, Fallon and his wife started their own line of wedding favors and began manufacturing overseas and supplying all of their competitors. With the wholesale company, Kate Aspen, sales exceeded \$18 million by the fourth year.

“We decided that there were a lot of people like us that wanted to start a business and run a Web site from home or their kitchen table and not have to buy inventory until they’d already sold it,” Fallon said.

Fallon attributes his ability to find entrepreneurial opportunities to a decade-and-a-half of working in several different industries. He recommends that law students who are interested in becoming entrepreneurs consider working in business during the summers.

“The trick is to figure out what kind of business you want to own and build the business. That’s the best way to make money currently in this country.” ■



“I would recommend that people go to law school 10 times before they get an MBA.”

1978

Robert E. Holden, of Liskow & Lewis in New Orleans, La., was named to the Louisiana Super Lawyers 2009.

Scott N. Richardson of Scott N. Richardson, PA, participated as a visiting professor of law through the Center for International Legal Studies in Salzburg, Austria. Under the auspices of CILS, he has taught courses in white collar crime at Vytautas Magnus University School of Law in Kaunas, Lithuania, in 2006, in the American legal system at Ukrainian Academy of Customs in Dnepropetrovsk, Ukraine, in 2007 and in American criminal law and procedure at Novosibirsk State University in Novosibirsk, Russia, in 2008.

1979

John J. “Jeff” Scroggin, AEP, JD, LLMT, was elected chairman of the Friends of Barrington Hall Inc. He also authored “Estate Planning — It’s All About Your Legacy,” which was published in the *Wall Street Journal*. Scroggin was also selected as a Georgia Super Lawyer for 2009.

1980

Philippe Jeck, of Jeck, Harris, Raynor & Jones, PA, has been elected treasurer of the Palm Healthcare Foundation, Inc. He also serves on the foundation’s executive committee.



Richardson 78



Menor 80

Arthur J. Menor, a partner at Shutts & Bowen in West Palm Beach, Fla., was elected to the American College of Real Estate Lawyers (ACREL).

Steve Seibert is the senior vice president and the director of policy for the Collins Center for Public Policy.

Vee Leonard (JD 99)

Blazing new trails on the non-traditional legal path

BY ANDRE SALHAB



Vee Leonard (JD 99) didn’t travel down the path most would call a typical road to law school. She got off the highway and waited a bit before getting back on.

At the age of 37, Leonard went back to school to finish her bachelor’s degree at the University of Central Florida. She earned a degree in legal studies and said her professor continuously tried to get her to attend law school.

“I had no plans to go to law school,” said Leonard, who never had aspirations as a child to be a lawyer. “But while I was at UCF, most of my professors asked me, ‘are you going to law school?’ and I told them that I was just here for that little piece of paper.”

That would soon change. After working as a paralegal for a year or so, one of her professors called and told her it was time for her to apply to law school. And she did.

“I liked learning; it is just very stimulating,” said Leonard, who is general counsel at Florida Gulf Coast University. “Some people say (law school) is the worst three years of their life, but for me it wasn’t. I just loved it. ... It was strenuous, I wouldn’t say it was hard, but it was a lot of work.”

Nothing was more difficult, though, than the trials

and tribulations of Leonard’s life experiences. After she and her first husband divorced, Leonard struggled as a single mother to support three children. She said she reached one point where her family was living on food stamps.

“Sometimes I would go to places that passed out food and stood in line. We just didn’t have any,” Leonard said. “Things were hard.”

Adulthood wasn’t the first time she experienced hard times. Looking back on her childhood, Leonard said she hadn’t realized that she was poor. Her father passed away when she was young, but her mother always managed to take care of the family’s needs, and Leonard said she never noticed the economic hardships and said she had a happy childhood.

Now, as a wife, a mother of five children and the grandmother of five grandchildren, Leonard hopes her children and others can learn from her life lessons. She makes every effort to continue to grow and learn, as well as to encourage others to always reach toward their aspirations.

“I didn’t go to law school until I was in my mid-to-late 30s,” Leonard said. “If you want it bad enough, there is a way to get whatever it is you want. You just have to be focused.” ■

Michael E. Kinney (JD 94)

Alumnus prevails in Supreme Court of Virginia

BY SPENSER SOLIS

Michael E. Kinney secured a landmark ruling from the Supreme Court of Virginia in an international child abduction case recognizing the fugitive disentitlement doctrine for the first time in Virginia’s history. That doctrine holds that a fugitive from justice “cannot seek relief from the same judicial system whose authority he evades.”

Kinney, an attorney at Hunton & Williams LLP in McLean, Va., and litigation partner, Stephen M. Sayers, accepted the case *pro bono publico* after the client had exhausted her financial resources in litigation involving the physical custody of her 3-year-old son.

The legal dispute began when the mother’s ex-husband, a Mexican citizen, prevented Kinney’s client from returning with their son to the United States from a temporary sojourn in Spain.

“When my client discovered her husband’s intention to reside permanently in Spain, instead of returning together to the United States as they had agreed, she was astonished. When she confronted him, he said, ‘You’re stuck here,’” Kinney related.

Her husband then hid the child’s passports and cut his wife off from her financial resources.

After the U.S. Consulate issued an emergency, replacement passport for her son, Kinney’s client was able to leave Spain, and returned with her son to Fairfax, Va. Her husband filed a petition under the Hague Convention on the Civil Aspects of International Child Abduction, a treaty to which the United States and Spain are signatories. The General District Court of Fairfax County initially granted the petition and permitted the child’s return to Spain. That decision was subject to *de novo* retrial in the circuit court, however, under Virginia’s two-tier trial system in matters involving a child.

“Ultimately the circuit court ruled against the father and required him to return the child to the United States for further proceedings,” Kinney explained. Although he appealed the circuit court’s order, the father did nothing to suspend enforcement of those orders pending his appeal.

“He simply disobeyed the Court’s orders,” Kinney said. “The Hague Convention issues were new to me, but we regularly practice in appellate courts,” Kinney said. “It seemed to us that we were more concerned with issues of appellate procedure and, most importantly, the rule of law.”

Kinney first filed a motion to dismiss the husband’s appeal on the basis of his fugitive status with the Court of Appeals of Virginia. That court granted the motion, applying the fugitive disentitlement doctrine for the first time in Virginia. On Oct. 31, 2008, an unanimous decision of the Supreme Court of Virginia affirmed the Court of Appeals.

That decision sends an unambiguous message to litigants in Virginia courts. “Any litigant who wants to be heard by a Virginia appellate court must be in compliance with the trial court’s order,” Kinney said.

Kinney attributes his interest in appellate practice to experiences as a judicial law clerk for Judge Earle Zehmer with the Florida First District Court of Appeals.

“Judge Zehmer always stressed the importance of counsel’s preparation for oral argument,” Kinney recalled.

Kinney urges future lawyers to pursue areas of law that most interest them, but to be open to unexpected opportunities.

“Every case raises something new and you’re given opportunities to educate yourself on different areas of the law, and different aspects of human experience.” ■



“It seemed to us that we were more concerned with issues of appellate procedure and, most importantly, the rule of law.”

GREGG S. TRUXTON (JD 80), a principal in the Fort Myers, Fla., office of Bolanos Truxton PA., has been appointed by Gov. Charlie Crist to the Affordable Housing Study Commission.



1984

Ronald Levitt (LLMT), of Sirote & Permutt, was selected as a “Top Attorney” by *Birmingham Magazine*.

1985

Mark W. Klingensmith was elected chairman of the Martin County Republican Party in December 2008. In March 2009, he was elected as vice mayor of Sewall’s Point, Fla.

John Elliott Leighton has launched a new firm, Leighton Law, PA. The Miami trial firm specializes in catastrophic personal injury, wrongful death and violent crime/ inadequate security litigation. Leighton was formerly senior partner in Miami’s Leesfield Leighton & Partners, PA. Leighton was also recently re-elected as chairman of the Academy of Trial Advocacy, a national invitation-only association of the nation’s leading catastrophic injury trial lawyers. Leighton’s two-volume treatise, *Litigating Premises Security Cases*, was recently published by Thomson-West.

Michelle Rehwinkel Vasilinda, a professor of legal studies at Tallahassee Community College, was elected to the Florida House of Representatives from District 9 in Tallahassee, which represents parts of Leon and Jefferson counties.

1986

Jeffrey Brickman has been named a partner at Ballard, Spahr, Andrews & Ingersoll, LLP, where he specializes in state and federal criminal defense. Prior to joining Ballard Spahr, he served as district attorney for DeKalb

1981

Luis A. Abreu has been selected by *Virginia Business* magazine as one of Virginia’s Legal Elite for his practice in family law. He has received this honor for the past seven years.

Judge Nelly N. Khouzam was appointed by Gov. Charlie Crist to the 2nd District Court of Appeal. Prior to joining the 2nd District, she served for 14 years as a circuit court judge in the 6th Judicial Circuit, which is comprised of Pinellas and Pasco counties in Florida.

The **Hon. Martha Ann Lott** has been elected chief judge of the 8th Judicial Circuit.

1982

Terence J. “Terry” Delahunty Jr. has joined the Orlando, Fla. office of GrayRobinson, P.A. as a shareholder in the real estate practice group. Delahunty is the first LEED accredited professional to join the firm. Prior to joining GrayRobinson, Delahunty owned a private commercial real estate practice for 24 years,

where he specialized in real estate development, land use, mortgage financing, commercial real estate transactions and title insurance.

Linda R. Getzen was elected president of the Girl Scouts of Gulfcoast Florida for a second two-year term.

Joel D. Rosen, Esq., a partner at High Swartz LLP in Norristown, Pa., has been elected chairman of the board of the Hepatitis B Foundation, located in Doylestown, Pa.

1983

Robert H. Dellecker, a partner with the law firm Dellecker, Wilson, King, McKenna & Ruffier, has been elected president of the board of directors for the Central Florida Division of the March of Dimes Florida Chapter.

David C. Willis, a partner with Rumberger, Kirk & Caldwell, PA, has been appointed vice chair of the Business Litigation Certification Committee of The Florida Bar for the term of July 2009 to June 2010.



Rosen 82



Dellecker 83



Willis 83



Leighton 85



Vasilinda 85



Brickman 86

Zainabu Rumala (JD 06)

Knows a thing or two about staying focused

BY SPENSER SOLIS

By age 12, she was enrolled in college courses, by 18, she'd received a bachelor's degree and by 22 she'd graduated from law school. In her current position as a law clerk with Florida Supreme Court Chief Justice Peggy Quince, Rumala shows few signs of slowing down.

Rumala, who grew up in Hernando County, attributes much of her success to her faith, having a good support system of family and friends and the activities that she participated in while growing up, such as Presidential Classroom, the Florida Senate Page program, the Duke Talent Identification Program and the Thurgood Marshall Achievement Society.

"It was always of utmost importance to my family and I that I pursue higher education, especially being a woman and being a minority," she said.

Rumala fondly recalls her experience at Hernando Christian Academy, which she attended from first grade through her senior year of high school.

"School was like a second home to me because I became so familiar with the people there," she said.

At age 16, Rumala enrolled at the University of Florida, where she majored in exercise and sports science. Her parents were comforted by the fact that Gainesville was only an hour-and-a-half away from home.

Nevertheless, Rumala enjoyed the independence that college provided her. As an undergraduate, the age gap between her and other students wasn't of much concern, she said.

"Although I was taking junior and senior courses, the other students I was living with were 17 and 18."

Throughout her college career, Rumala made an effort to be well-rounded and pursue activities that she found interesting. While in law school, she became a member of the *Journal of Technology and Law Policy* (JTLPL) and the Justice Campbell Thornal Moot Court Team. She also traveled to Vienna as a member of the International Commercial Arbitration Moot (ICAM) and participated in a study abroad trip to South Africa after her 1L year.

"I believed it was important for me to immerse myself in different environments, not only for the cultural learning aspects, but also to gain an understanding of the interpretation of the law in other countries."

Rumala has recently completed a two-year clerkship at the Florida Supreme Court with Justice Barbara Pariente. While Rumala's current position as a staff attorney for Chief Justice Quince is challenging, she loves what she does.

"Our main task is to research and analyze a variety of legal issues and assist in the drafting of opinions and orders for the court," she said.

Rumala, who received a Master of Science in Business Administration between her undergraduate studies and law school, has considered a future career in public service and commercial litigation.

"With a legal degree, the career possibilities are endless because the law permeates every aspect of our lives," she said. "I truly enjoy being a member of the legal profession. ■"

"It was always of utmost importance to my family and I that I pursue higher education, especially being a woman and being a minority..."



NORMA STANLEY (LLMT 91), a partner with the law firm of Lowndes, Drosdick, Doster, Kantor & Reed, has been selected by *Worth* magazine as one of its Top 100 Attorneys, as listed in the December/January 2009 issue.



“Sovereign Lands, Aquatic Preserves and Outstanding Florida Waters” at the Marine Shoreline Development & Permitting workshop on Dec. 10, 2008. Steinmeyer is also program co-chair.

1991

Steven L. Beiley, a partner with the Coral Gables-based law firm of Adorno & Yoss, a top five law firm in south Florida, has been elected chairman of the newly-established Community Foundation of Pinecrest.

John V. Tucker of Tucker & Ludin, PA, in Clearwater, Fla., presented “ERISA liens - identifying pit falls and recognizing opportunities” at the Florida Justice Association 2009 Collateral Source Seminar in Orlando, Fla. He also presented “ERISA – Employee Benefit issues in severance and termination claims – How to steer clear of the pot holes!” to the Labor and Employment Section of the Jacksonville Bar Association.

1992

Frank M. Petosa has joined Rosenthal, Levy & Simon, PA, in its West Palm Beach, Fla., office. He will head the firm-wide medical malpractice and nursing home neglect department.

1993

Perry W. Doran II has been named a partner at Vorys, Sater, Seymour and Pease LLP, in the firm’s Columbus, Ohio, office.

County, Ga., and assistant U.S. attorney for the Northern District of Georgia, and an assistant district attorney for DeKalb County, Ga., Jeffrey was named a Georgia Super Lawyer from 2006-2008.

1988

Jacqueline Bozzuto, a partner with the law firm of Lowndes, Drosdick, Doster, Kantor & Reed, was honored for the eighth time by her client OSI Restaurant Partners (Outback Steakhouse, etc) as “Purveyor of the Year.”

1989

Brian Feldman has joined Allison & Partners in its senior leadership team.

The **Hon. Joe H. Pickens** became the president of St. Johns River Community College in November.

Mark. E. Stein, a shareholder with the intellectual property law firm, Lott & Friedland, PA, in Coral Gables, Fla., presented “Security Interests in Intellectual Property” at The Florida Bar UCC Article 9 Seminar on Feb. 12-13, 2009, in Tampa and in Miami, Fla.

Chuck Tobin, partner and chair of the firm’s national media practice team in the Washington office of Holland & Knight, has been designated chair-elect of the American Bar Association’s Forum on Communications Law. Tobin will chair the forum for the 2010-2011 term. He also serves as a senior editor of *Litigation*, the journal of the ABA Section of Litigation.

J. Kim Wright has launched a new Web site at <http://cuttingedgelaw.com>. The site touts itself as “A Movement. A Magazine. A Community. A Documentary,” and is focused on “New Lawyers Practicing Collaborative Law, Mediation, Holistic Law, Therapeutic Jurisprudence and Restorative Justice.” In the inaugural issue, **Susan Daicoff** (JD 83), **David Utter** (JD 89), and **Larry Krieger** (JD 78) are featured, along with UF Law faculty member **Len Riskin**.

1990

Steven Bernstein has been appointed regional managing partner of the Tampa, Fla., office of Fisher & Phillips LLP.

Edwin A. Steinmeyer, a shareholder with Lewis, Longman & Walker, PA, presented



Bozzuto 88



Stein 89



Beiley 91



Tucker 91



Petosa 92



Doran 93

Penelope Bryan (JD 81)

Whittier College announces new dean for the law school

Following an extensive, national search, Whittier College President Sharon Herzberger announced in February that Penelope Bryan (JD 81) has been appointed dean of Whittier Law School, effective July 2009. Bryan will succeed the current dean, Neil H. Cogan, who has helmed the law school for the past eight years. Whittier is located in Whittier, Calif.

“Penelope Bryan’s vision for the advancement of Whittier Law School, her strong work ethic, her experience in both academia and as a practicing attorney, and her ‘can do’ approach to seizing opportunity made her an outstanding candidate for dean, and the top choice among our search committee,” said Herzberger. “I am confident she will take advantage of the many strengths and resources of both the law school and undergraduate campuses, build programs to provide the best possible educational experiences for our students, and make strong connections with and among our more than 4,000 law school alumni. I look forward to working closely with her as we usher in this new era of leadership and further Whittier Law School along its current, successful trajectory.”

An expert in family law, child custody, and dispute resolution, Bryan is going to Whittier from the University of Denver Sturm College of Law, where she serves as professor of law and associate dean for academic affairs. During her two-decade tenure at Sturm, Bryan has expanded and refined the school’s well-known Lawyering in Spanish, Environmental and Natural Resources LLM, and MS in Legal Administration programs. She has led outreach initiatives to Latin America and guided the development of international opportunities for law students. In addition, she successfully encouraged Sturm’s faculty to integrate experiential educational opportunities into traditional law classes, and led the strategic planning and assessment process.

Prior to her entry into academia, Bryan was a practicing attorney in Florida, and she remains a member of The Florida Bar and American Bar Association. For the last seven years, she has served as an expert consultant in numerous complex family law cases. Among her various publications, she authored a book, published in 2006 by the American Psychological Association, which uses sociological research and theory to justify procedural reforms that promise to mitigate the dysfunctional results produced by the current family law system. Bryan holds an undergraduate degree from Rollins College, and a master’s degree and JD from the University of Florida. ■



“Penelope Bryan’s...strong work ethic, her experience in both academia and as a practicing attorney, and her ‘can do’ approach to seizing opportunity made her an outstanding candidate for dean...”

“I am thrilled to be joining the faculty at UK Law and leading the law school as it embarks on a mission to expand an already superb legal education program.”

David A. Brennen (JD 91, LLMT 94) UF alum named law dean at Kentucky

BY SPENSER SOLIS

David A. Brennen (JD 91, LLMT 94) has been named dean of the University of Kentucky College of Law.

Brennen co-authored *Tax Law of Charities and Other Exempt Organizations* (Thomson/West) with UF Law Professor Steve Willis and two others. He was a speaker at the UF Nelson Symposium in 2003 and spoke on a Center for the Study of Race & Race Relations panel at UF in 2002. He also published in the *Florida Tax Review* in 2002.

Brennen is going to the University of Kentucky from the University of Georgia School of Law, where he has been a professor since 2006. He is also the deputy director of the Association of American Law Schools (AALS), completing the last leg of a two-year term. In addition to more than 15 years of classroom experience, Brennen is regarded as an innovator in the field of nonprofit law. He is a co-founder and co-editor of *Nonprofit Law Prof Blog*, founding editor of *Nonprofit and Philanthropy Law Abstracts*, co-founder of the AALS Section on Nonprofit and Philanthropy Law and a co-author of one of the first law school casebooks on taxation of nonprofit organizations.

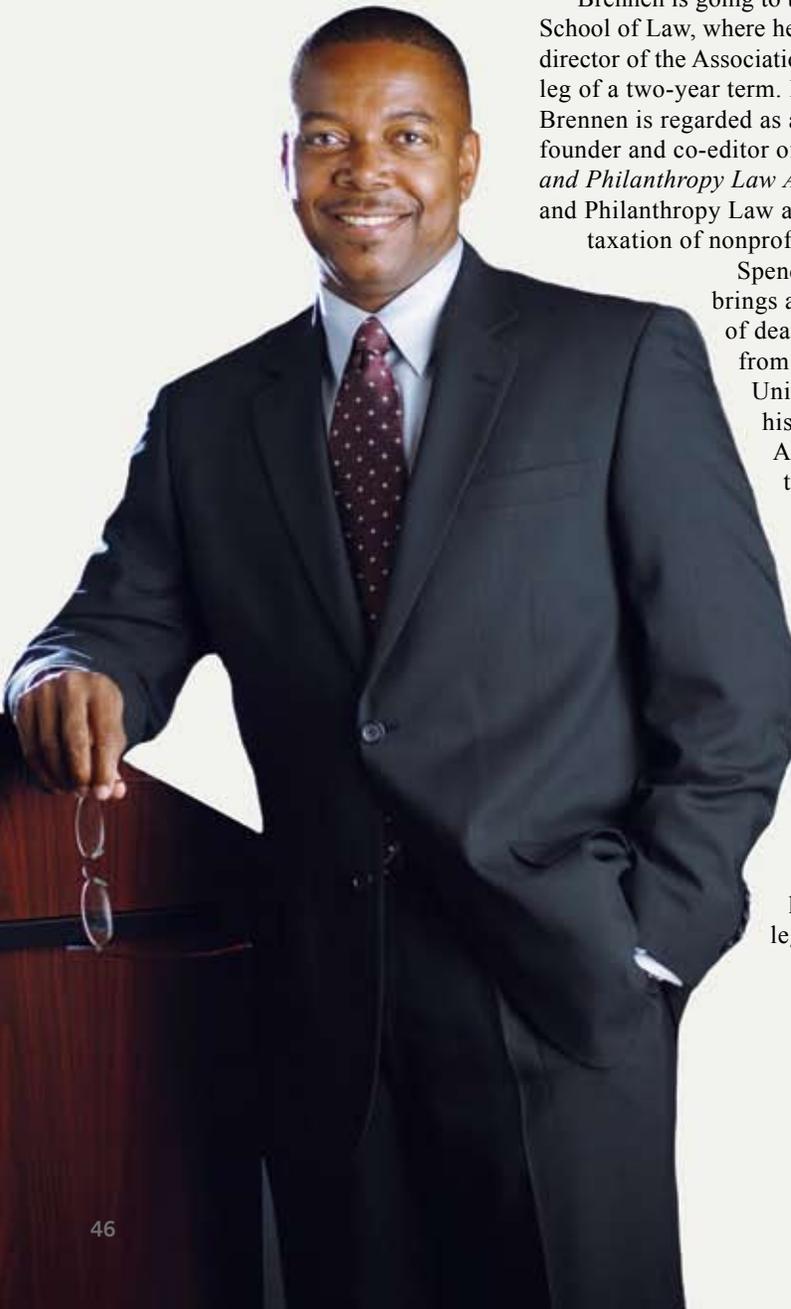
Spending time both as an educator and a legal scholar, Brennen brings a wealth of knowledge and experience to the position of dean. Brennen received his bachelor's degree in finance from Florida Atlantic University and his law degree from the University of Florida College of Law, where he also received his LLM in tax law. In 2002, Brennen was elected to the American Law Institute where he is an adviser on its project titled, “Principles of the Law of Nonprofit Organizations.”

He is an active member of the Florida Bar Association.

Brennen has served in leadership roles with AALS and the Society of American Law Teachers.

“I am thrilled to be joining the faculty at UK Law and leading the law school as it embarks on a mission to expand an already superb legal education program,” said Brennen. “Despite the current fiscal challenges, the future is very bright. There are opportunities for increased interdisciplinary activity, expanded curricular options and improved physical facilities.

I also expect that UK Law will continue to have a positive influence on legal developments in all spheres — locally, nationally and worldwide. I am honored to have the opportunity to serve as dean at such a burgeoning legal institution.” ■



1994

Julian “Jay” Fant has been elected board chairman of First Guaranty bank in Jacksonville, Fla. He succeeds his father, Julian “Hickory” Fant, who held the position of chairman since 1971.

Gregorio “Greg” Francis, of Morgan & Morgan, PA, has been appointed by Gov. Charlie Christ to the 9th Circuit Judicial Nominating Commission. His term began Jan. 27, 2009, and ends July 1, 2012.

Barry Goldsmith has become a member of Womble Carlyle Sandridge & Rice PLLC, in the firm’s Tyson Corner, Va., office.

Bill Guthrie joined the national Golf & Resort Industry Team at Foley & Lardner LLP, in the firm’s Orlando, Fla., office. Guthrie joined the firm as a partner.

Michael E. Kinney successfully argued *Sasson v. Shenhar*, an international abduction case, before the Supreme Court of Virginia. In the landmark ruling, the court recognized the fugitive disentitlement doctrine as a fixture of Virginia law.

1995

Scott D. Piper, founding partner of Piper Schultz LLP, has merged his labor and employment law practice with Harris Beach PLLC of New York. He joins Harris Beach as a partner in the Labor and Employment Law Practice Group.



MICHAEL CAVENDISH (JD 98), shareholder and litigation attorney with Gunster Yoakley, has been unanimously elected vice chairman of the Jacksonville Transportation Authority for 2009.

1996

Dan Bachrach joined the national Golf & Resort Industry Team at Foley & Lardner LLP, in the firm’s Orlando, Fla., office. Guthrie joined the firm as a partner.

Joanne M. Prescott was been elected to serve on the executive council of the Workers’ Compensation Section of The Florida Bar.

Stephanie Roberts has become a member of Womble Carlyle Sandridge & Rice PLLC, in the firm’s Winston-Salem, N.C., office.

1997

Nicole L. Goetz of Naples, Fla., and David L. Manz of Marathon, Fla., recently co-authored an article “A Brave New Frontier: The Equitable Distribution 2008 Legislative Changes,” published

in the *Florida Bar Journal*, December 2008. Goetz is managing shareholder of Asbell, Ho, Klaus, Goetz & Doupe, PA, and co-chair of the Equitable Distribution Committee of the Family Law Section for The Florida Bar.

Jason Lazarus was named partner at Holland & Knight LLP.

Thomas Levy has been named of counsel in the tax department in the Los Angeles, Ca., office of Jeffer Mangels Butler & Marmaro, LLP. Levy’s practice concentrates on the tax aspects of asset acquisitions and dispositions, investment funds, entity formation, business succession planning and estate planning.

Virginia Baker Norton was elected circuit court judge, group 28, for the 4th Judicial Circuit, which includes the north Florida counties of Clay, Duval and Nassau.



Fant 94



Kinney 94



Piper 95



Prescott 96



Goetz 97



Levy 97

JEANNINE SMITH WILLIAMS
(JD 99) was recently named a 2008 Up & Comer by the *Tampa Bay Business Journal*. She is president of the St. Petersburg Bar Association.



Making the list

(Note from the editor: The individuals below self-reported their selections to the following lists.)

Chambers USA 2008

Charles S. Modell (JD 77)

Florida Trend Legal Elite/ Up & Coming

Glenn J. Waldman (JD 83)

The Best Lawyers in America 2009

Jacqueline Bozzuto (JD 88)
John M. Brumbaugh (JD 70)
Julia L. Frey (JD 82)
Richard J. Fildes (JD 77)
Alan G. Greer (JD 69)
Charles H. Johnson (JD 74)
Kimberly L. Johnson (JD 81)
Hal Kantor (JD 72)
James L. Leet (LLMT 81)
Michael A. Levey (LLMT 83)
Charles S. Modell (JD 77)
Nicholas A. Pope (JD 76)
Gerald F. Richman (LLB 64)
Gary R. Soles (JD 86)
Norma Stanley (LLMT 91)
John "Jay" White III (JD 83)
Terry C. Young (JD 75)

Florida Super Lawyers 2008

R. Scott Costantino (JD 88)
Glenn J. Waldman (JD 83)

2009 South Florida Legal Guide "Top Lawyers"

John M. Brumbaugh (JD 70)
Melissa Fernandez (JD 03)
Alan G. Greer (JD 69)
Leslie J. Lott (JD 74)
Gerald F. Richman (LLB 64)

Peter Schoemann (LLMT) has been named partner at Broad and Cassel in the firm's Orlando, Fla., office.

1998

Carter R. Brothers (LLMT) was elected member of Spilman Thomas & Battle PLLC. He practices estate planning and administration, taxation, bond finance, and corporate law in the Roanoke, Va., office.

Kenneth Dante Murena was recently named partner at the law firm of Damian & Valori LLP.

Harvey E. Oyer III, a partner in the West Palm Beach, Fla., office of Shutts & Bowen LLP, has been elected to the board of directors of the Chamber of Commerce of the Palm Beaches. He also delivered a lecture on "Trade in Antiquities: U.S. and International Law and Policy," April 3, 2009, at Vanderbilt University Law School in Nashville, Tenn. It was the second time he has been invited to deliver a lecture at the law school.

David Seifer and his wife, Rachel Klein Seifer, welcomed their third child, Amanda Blair, on Jan. 27, 2009.

1999

Jason Z. Jones was elected partner in the Restructuring & Bankruptcy Group of Jones of Bilzin Sumberg Baena Price & Axelrod LLP.

James A. Stepan has been named partner at Feldman Gale.

2000

P. Alexander Gillen has joined the Didier Law Firm, PA, as a partner. The practice, based in Orlando, Fla., represents consumers against manufacturers in a broad range of product liability cases.

William R. Ponall, an associate with Kirkconnell, Lindsey, Snure & Yates, in Winter Park, Fla., was recently board certified in criminal appellate law by The Florida Bar. There are currently only 57 other attorneys in Florida who share this designation.

Craig M. Stephens (LLMT) of Sirote & Permutt, was selected as a "Top Attorney" by *Birmingham Magazine*.



Schoemann 97



Brothers 98



Murena 98



Oyer 98



Jones 99



Gillen 00

J.J. Wilson (JD 07)

Becoming a legislative correspondent

BY IAN FISHER

For UF Law grad J.J. Wilson (JD 07), a change of heart in law school led to her landing a competitive job with a United States senator.

Wilson serves as a legislative correspondent and staff attorney for Senator Arlen Specter, from Pennsylvania.

“When I applied to law school I did so with the intent of becoming an NCAA compliance officer for a collegiate athletic program,” Wilson said. “However, it is very easy to get caught up in ‘1Lism’ and so I found myself looking more to public interest law. After interviewing with various government agencies in Florida, I found myself looking more and more to ‘the Hill.’”

But landing a job with a United States legislator is not easy, especially when you don’t live in D.C., Wilson said. So, she took the daring step of moving to Washington, D.C., without a job. She noticed the position with Specter while browsing the online Senate Employment Bulletin. More than 100 people applied for the job, Wilson said, but the research and writing skills she learned in law school gave her the competitive edge.

Wilson has a number of duties in her position. She serves as a liaison between Specter and his constituents, handling requests, complaints and concerns with her legislative portfolio, “which includes business issues, financial services, social security, tax reform, and telecommunication issues,” she said. She also tracks legislation related to her portfolio and writes memorandum on bills, which includes making policy recommendations.

The recent \$700-billion Wall Street bailout has been a big issue for Wilson.

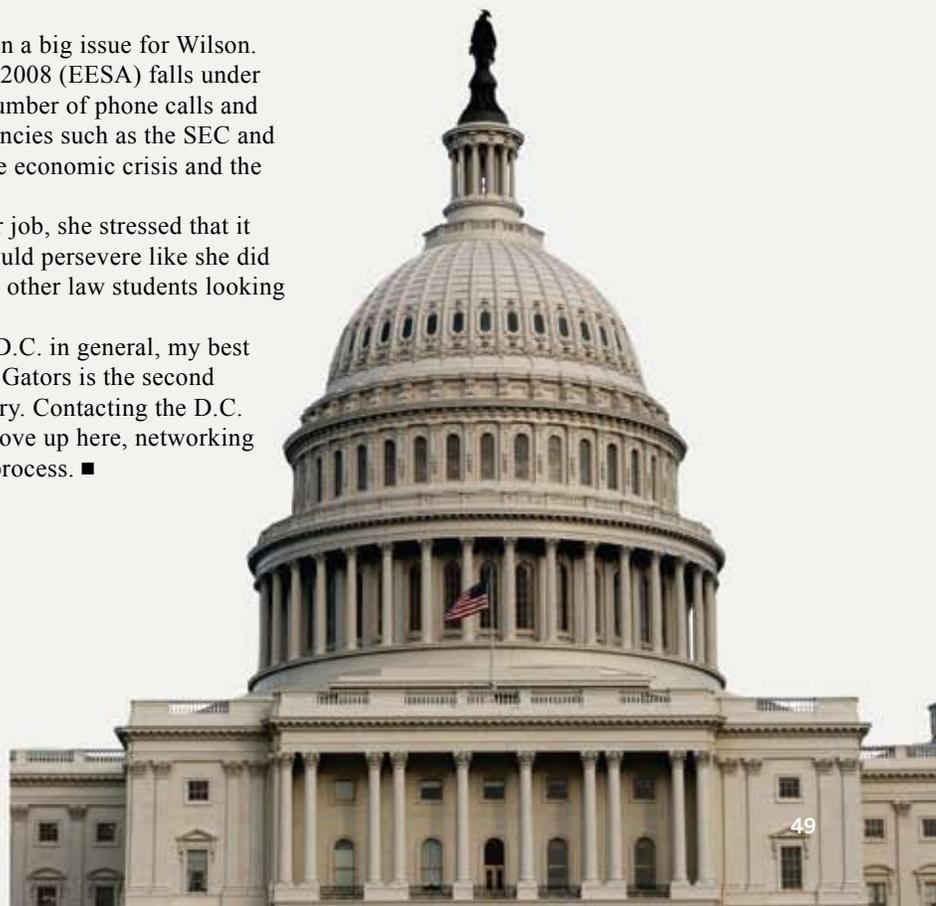
“As the Emergency Economic Stabilization Act of 2008 (EESA) falls under my portfolio, I have been experiencing an increased number of phone calls and letters,” she said. “I will also make calls to federal agencies such as the SEC and the Treasury requesting updates on issues related to the economic crisis and the EESA.”

Although it took Wilson several months to land her job, she stressed that it was worth it and any law student who is interested should persevere like she did until a job happens. She has some other advice for any other law students looking for similar jobs.

“If you want to pursue employment on the Hill or D.C. in general, my best advice is to start networking,” Wilson said. “The D.C. Gators is the second largest University of Florida Alumni Club in the country. Contacting the D.C. Gators is a great first step. If it is feasible for you to move up here, networking is much easier, as is the application and interviewing process. ■



“After interviewing with various government agencies in Florida, I found myself looking more and more to ‘the Hill.’”





DePietto 01



Rubin 01



Shuster 01

2001

Gustavo A. Bravo has been made managing partner of Salomon Bravo, PL, a Fort Lauderdale, Fla., firm focusing on personal injury, insurance litigation, small business solutions, and criminal defense. Bravo has also been appointed to The Florida Bar's Code & Rules of Evidence Committee. His three-year term begins July 1, 2009.

Bridgit M. DePietto has joined Jones Walker as a tax, trusts & estates special counsel in the firm's New Orleans, La., office.

Matthew B. Lerner was named a partner of Nelson Mullins Riley & Scarborough LLP. He practices in the firm's Atlanta, Ga., office in the areas of commercial litigation and product liability litigation.

Glennys Ortega Rubin has been named partner at Shutts & Bowen LLP. Rubin is a member of the Labor and Employment Practice Group.

Marc. S. Shuster has been named a shareholder of the Florida business law firm Berger Singerman.

Jennifer Walker, Esq., has rejoined the law firm of Ruden McClosky at its Ft. Lauderdale, Fla., office.

2002

Cathrine Hunter has joined Henderson, Franklin, Starnes & Holt, PA.

Jesse H. Little, Esq. (LLMT) has joined Morris Law Group. His practice focuses

on estate planning, wealth preservation planning and business planning.

2003

Larry R. Fleurantin of Larry R. Fleurantin & Associates recently published an article entitled, "Immigration Law: Nowhere to Turn — Illegal Aliens Cannot Use the Freedom of Information Act as a Discovery Tool to Fight Unfair Removal Hearings," in the *Cardozo Journal of International and Comparative Law*.

Nicole "Nikki" Fried has joined Merino Law Firm as an associate. She will be heading the foreclosure defense litigation department.

Lauren C. Heatwole was elevated to senior associate at Lowndes, Drosdick, Doster, Kantor & Reed by the board of directors.

Marsha A. McCoy has joined the law firm of Gunster Yoakley as an associate in the firm's Jacksonville, Fla., office.

Jameil C. McWhorter has been named partner at Lowndes, Drosdick, Doster, Kantor & Reed.

Beverly Pascoe has rejoined Rogers Towers, PA, and will continue her practice in the firm's health law department after spending 18 months as general counsel and chief compliance officer of Community Hospice of Northeast Florida.

Sarah Elizabeth Rumpf served as the campaign manager for **Lawson L. Lamar's** (JD 72) campaign for re-election as the state attorney for the Florida's 9th Judicial Circuit, which includes Orange and Osceola counties. Lamar was re-elected with 66 percent of the vote.



PLEASE WELCOME the newest member to the "Junior LAC" — Zachary Ross Leader, born Oct. 10, 2008, weighing in at 8 pounds 10 ounces. Mom, Lara Osofsky Leader (JD 01), is a member of the Law Alumni Council representing the West Palm region.



Walker 01



Little 02



Fried 03



Heatwole 03



McCoy 03



McWhorter 03

2004

Justin S. Flippen was elected to the Wilton Manors, Fla., City Commission. Flippen has also served as the city's vice mayor.

Tiffani Fernandez Miller was elevated to senior associate at Lowndes, Drosdick, Doster, Kantor & Reed by the board of directors.

Jonathan D. Simpson was elevated to senior associate at Lowndes, Drosdick, Doster, Kantor & Reed by the board of directors.

James E. Walson was elevated to senior associate at Lowndes, Drosdick, Doster, Kantor & Reed by the board of directors.

2005

Robin Kathleen Brown-Blake's daughter, Sophie, 1.5 years, is under treatment for histiocytosis, a rare blood disorder and may need a liver transplant. For more information on Sophie's condition, visit Sophie's Web site through the Children's Organ Transplant Association at <http://cotaforsophietemperanceb.com>.

Jarrett R. Hoffman recruited into the Executive Compensation and Benefits group at Cravath, Swaine & Moore LLP.

2006

Kelly Lyon Davis, an attorney in Quarles & Brady's Litigation group in Naples, Fla., received the Spe-

Sean M. Shaw (JD 03)

Just five years after graduating from law school, Sean M. Shaw (JD 03) took a big step into public office as Florida's insurance consumer advocate. Tapped for the position by Florida's Chief Financial Officer Alex Sink, Shaw began his new full-time post on Nov. 17, leaving the Tallahassee firm Messer, Caparello & Self, PA where he specialized in employment discrimination defense.

"I believe I got called to this position because I have been a passionate advocate for my community," said Shaw. "I see it as a way not only to give back to my local community but as a way to help all insurance consumers in Florida."

Shaw heads an office of about 10 people who monitor the insurance markets in areas such as health, property and auto. His office is responsible for addressing and seeking solutions to insurance issues facing Floridians, communicating those issues to residents of the state, and representing consumers on insurance issues before local, state and federal authorities.

In the short time since receiving his law degree from the University of Florida, Shaw has been dedicated to serving the Tallahassee community, where he grew up and returned to begin his professional career. Shaw also received a bachelor's degree in politics from Princeton University in 2000. His dedication to public service comes in part from the example set by his father, retired Florida Supreme Court Chief Justice Leander J. Shaw, whose long career in public service included serving as assistant public defender as well as serving on several state and judicial commissions and committees.

"He's a person who just gave his entire professional life and dedicated it to public service," Shaw said of his father. "A dedicated public servant is a rarity and can make a big difference."

Shaw's dedication to his community has led him to serve on several boards of community organizations. He is on the board of directors for the Bond Community Health Center, a Leon County clinic where patients can receive medical care regardless of their ability to pay, the Capital Area Community Action Agency, which serves low-income residents in seven north Florida counties, Access Tallahassee, which is a chamber of commerce for young professionals, and Leadership Tallahassee. He also serves as a mentor for students in East Gadsden High School near Tallahassee, Fla.

While he'll concentrate for now on his new position as insurance consumer advocate, Shaw is confident his career will continue to lead him down the path of public service and that experience in law will serve him well.

"Being a lawyer makes you versatile and able to do lots of things," he said. "It never hurts to be a lawyer." ■



Pascoe 03



Rumpf 03



Flippen 04



Miller 04



Simpson 04



Walson 04

cial Recognition Legal Aid Award from the Legal Aid Service of Collier County (LASCC). Kelly received the award for her pro bono efforts with the Collier County Foreclosure Task Force Working Group and for her support of LASCC's mission to provide free legal services to the county's low-income population.

Jessica DeBianchi has joined Gunster Yoakley in the firm's Fort Lauderdale, Fla., office. She is a member of both the Corporate Practice Group and the Technology and Emerging Companies Practice Group.

Justin B. Mazzara has joined Hahn Loeser & Parks LLP as an associate in the Fort Myers, Fla., office. Mazzara has practiced in the area of commercial litigation in Southwest Florida for the past two years



DeBianchi 06



Mazzara 06



Lammers 07



Tucker 07

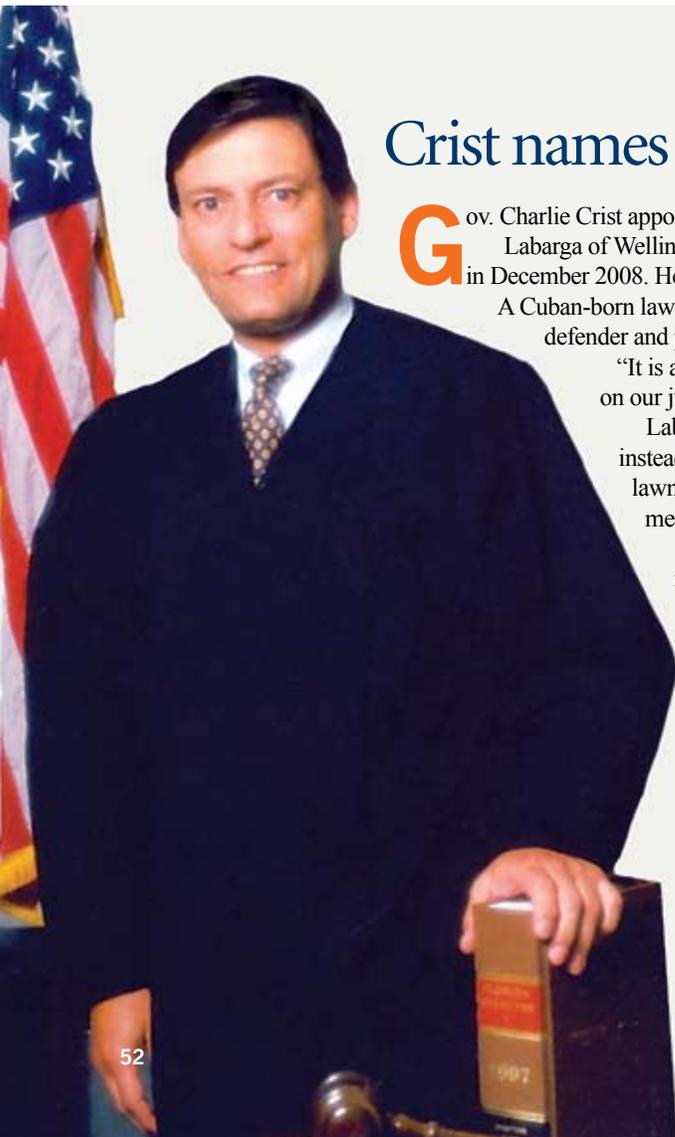
and will continue his practice at Hahn Loeser in Litigation.

2007

Carl C. Lammers has joined Greenebaum Doll & McDonald PLLC as an associate in

the Estate Planning, Health & Insurance Practice Group in the firm's Louisville, Ky., office.

Robert K. Tucker II has joined Roetzel & Andress in the firm's Fort Lauderdale, Fla., office as an associate.



Crist names Labarga to Florida Supreme Court

Gov. Charlie Crist appointed UF Law alumnus Jorge Labarga (JD 79) to the Florida Supreme Court on Jan. 2. Labarga of Wellington, Fla., was a state circuit judge who Crist appointed to an appellate court position in December 2008. He was named to fill the vacancy created by the retirement of Justice Harry Lee Anstead. A Cuban-born lawyer and double Gator, Labarga has been a circuit judge since 1996 and was a public defender and prosecutor before that in a legal career that has spanned 28 years.

"It is a great honor to serve the people of Florida in a position that will have lasting impact on our judicial system and on society," Labarga told The Associated Press.

Labarga was nominated as a Supreme Court candidate for an earlier opening, but Crist instead appointed Justice Charles Canady, a former Republican congressman and state lawmaker, to fill the vacancy left by the resignation of the Supreme Court's first Hispanic member, Raoul G. Cantero III.

After complaints that Crist had politicized the nominating process, the governor reinstated Labarga as a nominee. Other nominees included Frank Jimenez, who worked for former Republican Gov. Jeb Bush and for U.S. Sen. Mel Martinez, R-Fla.; 5th District Court of Appeal Judge C. Alan Lawson of Daytona Beach; and circuit judges Kevin Emas of Miami, Waddell Wallace III of Jacksonville and Gill Freeman of Miami.

Labarga played a role during Florida's historic 2000 presidential recount, ruling Palm Beach County elections officials could not necessarily disregard irregular chads that had not been fully punched out on ballot cards.

The U.S. Supreme Court terminated the recount before it could be completed, giving the Florida vote to Republican presidential candidate George W. Bush. ■



UF Law in the courts*

UF Law is represented on federal court benches by 31 federal district and appellate judges and magistrates, and was ranked No. 4 among public law schools (no. 8 overall) in terms of the number of its graduates serving as federal district and circuit court judges in 2008, according to Federal Judicial Center data. UF Law has graduated 253 Gators now serving as judges within the Florida state court system.

Federal Judges

Federal Appellate

Rosemary Barkett
Susan Harrell Black
Peter T. Fay
S. Jay Plager

Federal District

William John Castagna
Anne C. Conway
William P. Dimitrouleas
Patricia C. Fawcett
Jose Alejandro Gonzalez Jr.
William Terrell Hodges
Paul C. Huck
James Lawrence King
Richard A. Lazzara
Howell Webster Melton Sr.
Steven Douglas Merryday
Stephan P. Mickle
Donald M. Middlebrooks
James S. Moody Jr.
John Henry Moore II
Howard Marcia Morales
Maurice Mitchell Paul
Gregory A. Presnell
John Richard Smoak
Ursula Mancusi Ungaro-Benages
George C. Young

Federal Magistrate

Miles Davis
Elizabeth Jenkins
Hugh Morgan
Thomas Morris
William C. Sherrill Jr.

Federal Bankruptcy

Raymond Ray

Veteran's Appeals

Bruce E. Kasold

Florida State Court Judges

Florida Supreme Court

Jorge Labarga

1st District Court of Appeal

Edwin Browning Jr.
Charles Kahn Jr.
Bradford L. Thomas
William A. Van Nortwick Jr.

2nd District Court of Appeal

Marva L. Crenshaw
Charles A. Davis Jr.
Patricia J. Kelly
Nelly Khouzam
Morris Silberman

3rd District Court of Appeal

David M. Gersten

4th District Court of Appeal

Jonathan D. Gerber
Fred A. Hazouri
Martha C. Warner

5th District Court of Appeal

Warren H. Cobb
Jay P. Cohen
Kerry I. Evander
Jacqueline R. Griffin
Charles M. Harris
David A. Monaco
Richard B. Orfinger
Robert J. Pleus Jr.

1st Judicial Circuit

Marci L. Goodman
Ross Goodman
Jack R. Heflin
T. Michael Jones
Terrance R. Ketchal
Paul A. Rasmussen
Ron Swanson
Kenneth L. Williams

2nd Judicial Circuit

P. Kevin Davey
Angela C. Dempsey
N. Sanders Sauls
L. Ralph Smith Jr.
Mark E. Walker

3rd Judicial Circuit

Paul S. Bryan
Leandra G. Johnson

4th Judicial Circuit

Charles W. Arnold Jr.
Hugh A. Carithers
James H. Daniel
Peter L. Dearing
Peter J. Fryefield
L. Page Haddock
Jean M. Johnson
Karen K. Kole
William Gregg McCaulie
Donald R. Moran Jr.
Virginia B. Norton
Jack M. Schemer
John Bradford Stetson Jr.
L. Haldane Taylor
Frederick B. Tygert
Waddell A. Wallace
Michael R. Weatherby

5th Judicial Circuit

Carol A. Falvey
Frances S. King
Brian D. Lambert
Daniel B. Merritt Sr.
Daniel B. Merritt Jr.
Curtis J. Neal
Lawrence J. Semento
John Jack" W. Springstead
William T. Swigert
Richard Tombrink Jr.

6th Judicial Circuit

W. Lowell Bray Jr.
George W. Greer
Lauren C. Laughlin
J. Thomas McGrady
R. Timothy Peters
Pat Siracusa

7th Judicial Circuit

Edward E. Hedstrom
Margaret W. Hudson
R. Michael Hutcheson
Arthur W. Nichols III
Robert K. Rouse Jr.
C. McFerrin Smith III
J. Michael Traynor

8th Judicial Circuit

Aymer "Buck" Curtin
William E. Davis
Maurice V. Giunta
R.A. Green
Martha A. Lott
Ysleta W. McDonald
Toby S. Monaco
Stan R. Morris
James P. Nilon
Phyllis M. Rosier
Elzie S. Sanders
Peter K. Sieg
Frederick D. Smith
Robert P. Cates
Mark W. Moseley

9th Judicial Circuit

Theotis Bronson
Ted Coleman
Robert J. Egan
Jim Glatt
Maria Hinds
Lawrence R. Kirkwood
Alicia L. Latimore
Cynthia Z. Mackinnon
Roger J. McDonald
Jon B. Morgan
Lisa Taylor Munyon
Scott Polodna
Renee A. Roche
Tim Shea
Thomas B. Smith
Margaret T. Waller
Bob Wattles
Reginald K. Whitehead

10th Judicial Circuit

Donald G. Jacobsen
Harvey A. Kornstein
J. David Langford
John F. Laurent
J. Michael McCarthy
Neil Roddenbery
Olin W. Shinholser
Keith Spoto

11th Judicial Circuit

Scott M. Bernstein

Joel H. Brown
Joseph P. Farina
Peter R. Lopez
Orlando A. Prescott

12th Judicial Circuit

Donna Berlin
Scott M. Brownell
Susan Maulucci
Andrew D. Owens Jr.
James S. Parker
Charles E. Williams

13th Judicial Circuit

E. Lamar Battles
Charles E. Bergmann
Martha J. Cook
Marva L. Crenshaw
Katherine G. Essrig
Charlene E. Honeywell
William P. Levens
Manuel Menendez Jr.
Ashley B. Moody
Richard A. Nielsen
Michelle Sisco
Ralph C. Stoddard

14th Judicial Circuit

Judy M. Pittman
Allen L. Register
Don T. Sirmans

15th Judicial Circuit

Moses Baker Jr.
Peter Bassaline
David F. Crow
Edward H. Fine
Jonathan D. Gerber
John Kastrenakes
Glenn Kelley
Karen L. Martin
Richard L. Oftedal
Stephen A. Rapp
Joy B. Shearer
Maxine Williams

17th Judicial Circuit

Dale C. Cohen
Marina Garcia-Wood
Patti Englander Hennings
Robert W. Lee
John T. Luzzo
Leroy H. Moe
Elijah H. Williams

18th Judicial Circuit

Robert T. Burger
Alan A. Dickey
James H. Earp
O. H. Eaton Jr.
Bruce W. Jacobus
Kenneth R. Lester Jr.
George W. Maxwell III
Donna McIntosh
Tonya Rainwater
Michael J. Rudisill

19th Judicial Circuit

Burton C. Conner
Dwight L. Geiger
Paul B. Kanarek
Steven J. Levin

20th Judicial Circuit

R. Thomas Corbin
Lynn Gerald
Christine H. Greider
Hugh D. Hayes
Lawrence D. Martin
Michael T. McHugh
Thomas S. Reese
James H. Seals

Sherra Winesett

County Judges

Faye Allen
Deborah B. Ansbro
Sharon B. Attack
David B. Beck
Maureen Bell
Ross L. Bilbrey
Hugh Wetzel Blair
Deb S. Blechman
Tyrie W. Boyer
George K. Brown Jr.
Michael Carr
Leon B. Cheek III
Patti A. Christensen
Nancy L. Clark
Tom Coleman
Pauline Drayton
Denise R. Ferrero
David H. Foxman
Kenneth Friedland
John E. Futch
Judy Goldman
Walter M. Green
Beth Harlan
Archie B. Hayward Jr.
Russell L. Healey
Eric Hendon
Stewart R. Hershey
Heather L. Higbee
Ronald P. Higbee
Johnny R. Hobbs Jr.
Deborah M. Hooker
Kenneth L. Hosford
Victor L. Hulslander
Steve Jewett
John E. Jordan
Janis Keyser
Donald L. Marblestone
Peter F. Marshall
Janeice T. Martin
Joseph Marx
William T. McCluan
Peter A. D. McGlashan
Jeffrey J. McKibben
W. Michael Miller
Elizabeth A. Morris
Michael Murphy
Vincent Murphy
Stewart E. Parsons
Thomas Petersen
Antoinette Plogstedt
David L. Reiman
Elizabeth G. Rice
G.J. Roark III
Kathleen H. Roberts
Martin Shapiro
Brent D. Shore
Janis H. Simpson
Mark Singer
Joseph E. Smith
Sharon H. Tanner
Cheryl K. Thomas
Shane Vann
Anne Wansboro
Joyce H. Williams
Sarah Ritterhoff Williams
Fred. N. Witten
W. Wayne Woodard

This listing is compiled from a variety of sources and may not be complete. Please let us know of any errors or additions by e-mailing flalaw@law.ufl.edu.

MARK FENSTER Professor, UF Research Foundation Professor

A passion for law

“I always tell students on the first day of my administrative law course that this will likely be the most boring, complicated, and abstract class they’ll take in law school. But, perhaps the most important of all...”

BY LINDY McCOLLUM BROUNLEY

Mark Fenster is serious about administrative law. It’s an area in which he admits his scholarship and teaching hold “a strangely obsessive joy,” and he takes pleasure in imparting this knowledge and expertise to his students.

“I always tell students on the first day of my administrative law course that this will likely be the most boring, complicated, and abstract class they’ll take in law school,” Fenster said. “But, perhaps the most important of all given the size of our federal, state and local administrative state... I think by the end of the semester most of my students view the course as challenging but fascinating, and maybe even a little fun.”

Fenster’s teaching and scholarship include property, land use, administrative law, intellectual property, torts and legal and cultural theory, and he is widely published. Since joining the UF Law faculty as an assistant professor in 2001, Fenster has proven to be a rising star — he achieved the rank of full professor in 2007, was tapped with a prestigious University of Florida Research Foundation Professorship in 2008, and, on May 15, assumed responsibilities as associate dean for faculty development, succeeding Professor Christine Klein in the position.

Fenster’s strong background in research and scholarship will be of tremendous benefit to the college as he assumes duties as associate dean for faculty development, and he’ll be responsible for coordinating the college’s enrichment series and mentoring program, tracking faculty scholarship, and promoting the college’s newly-launched SSRN journal, located at www.ssrn.com/link/U-Florida-LEG.html.

“My own research asks how our administrative process can best balance our need to inform the public effectively of government actions against the need for government to operate effectively, and how constitutional rights of property and due process limit, but don’t cripple, government’s authority to regulate and create regulatory procedures.”

Fenster is a graduate of Yale Law School, where he served as editor of the *Yale Law Review*, and he clerked for Judge Carlos Lucero of the 10th Circuit U.S. Court of Appeals following his graduation from Yale. Prior to joining the UF Law faculty, Fenster was an environmental and land use law fellow for Shute Mihaly & Weinberger in San Francisco, Calif. In addition to his scholarship and teaching, Fenster is the author of *Conspiracy Theories: Secrecy and Power in American Culture* and has published numerous law review articles. ■



NOTA BENE

Legal skills professors receive faculty enhancement awards

■ Legal skills professors Leanne Pflaum and Anne Rutledge received Faculty Enhancement Opportunity (FEO) awards. Pflaum received the award for the summer and fall 2009 term, during which time she will prepare the second edition of *“Legal Writing by Design”* (2001), along with a teacher’s manual and a guide to be used by judges in training their clerks to write orders, judgments, and opinions. Rutledge received the award for the summer and fall 2009 terms, during which time she will write a textbook to be used by the legal drafting faculty in the legal drafting course.

Mazur appointed senior editor for peer-reviewed journal

■ Diane H. Mazur, a professor of law, has been appointed as one of seven senior editors of the *Journal of National Security Law and Policy*, a peer-reviewed journal “devoted exclusively to national security law and policy.” The journal includes interdisciplinary articles touching on matters of law, the military, intelligence, law-enforcement, public health and civil liberties. Mazur, a former captain in the United States Air Force, includes in her areas of expertise civil-military relations, constitutional law, evidence, and professional responsibility.



“I’m glad to participate in the selection process for new federal judges and prosecutors. Objective, non-partisan and high quality appointments are central to America’s justice system,” Mills said. “I look forward to working with senators Nelson and Martinez and other commission members to assure the best options for President Obama’s appointments.”

—JON MILLS

Mills named to Judicial Nominating Commission for federal posts

■ Jon Mills, University of Florida College of Law dean emeritus, professor of law and director of the Center for Governmental Responsibility has been tapped to serve on the Florida Judicial Nominating Commission. Nominees recommended by the JNC for federal judges, U.S. attorneys and marshals will be among the first considered by the newly-installed Obama Administration. Mills, a former Florida Speaker of the House, has accepted an appointment by senators Bill Nelson and Mel Martinez to serve a two-year term on the Florida Judicial Nominating Commission.

Rowe receives Florida Jack Wessel Research Award

■ Elizabeth A. Rowe, an associate professor of law, has been named one of 12 recipients of a University of Florida Jack Wessel Research Award. These awards, which are part of what is expected to be a one-time program funded by a one-time testamentary gift, are given to a faculty member in the first three to four years of his or her career. To be eligible, faculty members must have achieved distinction in scholarship. Rowe will receive \$5,000 in non-salary research support funds.



Pflaum



Rutledge



Mazur



Rowe



Seigel



Willis

Seigel tapped for research foundation professorship

■ Mike Seigel, a professor of law, has been selected to receive a University of Florida Research Foundation Professorship Award for 2009-11. The research foundation professorships are intended to recognize faculty who have established a distinguished record of research and scholarship during the last five years and who are expected to lead to continuing distinction in their field. UF Law currently has two other faculty members who hold this professorship: Danaya Wright, with a 2007-09 term; and Mark Fenster, with a 2008-10 term.

Willis appointed to judicial nominating commission

■ Steven J. Willis, a professor of law, has been appointed to the

Eighth Circuit Judicial Nominating Commission by Florida Governor Charles Crist. Willis' four-year commission began last October and will end July 1, 2012. As a member of the commission, Willis will participate in reviewing applications, interviewing and recommending judicial candidates for appointment in the Eighth District to the governor.

UF president promotes law faculty

■ The University of Florida Levin College of Law is proud to announce

University of Florida President Bernie Machen's promotions of UF Law faculty members Yariv Brauner, Tracy Rambo, Mary Adkins, Bob Dekle, and Meshon Rawls. Brauner will be promoted to the rank of full professor effective Aug. 16, 2009. A decision on tenure is not final until the next meeting of the University of Florida Board of Trustees in June, but it is expected Brauner will also be granted tenure. Rambo will be promoted to the rank of master lecturer, and Adkins, Dekle and Rawls will be promoted to the rank of senior lecturer.

Tritt wins Professor of the Year



LEE-FORD TRITT, an associate professor of law, director of the Center for Estate and Elder Law Planning and Estates and Trusts Practice Certificate Program, and associate director of Center on Children and Families, received the John Marshall Bar Association (JMBA) 2009 Professor of the Year Award. Tritt, who joined the UF Law Faculty in 2005, said that the award was especially meaningful for him after a difficult year. Tritt said that his favorite aspect of teaching is the interaction with his students and the environment at the University of Florida.



Brauner



Rambo



Adkins



Dekle



Rawls



RICHARD HAMANN Research Associate, Assistant Director, Center for Governmental Responsibility

Hamann appointed to water management board

BY SCOTT EMERSON

For Richard Hamann, University of Florida associate in law, water isn't just a resource, it's his life's work. After decades of advising state agencies and non-profit organizations on land use and water law, Hamann was appointed by Gov. Charlie Crist on May 19 to serve a four-year term in an at-large seat on the Governing Board of the St. Johns River Water Management District.

Hamann, an assistant director and research associate at UF's College of Law Center for Governmental Responsibility, conducts research and teaches classes on water, wetlands, wildlife, watersheds and coastal law and policy. He is also a member of the faculty advisory committee to UF's Water Institute.

"I have worked all of my professional life for the protection and wise use of Florida's water resources and can imagine no greater honor than for Governor Crist to appoint me to this position," Hamann said. "The St. Johns River Water Management District is one of the nation's leading water management institutions. I look forward to working with the board, staff and the public to address the great challenges of managing water in this basin."

The nine-member SJRWMD Governing Board sets the policies for operation of the agency that includes Nassau, Duval, Clay, St. Johns, Flagler, Volusia, Seminole, Brevard counties and portions of Baker, Alachua, Marion, Putnam, Lake, Orange, Osceola and Indian River counties. Members, who meet monthly, are appointed by the governor to four-year terms and serve without compensation. The Florida Senate must confirm all appointments to the water management districts' boards.

In addition to his research and teaching duties, Hamann's qualifications include previous work with the SJRWMD as chairman of the Orange Creek Basin Advisory Council and as a member of the Ocklawaha Basin Board. He has been chairman of the Environmental and Land Use Law Section of The Florida Bar, president of Florida Defender of the Environment and a member of the Bluebelt Commission and the Land and Water Planning Task Force. He currently serves as the president of Three Rivers FNPC, a public charity that supports protection of the Ichetucknee River, and as a member of the boards of the Florida Wildlife Federation, Florida Defenders of the Environment, the Everglades Law Center and Alachua Conservation Trust. ■

"I have worked all of my professional life for the protection and wise use of Florida's water resources and can imagine no greater honor than for Governor Crist to appoint me to this position."



“Florida has a fairly long anti-tax tradition, but I think people are going to realize there are consequences to under-funding all levels of government.”

MICHAEL ALLAN WOLF

Richard E. Nelson Chair in Local Government Law; Professor of Law

Lessons to be learned from Florida’s housing past

BY LINDY McCOLLUM-BROUNLEY

History tends to repeat itself, and, for those paying attention, Florida’s current housing and mortgage crisis should be a case of déjà vu.

Similar to Florida’s 1920s land boom—a speculation bubble that, when it burst, caused a long-lasting, depressed housing market in the Sunshine State—today’s housing and financial crisis has crippled the state’s economy, and local governments are feeling the pain.

“We have some of the nation’s highest foreclosure rates, particularly in South Florida and Orange County,” said Michael Allan Wolf, a University of Florida professor of law. “These high foreclosure rates generate the need for more public services at the local level, but, at the same time, the state Legislature and voters have placed tremendous pressure on the ability of local governments to collect the revenues that they need to deliver these services.”

As an international expert on the relationships between government and private property, Wolf should know. He earned his law degree from Georgetown University and holds a doctorate from Harvard in the history of American civilization — an academic combination that provides unique perspective on Florida’s current situation of history in the making.

In addition, as the Richard E. Nelson Chair in Local Government Law, Wolf hosts the annual Nelson Symposium, which brings together local and state government officials and attorneys with the common goal of exploring the unique challenges Florida faces as it grows and develops. Symposium topics have included green building, sustainability, urban revitalization, local government funding, eminent domain, and environmental and land use issues.

“Since the late 20th century, local government has had a set of tools to raise revenue to foster economic development and provide necessary services, and one by one, Florida lawmakers and courts have attempted to take away or weaken those tools,” Wolf said. “Now, when local governments are facing significant challenges, they have fewer tools at their disposal to solve their communities’ problems.”

Nonetheless, Wolf views the current condition of Florida’s economy as an opportunity for lawmakers and residents to take a hard look at improving local and state funding mechanisms to support the essential services residents expect.

“Florida has a fairly long anti-tax tradition, but I think people are going to realize there are consequences to under-funding all levels of government. It’s not sustainable,” Wolf said. “Under that model, the Florida of tomorrow is the California of today. It’s time now to make the changes necessary to avoid the problems that California is facing — pollution, water shortages, north-south fights, and stinginess in taxes resulting in under-funded government.”

“That’s our future unless we start doing things differently. That’s what we have to look forward to,” he said. “Orange County, Florida, will become Orange County, California.” ■

MEDIA HITS

■ **ROBERT JERRY**
Dean and Levin Mabie and
Levin Professor of Law

Oct. 20, 2008, *Jacksonville Financial News & Daily Record*, "Lunch with law school leader"

"Students are graduating with so much debt that it's tough for them to think about serving with the State Attorney's or Public Defender's Office after they graduate. ... That's a decision they shouldn't have to make if they want to serve the public."

Jerry was a guest speaker at the Jacksonville Bar Association's October 2008 luncheon, where he expressed concern about the career choices law students are often forced to make due to financial issues.

■ **LYRISSA BARNETT LIDSKY**
Stephen C. O'Connell Professor of Law

Nov. 9, 2008, *Sun Sentinel*, *United Press International* and in the e-publications *Official Wire*, *The Money Times*, *The Post Chronicle*, "Web reviews can spur lawsuits"

"These (law) suits are extremely common and starting to make their way through the courts. ... Courts are starting to develop balancing tests to guarantee it's a legitimate libel suit before they uncover the poster's identity."

Lidsky was quoted on the trend of businesses initiating libel suits against disgruntled customers who anonymously post unfavorable reviews online. Lidsky said it's often hard to know if such libel lawsuits are legitimate or if companies just want to muzzle their critics.



■ **GEORGE "BOB" DEKLE, Professor of Law**

Oct 16, 2008, *Associated Press*, "Law experts: Florida conviction possible without body"

"It's like doing math without numbers."

Dekle's quote commented on murder investigations and conviction cases in which the body has not been found, as was the situation with the high-profile missing child case of Caylee Anthony, a 2-yr-old Orlando, Fla. girl whose mother, Casey Anthony, has been charged with her murder. The body of a child matching that of Caylee Anthony was since discovered on Dec. 11, and the autopsy results confirming the remains as those of Caylee were announced on Dec. 16, 2008.

■ **KATHERYN RUSSELL-BROWN**
Chesterfield Smith Professor of Law
and Director of the Center for the Study
of Race and Race Relations

Nov 9, 2008, *Orlando Sentinel*, Opinion Page, "Hoaxes signal the state of our racial fears"

"When I heard Susan Smith's tale that she had been carjacked by a young black man, I was skeptical. In 1994, Smith told police that while stopped at a traffic signal, she was carjacked by a black man who drove off with her infant and toddler boys in the back seat. I thought, 'Where would a black man go with two small white children?' ... Likewise, last month when I

heard Ashley Todd's yarn, the alleged facts struck me as odd. Todd, a volunteer for John McCain's campaign, reported that she had been robbed, assaulted and maimed by a 6-foot-4 black man at an ATM. She said the man was a Barack Obama supporter who wanted to 'teach her a lesson' after seeing her McCain bumper sticker. ... Welcome to the land of racial hoaxes. Not burdened by logic, hoaxes don't have to make sense; they just have to feel like they could make sense."



Jerry



Lidsky



Russell-Brown

■ **RICHARD G. HAMANN**
Associate In Law, Center for
Governmental Responsibility
 Dec. 16, 2008, *Gainesville Sun*,
 “Obama selects UF grad”

“Clearly, she’s committed to protecting the environment. ... She’s sort of a combination of idealism and pragmatism that can be very effective.”

Hamann was commenting on the news of Carol Browner’s (JD 79) appointment by President Barack Obama as his “Climate and Energy Czar.” Hamann said Browner’s approach to protecting and preserving the environment would represent a “180 degree shift” from the eco-unfriendly policies of George W. Bush and Dick Cheney.

■ **MICHAEL ALLAN WOLF**
Professor of Law, Richard E. Nelson
Chair in Local Government Law
 Jan. 9, 2009, *New York Times*,
 “The course that got away”

“They didn’t care how much they spent on the golf course because they were making so much money on lot sales.”

Wolf was quoted as an expert in golf course conversions and on the growing trend of golf community developments going bankrupt and closing golf courses, leading to losses in home equity for those who purchased expensive homes or lots on the courses.



Hamann



Wolf



Davis



Mills

■ **JEFFREY DAVIS**
Professor of Law, Gerald A. Sohn
Scholar
 Jan. 29, 2009, *Orlando Sentinel*,
 “Seaside National receives \$5.7 million from federal bailout”

“Many of the community banks appear ready to lend. I’ve seen some with big signs up saying ‘we have money, come on in.’ In the earlier funding, the big banks pretty much got a blank check, but they used the money mostly to shore up their balance sheets. I don’t think the community banks will get the same blank check.”

Davis’ expert opinion was quoted in regards to community banks receiving funds from the federal Troubled Asset Relief Program, or TARP.

■ **JON MILLS**
Professor of Law, Dean Emeritus and
Director, Center for Governmental
Responsibility
 Feb. 2, *Ocala Star Banner*, “Lawmaker calls for water changes”

“The current system has worked pretty well, across a wide range of governors. ... It seems to me we should be leery of throwing out the entire process.”

Mills was quoted in an article examining the House proposal made by Keystone Heights Rep. Charles Van Zant to elect members of the district water boards rather than the present system of gubernatorial appointment.

■ **WILLIAM H. PAGE**
Professor of Law, Marshall M.
Criser Eminent Scholar in Electronic
Communications and Administrative
Law, and Senior Associate Dean for
Administrative Affairs
 Feb 11, 2009, *Computerworld*, “EU’s charges against Microsoft over IE ‘just silly,’ says expert”

“The remedy [from the U.S. case] was for Microsoft to remove icons and menu items related to IE, and so forth, and give OEMs the flexibility to install another browser. ... There’s no [Windows reseller] I know of, though, that has actually installed a second browser. ... It looks like the EU has revived the idea that the browser market is a separate market. ... It would be dumb to require Microsoft to delete

■ **JONATHAN R. COHEN** **Professor of Law,**
Associate Director, Center for Dispute Resolution
 Dec. 9, 2008, *Washington Post*, “Closer to Bailout, GM Prints Candid Apology”

“Talk is pretty cheap.... Action is more telling.”

Cohen was quoted in response to the Dec. 8 full page advertisement run by General Motors in *Automotive News*, in which it acknowledged serious organizational blunders leading up to its financial collapse and promised to be more proactive in its business plan.





■ **LARS NOAH Professor of Law**

Feb. 23, 2009, *Wall Street Journal*, “Experts question vax industry’s special legal status”

“When you’ve got a monopoly and can dictate price in a way that you couldn’t before, I’m not sure you need the liability protection.”

Noah was quoted on the question of liability protection for pharmaceutical companies when introducing newly-developed vaccines.

IE [from Windows] and then require users to install a browser separately after they first use Windows. That’s just silly.”

Page was quoted regarding the European Union’s legal challenge of Microsoft Corp. over new charges that Internet Explorer (IE) stifles browser competitors.

■ **DANAYA WRIGHT**

Clarence J. TeSelle Professor, UF Research Foundation Professor
 March 17, 2009, *USA Today*, *Bloomberg News*, *NY Times*, and *Boston Globe*, “Madoff’s wife declares Palm Beach home main residence”

Wright was widely quoted speaking on Florida law and bankruptcy protection for homeowners under the state’s homestead exemption laws. The articles were in reference to Bernard Madoff’s wife, Ruth, who declared her \$9.4 million Palm Beach, Fla., home as her primary residence in an effort to avoid

losing the estate to creditors.

■ **Joseph Little**
Professor Emeritus, Research Scholar
 May 11, 2009, *Ocala Star Banner*, “Petition against Crist generates discussion on equality”

“It seems to me the governor is trying to run some type of affirmative action in every judicial appointment and I don’t necessarily think that’s a desirable thing on the merits. ... He’s trying to make some kind of diversity statement.”

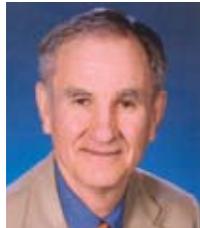
Little was quoted speaking on the lawsuit brought by retiring appellate Judge Robert J. Pleus Jr. against Gov. Crist for not choosing Pleus’ replacement from a list of six names provided by an independent panel of judges.



Page



Wright



Little

LOOKING for legal research from A to Z?

Check out the Social Science Research Network, or SSRN, which places UF Law faculty publications at your fingertips, online at http://papers.ssrn.com/sol3/JELJOUR_Results.cfm?form_name=journalBrowse&journal_id=1266801. Some recent titles include: “U.S. Income Tax Accounting for Inventories;” “Federalism, Forum Shopping and the Foreign Injury Paradox;” “Nobody’s Fools: The Rational Audience as First Amendment Ideal;” “Popular Sovereignty: A Case Study from the Antebellum Era;” and, “The Environmental Deficit: Applying Lessons from the Economic Recession.”



Too often, human health concerns lose and the potential for greater profits take precedence.

JOAN FLOCKS Director of the Social Policy Division, Center for Governmental Responsibility

Flocks presents plight of farmworkers

BY LESLIE COWAN (2L)

While lush orange groves and sprawling agricultural fields have long been an iconic and beloved symbol of Florida, few people are aware of the serious health consequences that the farmworkers who tend to them may face.

Joan Flocks, director of the Social Policy Division of the Center for Governmental Responsibility at the University of Florida Levin College of Law, is seeing to it that the risks of pesticide exposure to farm workers are brought to the attention of the public.

Citing the Agricultural Health Study, conducted by the National Institutes of Health and Environmental Protection Agency in 2008, which indicated that those with “increased, regular exposure to pesticides have high rates of a variety of cancers,” Flocks presented her findings regarding the association between human health risks and pesticide exposure and the social and political disadvantages of farmworkers to the President’s Cancer Panel in Indianapolis on Oct. 21, 2008.

Flocks’ interest in the plight of farmworkers began while she was conducting research in Indiantown, Fla., for her master’s degree in Latin American Studies from the University of Florida. Impressed with the determination of farm workers to work and survive in the United States and to secure an education for their children and even to send money home to still-struggling families, Flocks began to concentrate her efforts in aiding these underrepresented people.

After earning her JD from the UF College of Law in 1991, Flocks practiced law for five years before returning to UF to manage environmental justice and community-based research projects as a research assistant professor at the College of Medicine. In 2003, Flocks began her work with the Center for Governmental Responsibility.

According to Flocks, farmworkers are members of a disadvantaged group. Approximately 75 percent are born in Mexico, leading to a language barrier upon their arrival in the United States, and nearly all are from a low socioeconomic group with little access to healthcare. Additionally, farmworkers suffer high rates of occupational illnesses and injuries, including those associated with pesticide exposure — a significant and serious category of occupational hazards.

In the case of pesticide regulation, as Flocks explained in her presentation to the President’s Cancer Panel, the Environmental Protection Agency (EPA) weighs matters of human health against the economic value of using pesticides in the farming industry. Too often, human health concerns lose and the potential for greater profits take precedence.

One solution that Flocks recommends is to shift regulation of pesticides at agricultural workplaces from the EPA to the Occupational Safety and Health Administration (OSHA), which regulates most workplaces and requires more extensive training and information about workplace chemicals than the current Worker Protection Standard.

Flocks emphasizes that only when the view of environmental injustices as human rights violations is achieved in combination with a progressive, public change in attitude toward the risks of pesticides and chemicals will farmworkers’ safety and rights finally be protected. ■

Justin Axelrod (JD 09)

UF Law student serves to lighten taxpayers' load

BY ANDRE SALHAB

As Dave Barry once joked, tax time is when “you gather up those receipts, get out those tax forms, sharpen up that pencil, and stab yourself in the aorta.”

Despite Barry’s levity, completing tax returns is no joking matter, and the complexity of the tax code leaves most of us using that sharpened pencil to scratch our heads in confusion.

Not so for Justin Axelrod, a third-year law student at the University of Florida Levin College of Law with a love of all things taxation. At 25 years of age, Axelrod is the youngest member ever appointed to the Taxpayer Advocacy Panel by the U.S. secretary of treasury. He’s excited by the prospect of committing between 300 and 500 hours of time annually during his three-year appointment, which began in December.

“To be on a committee with these people from all sorts of backgrounds, it’s just humbling,” Axelrod said.

Established in 2002 under the Federal Advisory Committee Act, the Taxpayer Advocacy Panel serves as a citizen forum that provides direct feedback to the Internal Revenue Service (IRS). The IRS uses this feedback to increase its responsiveness to taxpayer needs, to work more effectively for all taxpayers, and to improve services. Made up of seven, geographically-based sub-committees, the Taxpayer Advocacy Panel has a real influence on the IRS’s strategic initiatives to improve its policies and programs.

Axelrod sits on the panel’s 13-member Area 3 Committee, which represents the states of Florida, Georgia, Alabama, Mississippi, Louisiana and Arkansas. He also serves on the Volunteer Income Tax Assistance Issues Committee, which partners with the IRS to focus on national initiatives or issues that cut across geographic boundaries. He said he isn’t sure why he



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was among the 100 people selected to serve nationwide, but believes his enthusiasm for tax and willingness to get his generation involved in tax administration were important factors in the decision.

One of the things Axelrod hopes to initiate during his service on the panel is free taxpayer clinics for families with low-income at the UF College of Law and Florida A&M University College of Law. He thinks it will serve a need in the community and also will give law school students in tax practical, hands-on skills. Currently, there are low-income tax clinics in Florida but none in the vicinity of these colleges.

Another goal of Axelrod’s is to reach a new generation of tax payers. To do this, he started a blog at www.justintimewithjustin.com and established a Taxpayer Advocacy Panel Fa-

cebook group. He said young people need to know that taxes affect everyone. He frequently updates his blog and Facebook page with information on tax-related issues and events and seeks to educate people on their rights and responsibilities as tax payers.

“Whether you like it or not, at some time in your life you are going to have to deal with the IRS,” he said.

Axelrod said he wants people to know that the panel is there for them when they do, and he works hard to respond to each suggestion or comment posted to his blog or Facebook page.

“You’re going to get a voice,” Axelrod said. “It is important for people to be heard. I am your voice and so are the other members on the panel.”

Even Dave Barry might put his pencil away with a sigh of relief. ■

Levin College of Law

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Gainesville, FL 32611-7633

CALENDAR

JUNE 25

Florida Bar Annual
UF Law Alumni Reception
6:30 p.m. - 8 p.m.
Orlando, Fla.
World Center Marriott

AUG. 21-22

Collaborative
Law Training
Gainesville, Fla.
Contact Robin Davis at
(352) 273-0807 for more information

SEPT. 11

Fall Book Award Ceremony
3 p.m. - 4 p.m. (Tentative)
Gainesville, Fla.
UF Law, Chesterfield Smith
Ceremonial Classroom

SEPT. 12

Board of Trustees/
Law Alumni Council
Board Meetings
9 a.m. - Noon
Gainesville, Fla.
UF Law

OCT. 18

UF Homecoming/
UF Law Centennial BBQ
Time TBA
Gainesville, Fla.
UF Law,
Marcia Whitney Schott Courtyard
For more information,
contact Lindy Brounley
at brounley@law.ufl.edu
or 352-273-0655

OCT. 28

Celebrate Pro Bono Week program
For more information, contact Barbara Devoe
at (352) 273-0615

OCT. 29

Beat the Bulldogs Law Alumni Reception
5:30 p.m. - 7:30 p.m.
Jacksonville, Fla.
Jacksonville River Club

DECEMBER (TBD)

Dean's Holiday Party
December (TBD)
Gainesville, FL
Home of Bob & Lisa Jerry

Unless otherwise noted, for more information
contact Alumni Affairs at 352-273-0640