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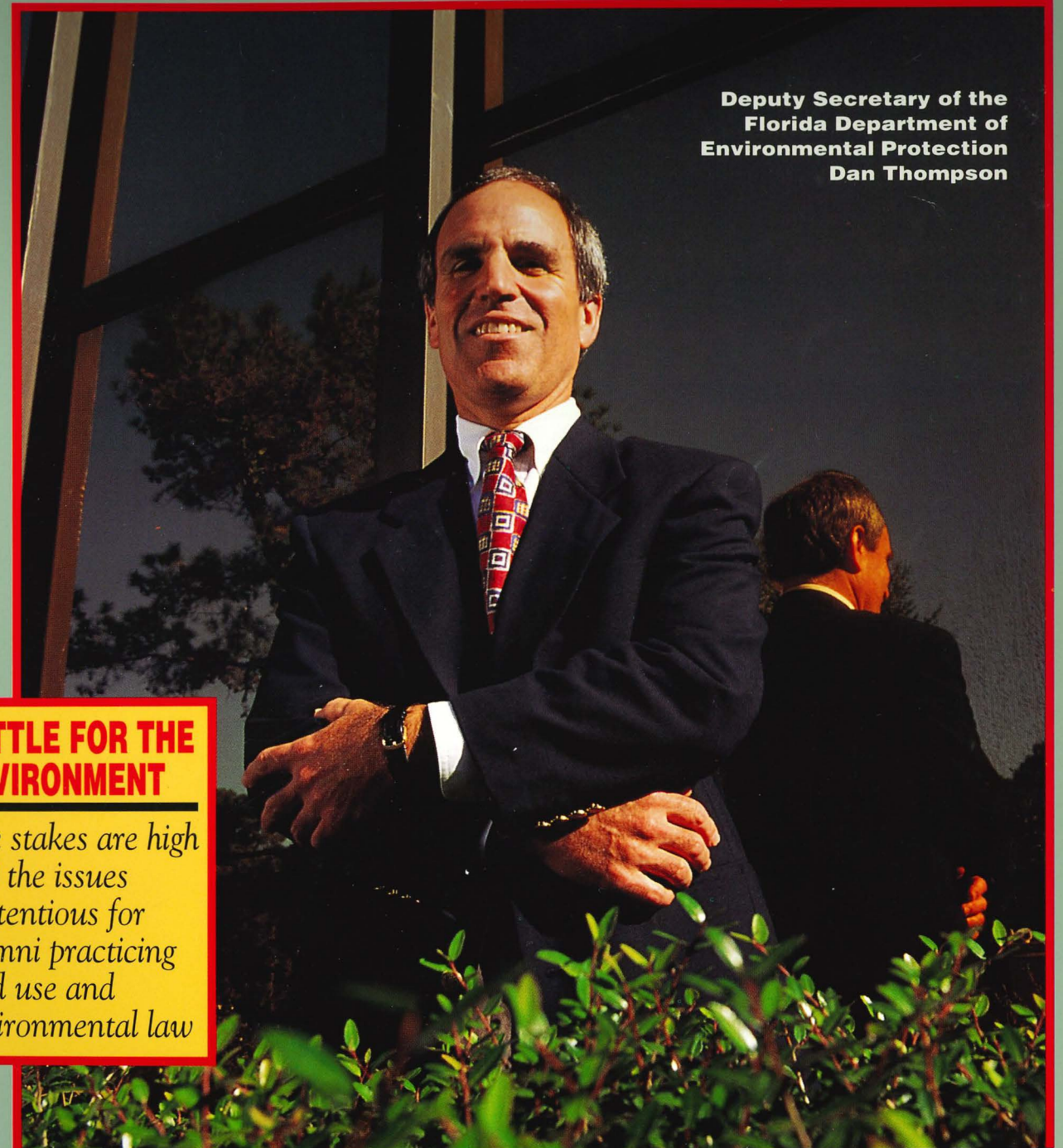
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FSU LAW

THE MAGAZINE OF THE FLORIDA STATE UNIVERSITY COLLEGE OF LAW



**Deputy Secretary of the
Florida Department of
Environmental Protection
Dan Thompson**

BATTLE FOR THE ENVIRONMENT

The stakes are high and the issues contentious for alumni practicing land use and environmental law

The law school mourns the loss of a great legal mind and devoted friend

STEVEN M. GOLDSTEIN 1945 - 1994

Dean's Letter

A Dear Friend Departs

Virtually the entire Florida legal community now knows that, immediately prior to the Thanksgiving holidays, Steve Goldstein died of a heart attack after jogging. We at the law school and the many others who loved and worked with Steve were horrified by the suddenness of his death and by the apparent unfairness of it. And we were stunned into a profound sense of loss. This issue of *FSU Law* suggests some of the ways in which Steve's life touched not only those of us at the law school, but many, many others.

I have no words that are adequate to characterize Steve, either as a professional or as a person. Because he was a consummate professional, the two are impossible to separate. I can say that I am very grateful for the time that I had with Steve. Most importantly, I am grateful to have shared in the life of a man who was completely good. Steve was a saint. He was a man of uncommon spirituality who spent his life caring for others. His compassion was boundless. And there was not a malicious or a dishonest cell in his body. Steve was completely without guile and was a man of great humility.

I am grateful that Steve's life was full of happiness. His life was rich with family, friends and admirers. He was wonderful with children. He had an unfailing sense of humor and was an irrepressible tease. He loved sports. And he loved his work. He believed in education, and he believed in building a great law school at Florida State. He believed in doing his part to bring fairness and justice to people in the greatest need. He fought to have all people treated with greater dignity. Steve loved being an academic lawyer and he loved being a practicing lawyer. He loved working for the civil rights of others and he loved the lawyers who share in this work. He was a hero. We shall miss him.

The Board of Visitors

This issue reports on one of Steve's many projects for the College of Law, the establishment of our Board of Visitors. Thanks to Steve, a distinguished group of professionals have agreed to help us chart the future course of the College of Law. The inaugural meeting this fall was an important event in the life of the law school. We are indebted to Steve



and to all those Board members who have agreed to share their time and their insight.

Environmental Lawyers

We have loved publishing a series of community-by-community profiles of representative alumni. But we also want to keep *FSU Law* fresh and alive. We want to avoid a formulaic approach to the magazine and remain just unpredictable enough to keep your attention. In this issue, we take a new tack. We have decided to focus on our alumni in a particular substantive area rather than those in a particular geographical one. We are excited about our alumni and want to tell the stories of your lives and accomplishments in a variety of ways. Please let us know your thoughts and suggestions.

Annual Development Report

Finally, a major portion of this issue is devoted to the Annual Development Report for the fiscal year that ended June 30, 1994. The faculty and students and I thank every alum who has made a financial contribution to the College of Law. I am delighted to report that, overall, our total gifts to the College of Law increased 37% over last year. Although our Annual Fund was a disappointment, with a participation rate of only 9% and an average gift of only \$134.54, our overall alumni giving was a more healthy 13% with an average gift of \$397.20.

We still have a long way to go to be competitive with other law schools. As we move to a telethon this spring to complete our Annual Fund Campaign, I ask you to respond with a contribution. In particular, to the many of you who have never contributed to the College of Law, please know that we need your help. If you would begin the habit of making some contribution to the College of Law, however small, the faculty and I can continue to make your degree more valuable and build a better school for the students of tomorrow.

Thank you for all your support.

DONALD J. WEIDNER, DEAN, COLLEGE OF LAW



About the Cover: Dan Thompson coordinated the negotiations to reach a settlement with the federal government concerning pollution in the Everglades. He is one of dozens of graduates who works in the environmental and land use law area.

THE MAGAZINE OF THE FLORIDA STATE UNIVERSITY COLLEGE OF LAW

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FSU LAW

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THE FLORIDA STATE
UNIVERSITY COLLEGE
OF LAW

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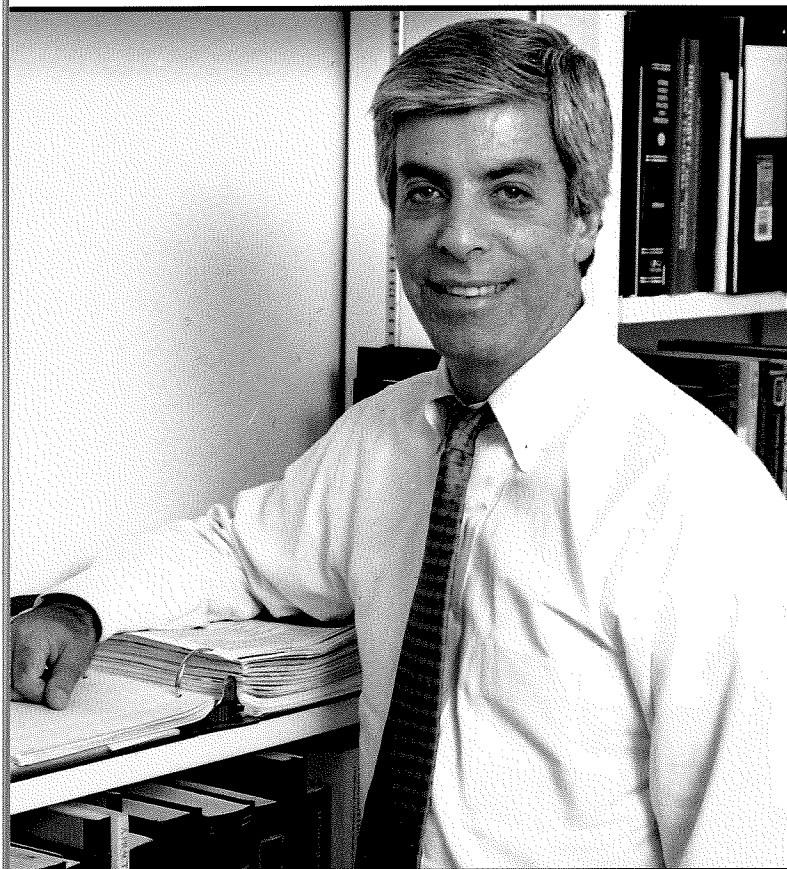
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Saying good-bye to a dear friend



Steven Mark
Goldstein
1945 - 1994

The November 23 death of the popular professor and nationally recognized civil rights lawyer stunned both the law school and the legal community. Above all, Steve Goldstein will be remembered for helping those most in need.

As word of Steve Goldstein's death spread during the Thanksgiving weekend, there was the sense that a leader had fallen. "For so many of us who knew him, he was the bearer of the torch," says longtime friend Carol Gregg. "In fact, he was the torch."

Goldstein, a member of the College of Law faculty since 1974, died at home of a massive heart attack, November 23, after returning from jogging.

As friends and colleagues began to take measure of the remarkable life of the College of Law associate dean, sharing experiences and impressions, the true impact of his life became apparent. "It's hard for one person to know everything Steve was involved in and all the good he accom-

plished," says College of Law professor Chuck Ehrhardt. "He played so many roles, both in the law school and in the community."

There was Goldstein the tenacious civil libertarian, defender of the poor, the unrepresented and the condemned; the skilled lawyer who insisted that every client, regardless of means, receive the highest quality of legal representation; the conscience and crusader for humanitarian causes, reminding others that certain principles were not negotiable. There was Goldstein the administrator and professor, who always made time for students, no matter how crowded his schedule, and who took on faculty chores no one else wanted. And, perhaps most important, there was Goldstein the dear friend.

His friends say Goldstein's hallmark was his extraordinary devotion to the law and his continuing growth as a lawyer, educator and human being. According to Tallahassee attorney and friend Dexter Douglass, Goldstein never was content to rest on his laurels, particularly when there was someone who needed his help. Says Douglass: "He was a man totally committed to the highest principles of the law. He was also a man totally committed to helping people." Added Gregg, "He started out in civil work for the poor, then he became a strong criminal lawyer, then an expert in poverty law. He was always challenged by new areas."

An example of Goldstein's zest for a legal challenge and pursuit of justice involved a political asylum case he accepted

in 1992. When Roland Alexis, president of the Tallahassee Friends of Haiti, sought his help, Goldstein agreed, but explained that he had no experience in immigration law. The man in trouble had been a member of the first Aristide administration and had been forced to leave the country when Aristide was ousted in the 1990 military coup. Says Alexis, "Had he been sent back to Haiti, the military would have arrested him." True to form, Goldstein pursued the case with enthusiasm—and won. "There was no money or glory in it," says Alexis. "Steve took it on because he likes to help people in dire straits." As impressive as Goldstein's legal work, adds Alexis, was his personal interest in the Haitian community. "He had become our friend."

Dean Don Weidner felt the loss of his closest friend not only personally but in its impact on the College of Law: "Steve was one of an elite group of civil rights warriors in this country. Steve's work in the civil rights area, and particularly in post-conviction representation of death-sentenced prisoners, was recognized on a national level. Because of his work, this law school was enriched."

The weekend before his death, Goldstein chaired a civil rights panel discussion at the law school that included some of the nation's premiere civil rights lawyers. The event, held in conjunction with a visit to the university by civil rights pioneer Rosa Parks, included retired federal judge Leon Higgenbotham; Janell Byrd, attorney with the NAACP Legal Defense and Educational Fund; Julius Chambers, Chancellor of North Carolina Central University; and Bryan Stevenson, Executive Director of the Alabama Capital Representation Resource Center in Montgomery.

Says Weidner: "This is the sort of event that only Steve—because he is personal friends with these people—could put together. And because Steve knew these people, our students and faculty were exposed to some of the best legal minds in the country."

Goldstein had been bringing champi-

ons of civil rights and civil liberties to campus for years, says Weidner. As coordinator of the law school's Tobias Simon Eminent Scholar Chair, Goldstein had invited a number of prominent lawyers and professors from other law schools to the College to serve as lecturers and adjuncts. Among these were Randall Kennedy, Derrick Bell, and Martha Field, from the Harvard University law school; Steven Bright of the Southern Center for Human Rights; and Jack Bogar of the NAACP Legal Defense fund.

Goldstein was a 1967 graduate of Brandeis University, where he won high academic honors and was a standout varsity basketball player. Although he entered the Columbia University School of Law in the fall of 1967, his growing interest in public service prompted him to withdraw at the end of his first year. He joined VISTA and spent the next 12 months working with drug offenders in New York City's South Bronx and the municipal correctional institution at Rikers Island. The following year, he taught history and civics at Charlotte Amalie High School in St. Thomas, U.S. Virgin Islands. He returned to Columbia to complete his degree in September 1970.

Following graduation in 1972, Goldstein went to work for the Duval County Legal Aid Service. Says program director Paul Doyle, who recruited Goldstein, "When we talked to him, it was obvious he was the kind of person we were looking for. I don't think I had ever met someone so absolutely dedicated

to helping the poor."

Doyle recalls that Goldstein often worked to the point of exhaustion, contracting mononucleosis at one point during his two years with the Jacksonville agency. "I would leave the office at 7 or 8 at night, and Steve would be talking to clients and have others waiting to talk to him." Goldstein maintained the same rigorous schedule until his death, he says.

Goldstein's legacy in Jacksonville, Doyle says, was his insistence that legal representation of the poor not be handled routinely. "Because of the workload, there is a great deal of pressure in legal services to compromise," says Doyle. "It was a major issue with Steve, though, that the poor receive the highest level of service. He was

Goldstein receiving the 1992 Tobias Simon Award from Supreme Court Justice Leander Shaw



absolutely unyielding on that point." That insistence on quality representation of the poor would remain a cornerstone of Goldstein's work.

In 1974, Goldstein was recruited by then-College of Law Dean Joshua Morse to come to Tallahassee to organize a legal services clinic at the law school. Morse, who had opened a similar program when he was dean at the University of Mississippi College of Law, had obtained funding from the national Legal Services Corporation through a program aimed at establishing clinical programs at American law schools.

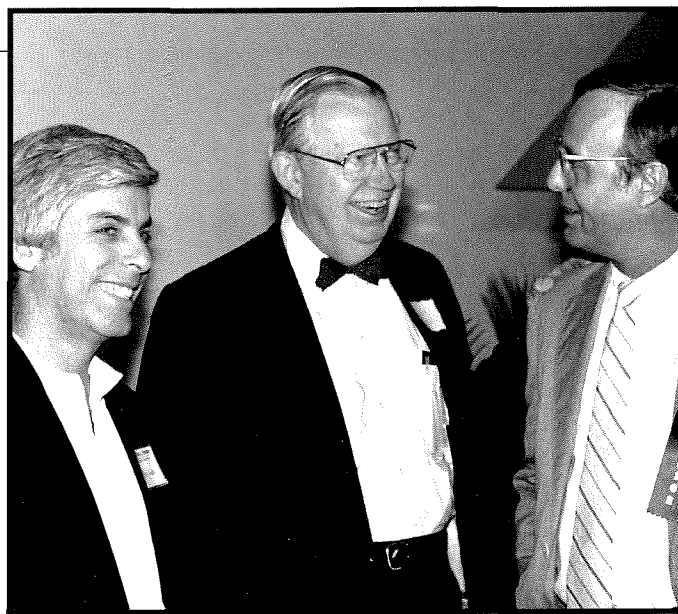
Recalls Gregg, a 1974 College of Law graduate whom Goldstein hired as his assistant, "Steve literally created the clinic out of nothing." The clinic began operations with one manual typewriter in a two-room office six blocks north of the law school in Tallahassee's Frenchtown neighborhood. At the time, Tallahassee was the only state capital in the country without a federally funded legal services program. "When we announced that we were in business, people flooded in," Gregg recalls. The program also was a huge success with students, finishing the 1974-75 academic year with 24 from each of the law school's three classes.

For Gregg and the students, the lessons they learned from their experience would leave an indelible imprint on their legal education. "Because Steve was an excellent lawyer, we never saw bad legal work. Everything that we were exposed to was excellent." Adds Gregg, "He expected the same from us."

Gregg offers a story of Goldstein's legal prowess when he argued the case of an indigent client before venerable Federal Appeals Judge John Wisdom in New Orleans. "I see that you are on the faculty of the FSU College of Law," the judge said toward the end of the proceedings. "Do you teach federal jurisdiction?" When Goldstein responded that he didn't, the judge solemnly replied, "You should."

By the time clinic funding ran out in 1976, Goldstein had written a successful grant proposal to fund Legal Services of North Florida, which continued the clinic's work. Goldstein assumed teaching duties at the law school and, over the years, taught Constitutional Criminal Procedure, Criminal Law, Juvenile Law, Civil Rights Law, Poverty Law, Lawyering, Litigation

Goldstein with former dean Joshua Morse and Dean Don Weidner at a 1993 alumni event



Skills and Trial Practice. Twice he served as associate dean, once in the mid-1980s, and again from 1992 until his death.

As a member of the law school faculty, Goldstein built an impressive record of scholarship. Among his publications are a *Federal Habeas Corpus Practice and Procedure* treatise, which he wrote with Columbia University law school professor James Liebman, and numerous law review and bar journal articles, including "Constitutional Limitations on the Use of Peremptory Challenges," *Florida Bar Journal* (1993) and "Chipping Away at the Great Writ: Will Death Sentenced Federal Habeas Corpus Petitioners Be Able to Seek and Utilize Change of Law Decisions," *New York University Review of Law and Social Change* (1991). He was a frequent lecturer on criminal law and death penalty issues before bar groups and at civil rights and civil liberties conferences.

With students, Goldstein earned a reputation as both a strong advocate of their interests and a challenging lecturer. Third-year student Lillian Vitagliano, who helped organize a "Moment of Silence" tribute to Goldstein at the law school December 1, says she would not be at Florida State had it not been for his help. The mother of a child born with neurological disabilities, she asked Goldstein for help in obtaining a waiver of the law school's full-time requirement. "I wanted to come to FSU but I didn't want to be put in the position of choosing between my child and my studies. Spending time with my son was very important to me." Goldstein was able to get the waiver approved by the faculty, and Vitagliano, who was able to make up for lost time by attending summer school, will graduate with her class in May. "Steve always put people before rules. I'll never forget him for that."

In class, Goldstein challenged students to think like lawyers. According to Vitagliano, he would ask students in his criminal law classes to assume the roles of advocates for opposing sides of a case while other students sat in judgment. "We appreciated this," she says. "He would also challenge students who had strong opinions about a case to make the point that, as a lawyer, you don't always choose your clients or your cases."

Among the faculty, Goldstein served as a "connecting point" between younger and older professors, according to Assistant Professor Jean Sternlight. "It can be hard for new faculty to fit in, but Steve made it easier. Everyone felt comfortable with him." For many faculty members, including Sternlight, lunches with Goldstein were a staple. Says Morse, who ate with Goldstein two or three times a week, "for as long as I can remember," the only time Goldstein would cancel the standing engagement was when students needed to meet with him. "Students always came first."

Friends from both the faculty and community suggest that the law school simply was not large enough for Goldstein's talents and energy. "Steve was an outstanding lawyer and needed an outlet for his skills and interests," says First District Court of Appeals Judge James Joanos. Goldstein represented a bond between academia and the legal community, Joanos says. He points to the membership of the College of Law's new Board of Visitors, a group organized to help chart the law school's future, as an indication of the respect Goldstein had in the legal community. The Board of Visitors, which held its first meetings in September, is split evenly between college

alumni and non-alumni. "Steve was the guy who moved that project forward," says Joanos, who serves as chair of the board. "Without him we'll have to regroup."

At the heart of Goldstein's legal passion was his work on behalf of death row inmates. As a frequent dinner guest of Weidner and his family, Goldstein would often excuse himself to work on post-conviction cases. "It would be nine or ten at night," says Weidner, "and Steve would have to go home to work on an appeal. The work was very important to him."

Goldstein kept an office at the Volunteer Lawyers Resource Center in Tallahassee, an organization that offers representation to death row inmates in the appeals process. Ken Hart, a 1975 graduate of the College of Law and partner with MacFarlane Ausley Ferguson & McMullen, says Goldstein was the motivating force at the Center. "Steve was always there to provide back-up and moral support to those of us who took on cases. I'm not sure we would have made it without him."

Goldstein's efforts on behalf of death row inmates were recognized in 1992 when he was presented the Tobias Simon Award by the Florida Supreme Court. The award is given annually to a lawyer in recognition of exceptional voluntary legal service to the poor, and represents the state's highest pro bono honor. During the preceding year, Goldstein personally handled six death row appeals as well as providing assistance to other attorneys working on appeals through the Center. Goldstein is the only full-time member of a law school faculty to receive the award.

Goldstein also served on boards of directors of other professional and civil rights organizations, including Florida Legal Services and the Florida Bar Foundation where he chaired the Legal Assistance to the Poor Committee. He would have assumed the Foundation's presidency in 1996.

Friends point out that his involvement amounted to much more than fulfillment of a civic obligation. According to First District Court of Appeal Judge William VanNortwick, he was the "conscience" of most of the organizations he worked with. "On his basic beliefs, Steve would not compromise," says VanNortwick, who knew Goldstein for more than 20 years and served with him on several boards of directors. "On the other hand," VanNortwick says,

"Steve was always extremely fair. When he would serve as chair of a committee or board he would never push his opinions on other members. In fact, he would go out of his way to make sure that everyone got a fair hearing." Adds VanNortwick, "Steve was one of the most ethical people I've ever met."

Despite his considerable accomplishments, Goldstein was exceedingly modest. "Steve was never someone to make a lot of noise," says Gregg. At a December 11 memorial service at Tallahassee's Temple Israel, Goldstein's brother-in-law, Lennie Zwick said that only after Goldstein's death did his own family realize the extent and impact of his work. Others speaking before the audience, including Alvin Stauber, president of the Apalachee Federation of Jewish Charities, Doyle, Ehrhardt, U.S. Court of Appeal Judge Rosemary Barkett and FSU President Sandy D'Alemberte, also made the point that, above all else, it was Goldstein's friendship and deep sense of caring about his fellow human beings that made his life exceptional.

On the last weekend of his life, Goldstein accompanied old friends Doyle, VanNortwick and Kent Spuhler on a canoeing trip on North Florida's Withlacoochee River. At one point, as the group floated downstream, Goldstein began singing "The Impossible Dream," from the Broadway show, *Man of La Mancha*. "It was the first time, in all the years I had known him, that he sang for us," says VanNortwick. For Doyle, the impromptu concert was a "gift from a dear friend." ♦

Remembering a good friend

The following are the remarks by College of Law Professor Chuck Ehrhardt at a December 11 memorial service for Steve Goldstein.

To talk about Steve's life at the law school is to talk about one that was a role model for students and faculty alike.

Steve was hired in 1974 by Dean Josh Morse to work in a Legal Services Clinic we had then. In 1977, he became a regular member of the faculty, writing and teaching primarily in the criminal law and poverty law areas.

For a number of years, he was in charge of our internships in Public Defender offices around the state, while I supervised those with State Attorneys. We both gave that up a number of years ago. His interest in clinical education continued, and in the past few years he was the driving force behind our clinical offerings, including obtaining the funding and arguing forcefully for the Children's Advocacy Center.

Steve was a creative teacher. He initiated and was the sparkplug behind an intensive Litigation Skills course, in which students devoted their full-time for a semester to learning skills necessary to be a trial lawyer. To teach this course, he persuaded the very best of the Florida bench and bar to volunteer a few days of their time at the law school to teach by lecture and example.

Not only was Steve a good teacher, but he was also a productive scholar, most recently publishing an article in October. He was the co-author of a major treatise on habeas corpus. Unlike most of us in the academe, Steve's most effective scholarship was where it really counted — in the many briefs he



The College of Law has established the Steven Goldstein Memorial Fund to continue Goldstein's work at the College of Law. Those wishing to contribute should make checks payable to the College of Law, Florida State University, Tallahassee, FL 32306-1034.

filed in state and federal courts on behalf of the poor and the condemned.

We talked about many of his causes, the results that were good and those which were not. One of the things that impressed me about Steve was his commitment to and belief in our legal system. He was an advocate for his causes in the finest sense of the word, and even when he lost, he did not believe the system was broken. He generally thought lawyers and judges were good people. His commitment of time, energy and emotion to these causes was recognized by the Florida Supreme Court when it selected him for the Tobias Simon Award.

Serving as associate dean is probably the toughest job in the law school. That person has to listen to all the complaints and problems of students and faculty. Three years ago Steve agreed to serve in that position for a second time, even though it meant cutting back on the time he could spend on his other interests. Steve was genuinely concerned with people's problems. He was a patient listener and would share his advice in a manner that was effective. Students knew that they had a friend in Steve who would give them a fair hearing.

Steve was conscientious. He was willing to tackle tasks no one else wanted to do, and he would do them well. For example, when the law school had to complete a self-study last year, Steve accepted the job nobody wanted and was the principle author of our long report. The respect and admiration that the law school had for Steve was shared by the University community.

In addition to being thorough, his work was well-reasoned. When Steve became associate dean, his memos were long and thoughtful—but there were a lot of them. It was his habit to write drafts of letters and class notes on yellow legal pads. His class notes were written in great detail, and we would joke about whether he would begin his third class of the second week of the semester with the same words that he did two or three years before. He could laugh at himself.

Although he was a very progressive guy, he was not in one area—technology. A law school computer sat on his desk for a number of years before he learned to turn it on. However, within the past year Steve had developed and learned to use his com-

puter. He also discovered e-mail. That was good because the number of memos decreased, but the volume of e-mail soared.

Steve had the talent to organize people, programs and events and was competent at whatever he did. For example, without his skills and involvement, the law school's program in Barbados, our program in Martinique, the Children's Advocacy Center, and the festivities honoring Rosa Parks would not have been nearly as successful.

Of all the projects that Steve oversaw, one of the most effective in the law school was his administration of the Simon Chair visitors. Under that program, nationally prominent faculty and lawyers were invited to the law school to teach two three-week courses in public interest law during the spring semester. Not only did he recruit faculty from Harvard, Columbia, and other distinguished schools to our law school, but he arranged for their housing and entertainment while in Tallahassee. His program was so successful that this year we have had Harvard Law School faculty competing to come to Florida State.

In the past two weeks, I have had conversations with lawyers involved in various public interest groups in the state. Their reaction is the same as the law school's. "I don't know how we're going to get along without him. There's no one else who can do what he did."

For eighteen years I've eaten lunch with Steve three or four days a week. Nothing was ever formally said, but, Steve, Josh and I had an understanding that if we didn't have special plans we'd go to lunch together. We usually joined a number of lawyers and judges who had gathered for good food and, more importantly, for an hour of friendly banter on the issues of the day—sometimes legal, sometimes politi-

cal, sometimes football or basketball and often the trivial. Frequently there was some good-natured kidding of Steve and the rest of us. Steve always joined in the conversation in good humor, always logically defending his position (and sometimes pitching in to defend mine). There was no doubt that the members of the Tallahassee bench and bar held him in high affection.

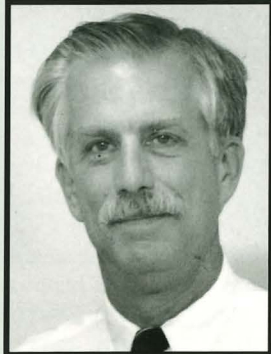
He was a great believer in having three or four bumper stickers on his car, and we used to joke with him about them. He was selective; he would put one on his car and it would remain there for a long time until a better one came along. I knew his last weekend of canoeing was a great success when I came out of the law school on Tuesday before Thanksgiving and walked to the parking lot, where I saw on his car a shining, white canoeing bumper sticker. I smiled when I saw it.

Steve's earlier athletic interest remained. He ran regularly and played tennis frequently. He was not afraid to tackle new pursuits: snow skiing last winter in Colorado, an overnight canoe trip his last weekend. He was a great Seminole basketball and football fan. He liked to go to the ACC tournament and stay to the final game, even if we'd been eliminated.

Steve had a real sense of friendship. If you wanted to talk to him about something, whether you were student or faculty, he always made time and seemed genuinely concerned about whatever was bothering you. He was a warm, caring person who never spoke a harsh word about anyone.

I don't know whether I have adequately described the traits that Steve possessed that made him so valuable to the law school and the university and caused all who knew him to respect and like him. What I do know is that he is about the finest person that I have ever met, and that I am proud he was my friend. ♦

CHUCK EHRHARDT



"One of the things that impressed me about Steve was his commitment to and belief in our legal system. He was an advocate for his causes in the finest sense of the word, and even when he lost, he did not believe the system was broken."

By David Morrill

Range war in the Everglades

Negotiations to settle a federal law suit charging Florida with allowing pollution of the Everglades involved marathon negotiations. Leading the effort was College of Law graduate and deputy secretary of Florida's Department of Environmental Protection, Dan Thompson

When Dan Thompson talks about Florida's settlement of a lawsuit with the federal government over pollution in the Everglades, his manner is that of a veteran commanding officer. There is a careful observance of detail, an emphasis on chronology and a reliance on maps. In his even, matter-of-fact delivery, though, he cannot conceal personal feelings from the most bitter battles. Neither can he hide his sense of satisfaction at having waged a successful operation.

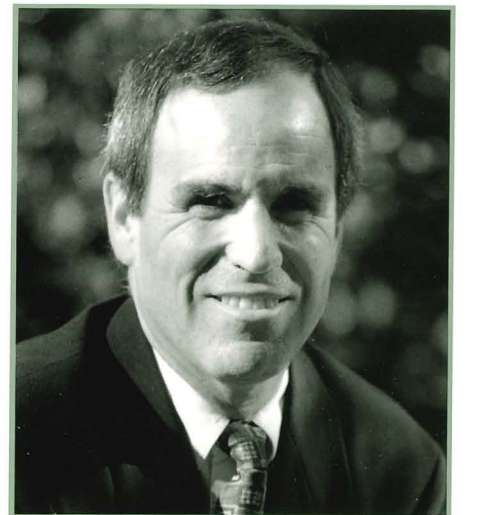
The settlement that Thompson, a 1975 College of Law graduate, helped to forge when he was general counsel for the Florida Department of Environmental Regulation concluded one of the most complex battles in the relatively short history of environmental jurisprudence. The case involved a tangle of federal, state and local agencies, disputed jurisdiction, powerful agricultural interests, an aggressive environmental lobby, and marathon negotiations. U.S.

Department of Interior Secretary Bruce Babbitt called it, "the ultimate test case of the nation's ability to manage its environment."

The lawsuit, filed by U.S. Attorney Dexter Lehtinen in 1988 against the state of Florida and the South Florida Water Management District, charged that runoff from agricultural areas southeast of Lake Okeechobee was polluting the Loxahatchee Wildlife Refuge and Everglades National Park. The action, claiming that the state's Surface Water Improvement and Management Act was not being enforced, was filed in state court under a provision allowing citizens to sue the state for not upholding its own laws.

The state resisted the suit at first, on grounds that the federal government had no jurisdiction. Then it countersued, arguing that the federal government was a partner in the pollution, citing, among other things, that the U.S. Army Corps of Engineers owns the giant pumps that move

▲ Noted for its wildlife, particularly its bird population, Florida's Everglades has become a national focus of efforts to protect the environment.



DAN THOMPSON

agricultural waste water south into federal lands. There were attempts at dismissal on the political front as well. Governor Bob Martinez appealed to the George Bush administration to drop the suit. When that effort was unsuccessful, negotiations bogged down. In 1991, shortly after taking office, Governor Lawton Chiles publicly acknowledged that the state was at fault and made a commitment to find a settlement.

"My marching orders from the governor were to avoid another 'Costello,'" says Thompson, who is now deputy secretary of the new Department of Environmental Protection. *Costello vs. Wainright* is a 20-year-old case in which the federal government put Florida's prison system into receivership when the state failed to correct alleged inhumane conditions.

An immediate complication for Thompson was the fact that the suit dealt only with pollution of federal lands in the Everglades, the National Park and the Loxahatchee Wildlife Refuge, and then, only with the quality of the water flowing to those holdings. Environmentalists, state officials and the water management district were already at work on efforts to deal with the Everglades on an ecosystem basis. In addition to water quality, discussions focused on water quantity and flow patterns, pollution from other agricultural areas as well as from urban areas in South Florida, and the degradation of Florida Bay at the southern tip of the state.

The settlement with Interior, Thompson realized, would have to be part of a larger Everglades cleanup and restoration plan.

Until the 1950s and 1960s, it was state and federal policy to encourage development, particularly of agriculture, in the historic Everglades region. From 1850, when the U.S. government handed over ownership of the Everglades to Florida with the stipulation that the land be drained, the history of the region involves a parade of colorful schemes and personalities dedicated to claiming portions of the giant swamp for human uses. Agricultural interests point often to government's active partnership in these projects, noting that nearly half of the primeval Everglades is gone forever.

The largest and most dramatic alter-



ation to the Everglades came in 1948. Following half a dozen devastating hurricanes in the first half of this century, in which hundreds drowned, the U.S. Congress authorized the Central and South Florida Flood Control Project. The massive project's mission was to change the behavior of the Everglades' natural hydrologic system by constructing hundreds of miles of canals and levees to control the movement of water. The project's name was changed in 1976 to the South Florida Water Management District when the state created regional units to monitor and control water flow.

Negotiations began in earnest in February 1991, when Thompson and DER secretary Carol Browner, now secretary of the U.S. Department of Environmental Protection, flew to Washington to begin negotiations with officials at the U.S. Department of Justice. The first meeting resulted in a statement of principles that served as a framework for settling the case.

Early in the process it became obvious to Thompson that any settlement reached between Florida and the federal government would be useless unless it was backed-up by legislation. "There could be no practical remedy if there was no mechanism for implementing it," he says. "The state could require the water management district to get a permit for pumping, but without financial resources to enforce the requirement, nothing would happen." This concern became the cornerstone of Thompson's strategy. With his direction, the legislature passed the Marjorie

Stoneman Douglas Act in the spring of 1991. Named for the 104-year-old Miami author and environmentalist, the legislation allowed the water management district to condemn agricultural land to be set aside as filtration marshes to remove high levels of pollutants from the water before it flowed south. The filtering process would be accomplished by the "uptake" of water by cattails, a native but invasive plant that thrives on nutrient-rich water. The law also authorized the state to tax agricultural acreage to help finance the project.

Once the legislation became law, Thompson says, "Things got busy." For many with an interest in the Everglades—agricultural and environmental—it was the first time the terms of the settlement of the federal case had taken form.

"Agricultural interests went ballistic," says Thompson. "They filed dozens of actions, both substantive and collateral." They claimed negotiations between the state and federal government had been held in secret and questioned the scientific data on which the federal government based its claim of pollution. Representatives of the sugar producers warned of the economic impact of higher taxes and condemnation of farmland on the \$1.5 billion industry. Farmers also argued that they were being asked to assume a disproportionate share of cleanup costs, suggesting that urban areas along Florida's southeast coast should pay more. Bob Buker, senior vice-president of U.S. Sugar Corporation claimed: "Urban residents are not paying their fair share of the cost. Water that runs off every suburban lawn is infinitely dirtier than runoff from sugar farms." He also pointed out that the 5 million people living in southeast Florida's urban areas are just as much "intruders" into the historic Everglades area as agriculture.

It was Thompson's job to remain focused on the narrow scope of the federal lawsuit while, at the same time, making sure a settlement would work to solve the larger problem.

In mid-1993, after months of litigation and confrontation, governmental, agricultural and environmental parties decided to attempt to mediate their differences. They hired Gerald Cormick, a professional *continued on page 45*

Discussing the future of Florida's environmental debate, Charles Siemon suggests, "There's going to be a raising of the noise level." The noise, according to Siemon, a 1974 graduate of the College of Law, will be about private property rights, availability of water and the scope and reach of government regulation. He also thinks the noise will take on an increasingly nasty tone.

Tom Pelham, the former secretary of Florida's Department of Community Affairs, puts the conflict into perspective. "In Florida, the environment is where public and private interests collide most dramatically. You start with the fact that, because Florida is dominated by coasts and wetlands, it is the most environmentally sensitive state in the nation. You throw in the rapid growth the state has experienced and the fact that most people want to live near the water and you begin to see the shape of the conflict." Adds Pelham, a partner in the Tallahassee firm of Apgar, Pelham, Pfeiffer & Theriaque, and a 1971 graduate of the College of Law, "It's becoming more and more difficult to draw the line between the public good and private interest."

Among those deciding where the line will be drawn are dozens of College of Law graduates who practice in the emotionally charged arena of environmental and land use law. Although their opinions differ about the extent and nature of the problem, all agree the next few years will be pivotal in shaping Florida's future. They also say there will be plenty of work for lawyers.

Richard Grosso '86, attorney for the environmental group 1000 Friends of Florida, sees the environmental debate assuming an increasingly polarized character. "In the past, a lot of people have been apathetic because they weren't personally affected. Now, with less and less land left to develop and less room for compromise, that's changing. I think you'll see a lot more people taking sides." Which side they take, he suggests, will be determined, to a large extent, by whether they

Rapid growth in Florida's coastal areas has become a focal point of the land use and environmental debate



The Environmental debate heats up

Florida's growing conflict between property rights and environmental protection has become a battle for hearts and minds. Few areas of law engender stronger emotions. College of Law alumni in environmental and land use law say the debate will get hotter.

own land, want to develop it, or want to sell to someone else to develop.

Silvia Alderman '77, a partner with the Tallahassee firm of Katz, Kutter, Haigler, Alderman, Marks & Bryant, worries that the coming environmental battles will pit people against the environment. "I don't think that has to be the case, but I think it is very possible that we will see environmental issues cast in that framework in the

future." She sees the populous southeast Florida coast, where she represents agricultural interests, becoming the first battleground. "That's where the rubber will meet the road, so to speak," Alderman says.

A PENDULUM SHIFT

Most lawyers agree there has been a pendulum shift of popular opinion away from government-driven environmental regu-

lation of the 1970s and 1980s, though some suggest the shift has been exaggerated. Says Siemon, "We're definitely experiencing a period of judicial backlash to the growth of environmental regulation of the past two decades. I think the deference to government will be narrowed in the future."

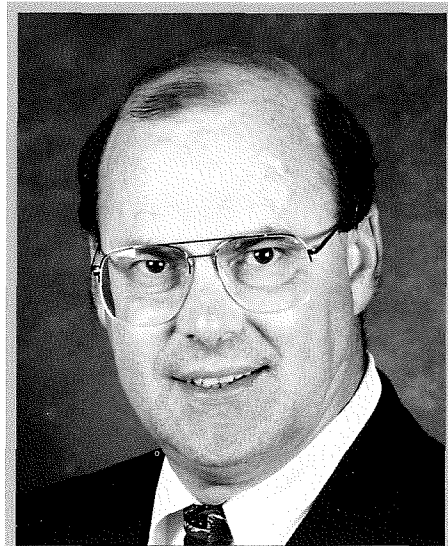
Most see private property rights as the emotional hot button in the debate. They cite recent U.S. Supreme Court rulings that support constitutional rights of private property owners and limit government regulation that restricts those rights.

"Traditionally, government understood that if you wanted to protect the environment the public would have to pay for it," says George Varnadoe '72. "In recent years, unfortunately, there has been a tendency to regulate without taking and without paying. The courts have reacted to this and have said to government, 'no, there has to be compensation for property owners affected by extreme forms of regulation.'"

Alderman agrees and says the reach of government authority to protect the environment violates historic precedents. "When the environmental movement began, the emphasis was on protecting wetlands. The concept of wetland protection, in fact, dates to Roman times. But we've moved far beyond that, especially in wildlife protection in upland environments. If you listen to some environmentalists, we've run out of land to develop. I don't agree."

Others, though, like David Theriaque '89, are not so sure of a shift in public opinion against environmental protection. He suggests the perception of a shift has been orchestrated by powerful private interests, such as in the case of the private property rights amendment that was thrown off the November ballot by the state Supreme Court. The amendment would have forced government to compensate property owners for lowered property values caused by regulation. "In that case you had big sugar trying to make the amendment look like a mom and pop deal. I'm suspicious of the idea of a backlash," he says, adding he believes there is strong support for sound environmental policies.

Pelham worries that some private property initiatives would make protection of the public interest difficult. "To some extent," says Pelham, "I think the reaction against regulation is healthy. It reminds us that private property rights are important



Charles Siemon is an author and a nationally recognized expert on urban planning

and are protected under the Constitution. What I worry about, though, is that some of the remedies chosen by the private property movement are dangerous and unhealthy. They could put the government in the position of having to decide whether or not it will protect the interests of its citizens based strictly on budgetary considerations." Had the private property amendment remained on the November ballot and passed, the government might have been placed in that position, he says. "Although government has a responsibility to protect private property rights, it also has to look after the public welfare."

THE COMPREHENSIVE PLAN

The tone of much of the environmental debate has been established by Florida's comprehensive plan law. Originally passed by the Florida legislature in 1974, the law required local governments to plan for and manage growth. The Growth Management Act, passed in 1985, put teeth in the original legislation and named the Department of Community Affairs as overseer. The law, among other things, requires that infrastructure—including roads, water and sewers—be in place before new development occurs, and that the environment be protected.

To Pelham, who implemented the comp plan when he was secretary of DCA, the plan has made a significant difference. "In general, I think the system has been im-

proved. The concurrency requirement, for example, has become part of our thinking." Pelham says the long-range impact of the comp plan remains to be seen. "Its effectiveness varies from community to community. There are areas where lip service is being paid but business continues very much as usual." The solution, he says, is to make sure there is proper enforcement. "At the moment, I don't think there is."

Grosso's group, 1000 Friends of Florida, was established, in part, to support the comp plan. "We knew that the plan wouldn't work without local support. Because the act gave authority to the state, there was the potential for an 'us against them' conflict. What we do is provide technical assistance to governments to help them understand and comply with the act." Grosso says the mission of his group is shifting, these days, as most of the state's comprehensive plans are moving

Environmental lawyers in public service find their role more important than ever

Environmental attorneys in public service believe their role is more important than ever.

"Government can protect the environment in ways individuals can not," says Dana Minerva '82, an attorney for the U.S. Environmental Protection Agency. "Assuming we take the right approach and show the right leadership, we can be effective in this role." Minerva has spent most of her career in public service, first with the Florida Legislature, then at the Florida Department of Environmental Regulation before joining the EPA in Washington, D.C.

Prominent among government's roles, says Minerva, is education. "Those who would degrade the environment often take advantage of a public that doesn't fully comprehend what the government is trying to do," she says, adding that public opinion polls show a strong commitment to environmental protection when issues are clearly stated. "One of our jobs is to get across to the public that a good environment is good for the economy, good for the country, and good for everyone."

Vivian Garfein '82, bureau chief of the



Appgar, Pelham, Pfeiffer and Theriaque is one of Florida's largest land use/environmental law firms. From left to right, Tom Pelham, David Theriaque, Steve Pfeiffer and Bob Appgar.

into an amendment phase. "There's a lot of political pressure from the development community, especially, to relax regulation. It's our job to make sure the original intent of the comp plan is maintained."

WATER WARS

The issue that will make headlines in the near term, many say, is the availability and quality of water. "I think you'll see an enormous fight over water supply, particu-



left: Vivian Garfein, Florida Department of Environmental Protection
right: Dana Minerva, U.S. Environmental Protection Agency

love of administrative law," Garfein says, crediting the influence of late College of Law professor Pat Dore. Garfein heads up a drive to establish an endowed professorship in administrative law in Dore's name.

Despite the natural contentiousness government regulation often engenders, Garfein approaches conflict with the assumption that most issues can be resolved through negotiation. "I've always believed that if good will exists and you can get

larly in South Florida," says Terry Lewis '79. "It will be a war between agriculture, urban areas and the green movement." Lewis practices with the West Palm Beach and Tallahassee firm of Lewis, Longman & Walker, and splits his time between large public and private clients. The issue is being forced by the rapid growth in the region and such environmental protection efforts as the Everglades Forever Act.

Alderman, a former assistant counsel for the Department of Environmental Regulation, points to what she considers the dangers of "replumbing of the Everglades" that the Everglades Forever Act mandates. She represents a large tomato grower in southeast Dade County who claims the project will have a catastrophic impact on his business. According to Alderman, the redirected water flow, intended to recreate prehistoric waterflow patterns in the Everglades, will cause higher water levels along Florida's lower east coast, not

people to sit down together, things can be worked out. That's the attitude I take, and it's usually successful." Over the years, she says, her greatest satisfaction has come when she has been able to resolve disputes, working with businesses, neighborhood associations and city councils.

Garfein admits that she looks at the future with trepidation. "There are times when I'm afraid we're losing the battle." She notes that the support staff in her office—those closest to the scientific and engineering issues—often "feel like we're just putting fingers in the dike. Sometimes, at the end of the day, I wonder what I've really accomplished, what difference have I made? It can be a hard question to answer."

Both Garfein and Minerva recommend public service environmental law to new law graduates. "The great thing about working for government is that you're in the courtroom right away. You carry no one's bags but your own," Garfein says. "You're going to learn under fire, but you're going to learn."

only flooding agricultural land, but residential areas as well. "You could see some very unhappy homeowners in Dade County," says Alderman. Since the passage of the Everglades act, the South Florida Water Management District has held a series of hearings, many of them standing-room-only affairs, with farmers arguing that their interests have been ignored.

Adds Alderman: "I'm concerned that the project focuses too much on environmental protection and not enough on the needs of agriculture and people."

THE REGULATORY MAZE

Varnadoe, who represents private developers in Collier County, is troubled with the process his clients must contend with. "I don't have a problem with regulation per se; I have a problem with the process." It is a common theme of land use lawyers. Varnadoe argues that the process adds an element of uncertainty to development that is both expensive and time-consuming. "When a developer makes an enormous investment in a project, there needs to be a way to budget time and money. Right now there isn't." He adds: "In Collier County, if you have wetlands on your property, you have to get permits from the Army Corps of Engineers, the Department of Environmental Protection, the water management district and the county." He cites a 1986 study by developers showing that 35% of a developed lot's cost goes to legal and consulting fees to meet government regulation, and says that the figure continues to escalate. "I think this is too high a price for the consumer to pay to protect the public interest."

Like others, Varnadoe sees changes in the system. "There is at least a recognition on the part of government that the process is overly burdensome, and you're beginning to see some substantive changes. The consolidation of DNR and DER [to create the new Department of Environmental Protection] is an example." Significant streamlining of the process will take time, he says. "Changes will have to filter through the bureaucracy."

Most agree that the process used to settle land use and environmental conflict does not work smoothly, although there is disagreement about changing it—both how and whether to change it. "There is no question that we need to change the historical path of how we deal with these is-

sues," says Deputy Secretary of the Florida Department of Environmental Protection Dan Thompson '75. "The process has become too expensive and ultimately self-defeating. It creates such a high level of antagonism that real issues are obscured."

Pelham says that government often creates situations that invite that antago-

To be practicing environmental law in the Florida Keys means you're in 'the big leagues'

No where does Florida's environmental debate come into clearer focus than in Monroe County, which includes the Florida Keys. And in no legal action have the issues been as hotly and as thoroughly argued as in a recent six-week administrative hearing in Key West.

Three College of Law alumni spent the better part of September and October debating the merits of the Monroe County comprehensive plan. Bob Apgar and David Theriaque represented the county while Richard Grosso was an intervener for the environmental group 1000 Friends of Florida.

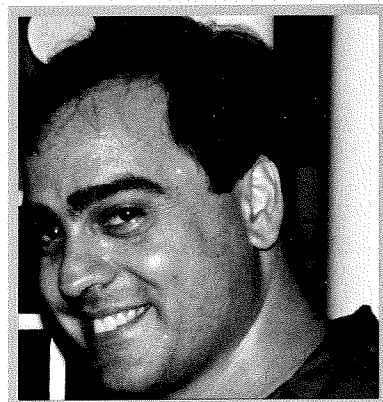
Because of Monroe County's fragile environment, the state has long maintained a keen interest in its planning decisions. Monroe's first comp plan, in fact, was rejected by the state. When an administrative hearing officer makes a decision this spring about the proposed plan, it could be the last approved.

According to Theriaque, much is at stake in the debate. "No one's happy with the plan. Developers say they are too restricted. Environmentalists say there should be no development at all. We're in the position of doing the best we can under difficult circumstances." Apgar adds, "There's a tremendous backlog of development in the Keys, some of it going back decades. Both the county and developers need some resolution."

According to Grosso, 1000 Friends supports "about 75 percent of the county's plan." One area of disagreement involves

nism. "What has happened in far too many cases is that even though new laws and policies are adopted and go into effect, the old layer of regulation remains."

Although Pelham's partner Bob Apgar '78 agrees there is a need for more consistency in the regulatory process, he suggests that much of the protest over the regula-



Richard Grosso of 1000 Friends of Florida

the calculation of the county's "carrying capacity," a broad category that includes surface water run-off, sewage and transportation needs. According to Grosso, the county concentrated on transportation issues in developing its plan, ignoring scientific pollution data. "They didn't deal with water quality issues, especially waste water," says Grosso.

Apgar agrees the plan took a "conservative" approach, focusing on hurricane evacuation, but says that much of the scientific data was questionable. "We could argue over the data forever and never reach an agreement. This is the most convincing approach." He also points out that scientific studies underway through the National Marine Sanctuary program, will provide data that will be incorporated into the plan.

Grosso, Apgar and Theriaque agree that the outcome of the hearing will have enormous significance for environmental planning. "Because this is the Keys, there is very little room for error," says Grosso, adding, "To be working on this case is an incredible opportunity. For an environmental lawyer, it's like being in the big leagues."

tory maze is about developers not hearing what they want to hear. "They don't want to be told 'no, you can't develop,' whether the answer comes quickly or not," he says.

Many of the arguments for "streamlining" the regulatory process, says Apgar, run afoul of Florida's Administrative Procedures Act (APA). The 1985 legislation makes it easier for citizens to challenge state laws and regulations, creating a process that is intrinsically contentious. "In the interest of giving the people a greater voice, we've agreed to a tradeoff—that the process will be longer and sometimes more expensive." He points out, however, that prospects of increased costs and time frames often help persuade opposing parties to reach out-of-court settlement. One of the intents of the APA, Apgar says, was to move the government decision-making process out of the back room. "In the old days, you had development decisions being made under political duress, often with limited public discussion. The APA changed that."

PROTECTING THE ENVIRONMENT

On the issue of how best to protect Florida's environment, there is broad agreement on one point: that the state should buy more land to be set aside.

"There's a limit to the effectiveness of regulation," says Lewis. "Ultimately, the most effective way to protect the environment is to put land in public hands." Although many lawyers contend that the public is in no mood to fund large land acquisitions, Lewis disagrees. "Money is obviously an issue, but people realize that their well-being is at stake," he says, citing the recent voter approval in Palm Beach County for acquisition of a large tract of land near the Everglades.

Says Theriaque, "There needs to be a whole lot more public acquisition, and society as a whole has to be prepared to bear the cost." Like Lewis, he thinks that the voters are beginning to understand the benefits of public land ownership. "We are all the beneficiaries."

Some suggest that there needs to be a shift of approach in policy to provide stronger environmental protection. Says Theriaque, "What we have to do is balance the growth and the environment that brought people to Florida in the first place. In a lot of cases, the growth has screwed up



Terry Lewis of Lewis, Longman & Walker is one of several lawyers who started out as a scientist

the equation." Like a number of lawyers, including Lewis and Siemon, he says the emphasis has to shift from permitting to planning. "Permitting has become a kind of holy grail. That mindset has to change or we'll face terrible consequences."

THE NATURE OF THE WORK

For Siemon and Lewis, careers in environmental law grew out of an earlier interest in science. Prior to attending law school, Lewis worked for the Florida Department of Natural Resources coordinating a coastal management program while Siemon helped write early wetland legislation. Both came to an early conclusion that if they wanted to play a role in shaping environmental policy, they would need a law degree. "I discovered that lawyers who didn't know anything about the principles of biology were making policy," says Lewis. "It was obvious that good science didn't mean good regulation, and I realized if I wanted to have anything to do about it I had to be a lawyer."

Siemon has built a national reputation as an author and consultant on land use and planning issues. His firm, Siemon, Larsen and Marsh, with offices in Boca Raton, Chicago and Irvine, California, has represented private and public clients in 25 states plus the Commonwealth of Puerto Rico.

Lewis splits his time almost evenly between private and government work. In

addition to representing South Florida agribusiness, he has handled permitting of a major airport expansion for Palm Beach County and helped negotiate changes in manatee protection speed zones around Lee County marinas.

Apgar, Pelham and Theriaque have built their firm around their long-standing personal interest in public land-use policy. Both Apgar and Pelham have worked with Environmental Land Management Study committees (ELMS). ELMS committees are appointed every ten years to provide

College of Law's course offerings have grown up with environmental law

Until 1982, when College of Law professor Donna Christie arrived at the College of Law, little was offered in the way of environmental law training. "I think adjuncts taught courses every now and then," says Christie, "but there was nothing on the regular curriculum." Christie, in fact, was hired to teach uniform commercial code and shifted her emphasis as environmental law assumed increasing prominence.

In the 12 years since she joined the faculty, the demand for environmental law courses has mushroomed. "Today, some knowledge of environmental law is almost essential because it cuts across so many other specialties," says Christie who was recently appointed Clyde and Elizabeth Atkinson Professor of Law.

During the 1994-1995 academic year environmental courses offered at the College of Law include: Environmental Law: NEPA, Air Pollution & Hazardous Wastes; Ocean and Coastal Law; International Environmental Law; Wildlife Law; Land Use Regulation; Natural Resources Law; Water Resources, Water Pollution, Wetland Regulation and Wildlife Law; and Toxic Tort Litigation.



Silvia Alderman of Katz, Kutter, Alderman, Marks, Haigler & Bryant, has represented clients in both the public and private sector

guidance to the Florida Legislature on land use and environmental issues. Apgar served as executive director of the second ELMS committee in 1982 while Pelham was a member, three years ago, of the third ELMS committee. Pelham, who began his legal career on the law faculty of Southern Methodist University in Dallas, left teaching because of his desire to play an active role in land use law. "I also wanted to come back to Florida where environmental consciousness was so much greater than in Texas," he said.

Grosso never doubted he would prac-



Surface water run-off and industrial pollution make government's role essential in land use planning, public interest lawyers say

tice environmental law and says that much of the attraction for him is the fact that it is not "pure law." "It's a legal/political hybrid. The work I do talking to elected officials is just as important as my work in the courtroom. In the political forum, there's a lot of arbitrariness. Good science doesn't always carry the day."

Others came into their calling by more circuitous routes. Thompson came out of law school with a strong interest in public service law. After working for several years at Legal Services of North Florida he was prompted by political fortunes to reevaluate his career. "When Ronald Reagan was governor of California, he had cut funds to legal service agencies and said he would do the same thing nationally. I was always interested in the environment, though, so the change was comfortable for me."

Varnadoe began his career in litigation, first with Holland and Knight, then with his own Tallahassee-based firm. "We represented a large Collier County developer in 1976 and 1977, and when we looked around for help in Collier County we couldn't find any." Varnadoe relocated to Naples and today his firm, Young, van Assenderp & Varnadoe handles the majority of cases for large developers.

For many in the land use and environmental law area, there is no clear demarcation of clients. It is not uncommon for a lawyer to represent environmental groups, governments and developers at the same time.

In addition to representing large south Florida farming interests, Alderman serves as attorney for the Tallahassee-Leon County Planning Commission. She has also represented environmental groups. "I think it's incredibly valuable, as a lawyer, to work on different sides of issues."

GLIMMERS OF HOPE
Although most land use and environmental lawyers say that the state's rapid growth poses the biggest challenge to Florida's environment, they also suggest that there are reasons for optimism. Says Siemon: "I look at the broad area of environmental protection as a bell curve. Most of the



George Varnadoe moved from Tallahassee to Naples to be closer to his major clients

work in the middle is fairly sound and reasonable. On the edges it gets bad. Twenty years ago that wasn't the case." One reason for the improvement, Siemon suggests, is better preparation of lawyers. "I see a lot more people with a multi-disciplinary backgrounds. Most of the issues that lawyers deal with these days require more than just a law degree."

Looking to the future from a scientific perspective, Lewis sees solid signs of progress. "In terms of the remediation and clean-up, we're seeing advances in technology that will have a huge impact." He points to parts of the Everglades clean-up project, including plans to reduce the pumping of polluted water into Lake Okeechobee, as evidence of public concern. "As I look around I see lots of reasons to be optimistic," says Lewis. "When I moved to South Florida, many of the waterways were nothing more than open sewers. They're a lot cleaner now."

Most lawyers say that personal involvement in the public process is essential. Since leaving the top job at DCA, Pelham has remained active in environmental regulatory issues. He has served on Tallahassee-area planning agencies and is an officer in the Florida Chapter of the American Planning Association. "The system is always going to be what we make of it. You can criticize it and the job being done for environmental protection, but if you're not involved you really don't count," says Pelham. ♦

Information at your fingertips



The library staff, from left: Betsy Stupski, Janice Ross, Alva T. Stone, Robin Gault, Ed Schroeder, Patricia Simonds, Mark Evans and Anne Bardolph.

The College of Law Library stays ahead of the technology curve while it maintains a strong tradition of personal service

The Law Library at Florida State University's College of Law has come a long way from the time when students had to use the fire stairs to get between floors. In those days, the library was housed in tight quarters on the second and third floors of B.K. Roberts Hall. Today, library patrons have the option of

visiting the state-of-the-art facility, built to the west of Roberts Hall in 1983, or gaining access to library resources from their home or office through a personal computer and a modem.

Not too many years ago, recalls Law Library Director Ed Schroeder, "it was necessary either to visit the faculty library and look at the com-catalogue or to come

to the law library to use one of the microfiche catalogues. Today, anyone who is somewhat adept at pointing an index finger can get to the catalogues from their home or office computer."

The technology that places such extraordinary power at the fingertip continues to have a dramatic impact on the library. Just as people were getting used to

the advantages of the Florida State University library user information system, LUIS, over the often laborious task of digging through a card catalogue, a wealth of new computer-assisted information-retrieval systems appeared. For the law community, computerized law reference systems like LEXIS and WESTLAW have become indispensable tools, and the explosion of voices on the Internet shows no indication of abating.

"The nature of how information is collected, how it's retrieved and how it's utilized has changed," says Schroeder. "We've become far more dependent on automated resources, on computer-assisted research—in the legal field and for research in general." Schroeder is quick to point out that these new tools are not cheap. "It may cost us more to do things now than in the past," he says, "but it's worth every dollar to be able to get so much information from a variety of data bases. Automation has made it all possible."

LUIS remains a primary resource as the key to the FSU library catalogue. With just the flick of another key, however, the system makes it possible to see what other Florida universities have on a given subject. It is also possible, through no-cost on-line systems, to check holdings at Yale, Harvard, Notre Dame, the Library of Congress and other libraries that have converted their card catalogue information into machine-readable format and have gone on-line via Internet.

The College of Law's library actually got the jump on other university libraries in making the conversion to a computerized catalogue format. Because of a decision based on a simple need for more space, the card catalogue was transferred to microfiche in the 1970s. Since the transfer put the material into a machine-readable format, the conversion to LUIS in 1986 was easy.

"We were fortunate in that we were able to jump into the process of automating early in our existence," notes Schroeder. "We didn't have the onus of having to convert from a paper card catalogue to machine-readable format. That is why there are things which show up in our collection that don't show up in a Harvard or a Yale catalogue yet."

Still, it is axiomatic in the library business that what is standard procedure today may change tomorrow. As the field of computer communications advances, so must library services. Says Mark Evans, the Law Library's computer and audiovisual specialist, "I think we are going to continue to progress through Internet." Evans envisions the entire university system's computer support for libraries changing dramatically in the next few

years, with more efficient ways to transfer the data and to handle many of the peripheral services that Internet now provides.

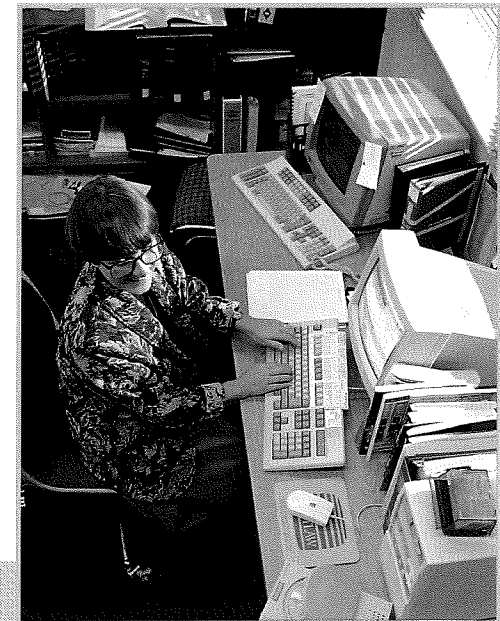
It is proving difficult, however, to predict future changes to Internet. By the time a directory of services can be compiled and made public, the list is hopelessly outdated. Says Evans, "It is easy to imagine the types of things that will be available, but putting them into

action is a different matter." The only certainty, it seems, is change.

There are no boundaries to information sources. For example, one of the electronic lists for law librarians available through the Internet allows subscribers to ask a question and receive answers from around the world. "And I mean *the world*," says reference librarian Tricia Simonds, "because there are lots of times that folks in Australia answer these questions—and

ask them as well." The new tools come with new challenges to the staff, though. "It's not good enough that I know five places to find a U.S. Supreme Court case without moving more than 30 feet from

Librarians like Patricia Simonds are one of the reasons the law library receives high ratings



By Joe Traina

ED SCHROEDER, College of Law Library Director, relies on his staff to maintain high standards



When the American Bar Association/American Association of Law Schools site inspection team visited the College of Law last winter, some of its highest praise was reserved for the library. To those who work for Ed Schroeder, director of the College's Law Library, the news came as no surprise. Nor was it unexpected that one of the team members, here to conduct the septennial accreditation survey of the law school, called the morale among library staff "amazing." It is a state of affairs library staffers regard as business as usual. To a person, they attribute the upbeat working atmosphere and organizational efficiency to their director.

Says reference librarian Tricia Simonds, "I can be at a national convention, and somebody will see my badge that says Florida State University. They'll come up and say, 'Wow, you work for Ed Schroeder.'" The reaction is not uncommon and testifies to Schroeder's high regard nationally among librarians.

"I've never known an employer like him," says computer and audiovisual librarian Mark Evans. "He makes an extraordinary effort to take care of his employees, to support them and to look out for their interests." Says Evans, "He cares about people in general, and he tries to help employees in whatever way he can. Unfortunately, that doesn't necessarily mean more money, because a lot of times that's out of his control."

Recalls public services librarian Betsy Stupski, "I was a brand new librarian when I started here. I'd learned a lot about providing library services and about having a service orientation. But there's a spirit of camaraderie that I think has a lot to do with Mr. Schroeder. It filters down."

Schroeder's management approach is simple: listen carefully when you interview potential staffers, and once they are in position, let them do their jobs.

According to his staff, Schroeder believes in giving his managers plenty of freedom. He allows them to do what they think is best for their department. That attitude has helped attract a number of forward-thinking, creative people to the Law Library

staff. What he has not been able to offer to potential employees in terms of money, he has managed to compensate for with opportunity and support. He strongly encourages staff members to seek advancement through continued education, to make themselves increasingly valuable.

Schroeder puts an emphasis on paying close attention to recruiting. "When you're interviewing," says Schroeder, "it's important to try and be aware of the chemistry that's there. He admits the approach may not be "terribly scientific." Nevertheless, he says, "When we've made a mistake in a hire, it's because I didn't listen closely enough."

Although much has changed since 1969, when Schroeder took the reins of the College of Law's fledgling library, his staff reports he remains on the cutting edge. "There's something very interesting about Mr. Schroeder," observes Stupski. "He has a real love for antiques and rare books, yet, on the other hand, he wants us to use all the new technology that will make this a more efficient library." His main objective, she says, is to provide the best possible service to patrons.

Schroeder's interests and influence extend beyond the library. A graduate of Tulane University School of Law, he had established a teaching career at the law schools of Boston College and the University of Connecticut before coming to FSU. He has continued to teach a course in Accounting and the Law. And since its inception in 1973, Schroeder also has directed the Summer Program in Law at Oxford University in England. Under his leadership, this longest running summer program of any American university law school at this venerable institution is also one of the most respected.

Schroeder suggests his role of advocate and leader may have a hereditary basis. "My father used to get up on a soap box with us," recalls Schroeder. "And my wife tells me that I tend to do the same thing. She's seen both of us in operation, and there are many similarities. But he always tried to treat people with decency and to treat each person as someone special."



this chair," says Simonds. "Those are all print sources. I also have to know how to find it in LEXIS and in WESTLAW and, for some library users, on the Internet, too. That's a big challenge."

Libraries today, increasingly, are having to face the question of what to acquire in machine-readable format. Data bases are competing with the printed word for scarce public dollars. As do most law libraries, the College's Law Library currently makes large expenditures on loose-leaf services. However, much of that data also is available on-line from WESTLAW or LEXIS or some other communications network, not to mention CD ROM, a compact disk format that makes information as easily accessible as music from your stereo. Says Schroeder, "What's happening in some law firms is that they're doing away with the printed book. Perhaps not completely, but they're certainly moving heavily in that direction." The Law Library keeps close tabs on the trend.

Most law firms maintain a small in-house library. According to Schroeder, the typical Florida law firm needs, at a minimum, a set of Florida cases, which would

fill a wall, the Florida Statutes annotated, which fills part of another wall, as well as a set of Florida jurisprudence, Shepard citations and a handful of other references. These currently are not available on CD ROM, but when they are, Schroeder says, what now fills a room of bookcases will fill a small box on a desktop.

Compact disks are becoming an increasingly attractive option because they cost less than the on-line systems such as LEXIS and WESTLAW, which carry a user charge. Compact discs have a fixed cost and don't require modems and phone lines, hence savings in telephone charges. "In a for-profit situation, such as a law firm, the costs of the on-line systems can be billed out to clients," says Law Library Associate Director Robin Gault. "But when we use library funds to pay these costs, it's a different story. The researcher gets the information, and the library, you might say, has gotten nothing for its money." On the other hand, Gault points out, "When the library buys a reference book, a thousand researchers can come along and use it and it's still there, waiting for the next person. You can see our di-

Although such technology as CD-ROM has become an indispensable part of the library's resources, librarians still encourage students to 'find it in the stacks.'

lemma. For libraries to be paying on a minute-by-minute basis for material that is only usable by one or two people creates a lot of questions."

A significant advantage of the CDROM is that it can be made available to all library clientele, whereas use of some on-line systems must be restricted in use to students and staff. Also, with a little creativity, all of the CD-ROM data can be put on a local area network (LAN) and then accessed from a desktop computer. Gault sees a trend in many law firms away from dedicated terminals toward personal computers. "Everyone has a PC and a modem and uses it as I use my computer here in the library. Once I've accessed the LAN, I can get to LEXIS, WESTLAW, the Internet and so on."

Law Library staff members agree that no matter which route technology takes, the printed word is here to stay. Law students are still encouraged to find law materials the old-fashioned way. Sometimes students are a little perplexed that using the bookshelves is still considered a very necessary skill. The transportability and fixed cost of books cannot yet be matched by high-tech alternatives. Some librarians admit to the sensory pleasures of the look, feel and smell of old books and their historic link to the community of scholars. And, of course, who wants to curl up in bed with a good data base?

"Even a big law firm is not going to provide unlimited access to computer information when it's paying by the minute," says Gault. Students become so focused on learning how to use the computer systems that they may have trouble finding the same information without them. Gault warns, "It's sort of a shock sometimes when they are out there in the real world, with the meter running, and the boss wants to know why they spent so much money trying to find a particular piece of information that was right under their nose—on paper, in the law library." ♦

Associate Dean for Student Affairs Ruth Witherspoon makes it a point to be there for law students who need to talk



Listening to Students

Associate Dean Ruth Witherspoon feels a special kinship with law students who, for one reason or another, are faced with the prospect of dropping out of school. In the late 1970s, as a student at the University of Cincinnati College of Law, she found herself in the same position. Had it not been for a young associate dean named Elwin Griffith, in fact, Witherspoon's career in legal education might never have gotten off the ground.

"Law school wasn't what I thought it was going to be," Witherspoon recalls.

"We were admonished during orientation to get words like *justice* and *fairness* out of our vocabulary, because there were no such things. I was devastated. Since the age of nine, those principles were the reason for my making law a goal."

Griffith, who joined the FSU law faculty in 1986 and today heads the Caribbean Law Institute, had no intention of letting Witherspoon leave law school. His approach, he says, was to put students off until they had adequate time to consider their decision. With Witherspoon, it worked. Later, when she came back to

Griffith, still not convinced a law career was in her best interest, he suggested she consider going into teaching. And, as they say, the rest is history. Says Griffith, "That outcome gives an adviser a lot of satisfaction. Because you know 10, 15 years down the road you can say, 'Well, see, you made the right decision. Didn't I tell you?'"

Witherspoon's switch to law school administration was prompted, in part, by her own experience at Cincinnati and an appreciation of the importance of helping students at a crucial stage of their life. There is an informal policy at the College

of Law that any student who talks to a professor about withdrawing from school is referred to Witherspoon's office.

"What I try to ascertain," says Witherspoon, "is whether what is affecting the student is what I refer to as the 'first year jitters,' or truly something else. I can't tell you what a good feeling it is to have a student leave my office much more relaxed, even smiling, but confident that somebody cares and is going to do everything possible to help him or her resolve a troubling situation."

By all accounts, Witherspoon's role at the law school has paid enormous dividends.

Associate Professor Meg Baldwin describes how the system worked before Witherspoon took on her current duties. "All of the student services functions were carried out in separate departments under the supervision of folks who had little administrative discretion. Ruth's coming on as associate dean, as someone who would oversee all of the student services, really reflected a new degree of commitment from the administration to the whole process of student affairs, to retention of students while they are here, to making sure that students get the academic support they need and, ultimately, to placing them when they graduate."

Since Witherspoon assumed her duties as associate dean of student affairs in 1990, faculty and staff feel that the law school has become a more tight-knit community, one where people look out for one another. Witherspoon has promoted the effort by introducing a campus publication, *Dicta*, the College of Law Student Affairs Newsletter. Another of her additions, the peer advising program, in which upperclass men and women take groups of entering first-year students under their wing, has helped to ease some of the alienation new students feel.

Witherspoon's role has also paid dividends in the area of alumni support. According to alumna Alma Gonzalez-Neimeiser, "For the College of Law to be able to rely on the support of alumni, it has to start by making students feel they are an integral part of that law school." She adds, "If you want me to continue to look back and reach back and support that school, then you've got to make me feel like you cared about me when I was there. That is one of the most important things that

Ruth Witherspoon brings to the College."

Having watched students progress through the entire law school experience, from recruitment to placement, it is no surprise that Witherspoon's favorite times of the year are the fall and spring graduation ceremonies. She takes particular pride in seeing students graduate whom she has helped along. "Graduation is usually the first time that I have an opportunity to meet many of these students' families," she says. "It feels good to have a parent come up to me and say, 'I want to thank you for what you did for my son. He told me about what you did to help him with his problem,

Since Witherspoon assumed her duties, faculty and staff feel that the law school has become a more tight-knit community

how you did thus and so.' Sometimes it's surprising, something I never would have considered significant. But for some reason, it made a difference for that student, so much so that he shared the experience with his family."

Since taking her position, Witherspoon has pursued a number of goals. One was to actively recruit minority students. She worked with the Black Law Students Association and the Spanish-American Law Students Association to start a Law Day program for prospective minority students to get information about law school and about the admissions and financial aid processes.

For the past three summers, Witherspoon also has coordinated the

College's intensive four-week Summer Law Program for Undergraduate Minority and Disadvantaged Students. Students in the program get a chance to work with area lawyers in government and private practice. At the same time, they build their analytical and writing skills, making them more competitive as students and, later, as law school applicants.

The minority recruitment programs, says Witherspoon, have succeeded to the point where significant strides have been made, and that area may no longer require the amount of attention it has received in the past. "We can begin to focus on other issues," she says.

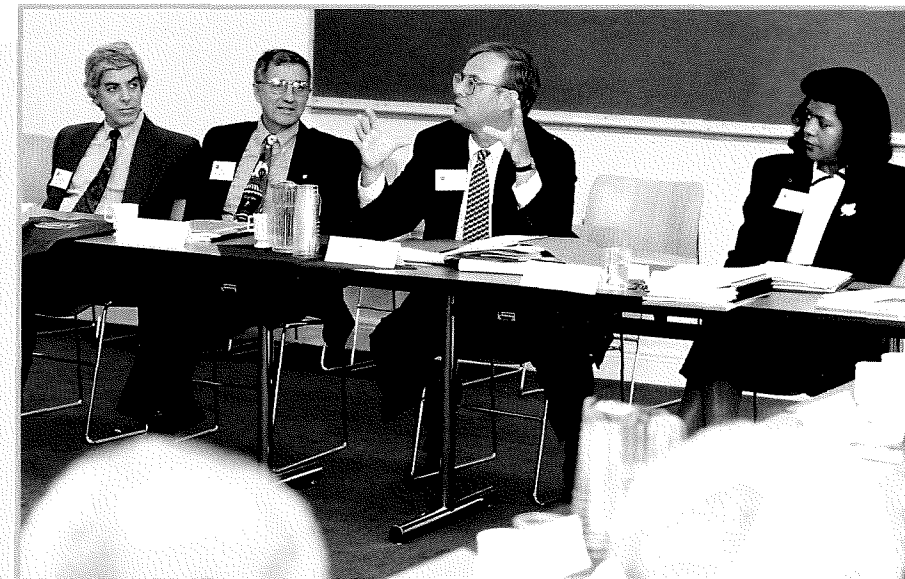
These days, Witherspoon believes the time has come to shift much of her attention from recruiting to areas such as retention and placement. In focusing on these important concerns, she has called in support from students, faculty, and alumni.

Witherspoon has enlisted the support of second-year students to help with retention of their first-year colleagues by serving as tutors for the 18 individual sections of first-year courses. She believes this Academic Support Program, which benefits not just the first-year students but the first-year faculty, indirectly serves the best interests of the entire law school community. "By helping students acclimate themselves to the study of law and to our expectations of them," says Witherspoon, "this program contributes to the notion that FSU cares about the development of its students."

As chair of the College's new Placement Committee, Witherspoon has been exploring new ways to help make FSU law students more marketable. Her concern is that while the number of law school graduates continues to increase and swell the legal profession, growth in the number of law-related jobs has not kept pace. One of Witherspoon's plans is to enlist the support of College of Law faculty and alumni to help FSU graduates find employment.

While Witherspoon expresses pride in the successful programs she has helped establish in her short tenure as the law school's Associate Dean for Student Affairs, those who know her best suggest her real strength lies in the personal approach she brings to solving student problems. Above all, they say, it is her style of dealing with students as friends. ♦

College of Law's new Board of Visitors takes aim at the future



Doing business and making contacts during the Board of Visitors meetings in late September: Clockwise from top: Dean Don Weidner sets the agenda while Steve Goldstein, Judge James Joanos and Ruth Witherspoon look on; Jim McConnaughay and Justice Leander Shaw; Judge Joanos presiding; and Fred Baggett and Alan Cummings

The College of Law is looking to the professionals for some advice.

The newly created Board of Visitors, composed of some of Florida's top judges and lawyers, held its first meetings in Tallahassee on September 29 and 30 to review a wide range of issues that will help determine the law school's future mission. The 40-member board, includes 20 College of Law alumni and 20 non-alumni.

According to Dean Don Weidner, a number of important questions were posed to board members: Are there particular niches or markets Florida State should be serving? What kinds of specialized programs, if any, should we be offering? Are we adequately preparing our students for entry into a highly competitive profession? Said Weidner, "It's essential that we have answers on which to construct the future of this law school."

Associate Dean Steve Goldstein, who coordinated the initial meetings of the Board, said the Board of Visitors is a means for a young law school to gain support from the broader legal community. "There are a lot of people in the legal community who are not alumni who still want to support this law school and be involved in its development." Added Goldstein, "Because of the board members' roles in the legal community, they are able to provide input on questions this law school is grappling with. They can also help us break down barriers between the law school and practicing attorneys."

In these first meetings, the board heard administration reports on the law school's curriculum, student affairs and placement programs. Law school students, including Student Bar president Leenette MacMillan and editors of student publications, also spoke to the group, presenting suggestions for the Board's consideration. A major focus of discussion was the issue of placing students in a tough job market. Board members confirmed a recent trend in which law firms are hiring lawyers with previous experience, making it increasingly difficult for new graduates to find employment. Several board members offered suggestions as to how the law school might counteract the trend, including encouraging students to work in clerking positions during their school years.

First District Court Judge James Joanos, who was instrumental in creating the College of Law in the early 1960s, was elected Board of Visitors chair. Other officers are Susan Novotny, vice-chair, and Mel Martinez, secretary.

Joanos says the Board will function as "a kind of think tank" for the law school. "I see us as a bridge to the future, and between the profession and the college," he said, adding, "I am extremely impressed with the high quality of this board. I am honored to be a part of it."

Joanos reserved his highest praise for the students who spoke before the board September 30. "They were of very high calibre and made outstanding presentations." He added, "They are what this board's work is all about."



FSU President and former College of Law Dean Sandy D'Alemberte outlines plans for the university at a Friday afternoon luncheon

The College of Law's Board of Visitors

- Frederic W. Baggett**
Greenberg, Traurig, Hoffman,
Lipoff, Rosen & Quentel, P.A.
Tallahassee
- Robert E. Banker**
Fowler, White, Gillen, Boggs,
Villareal and Banker, P.A.
Tampa
- Martha Barnett**
Holland and Knight
Tallahassee
- Hilarie Bass**
Greenberg, Traurig, Hoffman,
Lipoff, Rosen & Quentel, P.A.
Miami
- Sally A. Blackmun**
General Mills Restaurants, Inc.
Orlando
- F. Alan Cummings**
Cummings, Lawrence &
Vezina, P.A.
Tallahassee
- Marcia K. Cypen**
Legal Services of Greater Miami
Miami
- John A. DeVault**
Bedell, Dittmar, DeVault
& Pillans, P.A.
Jacksonville
- Miranda Fitzgerald**
Lowndes, Drosdick, Doster,
Kantor & Reed
Orlando

- C. David Fonvielle, III**
Fonvielle & Hinkle
Tallahassee
- Mary Friedman**
The Friedman Law Firm
Miami
- John W. Frost, II**
Frost, O'Toole & Saunders, P.A.
Bartow
- Vivian Garfein**
Florida Department of
Environmental Protection
Tallahassee
- Sheila Halpern**
Steel, Hector & Davis
Miami
- Judge Joseph Hatchett**
U.S. Court of Appeals,
Eleventh Circuit
Tallahassee
- Ben Hill**
Hill, Ward & Henderson
Tampa
- J. Wayne Hogan**
Brown, Terrell, Hogan, Ellis,
McClamma & Yegelwel, P.A.
Jacksonville
- Judge James E. Joanos**
First District Court of Appeal
Tallahassee
- Robert Josefsberg**
Podhurst, Orseck, Josefsberg,
Eaton, Meadow, Olin,
Perwin, P.A.
Miami

- Jonathan D. Kaney, Jr.**
Cobb, Cole and Bell
Daytona Beach
- Robert G. Kerrigan**
Kerrigan, Estes, Rankin
& McLeod
Pensacola
- A. Lawton Langford**
Municipal Code Corporation
Tallahassee
- John Marks**
Katz, Kutter, Haigler,
Alderman, Marks & Bryant
Tallahassee
- Mel Martinez**
Martinez & Dalton
Orlando
- James N. McConaughay**
McConaughay, Roland,
Maida & Cherr, P.A.
Tallahassee
- Christina Mendoza**
Knight Ridder, Inc.
Miami
- Brian D. O'Neill**
LeBoeuf, Lamb, Greene
and MacRae
Washington, D.C.
- Judge Susan Novotny**
U.S. Magistrate
Pensacola
- Gary C. Pajcic**
Pajcic & Pajcic, P.A.
Jacksonville
- Peggy Rolando**
Shutts and Bowen
Miami

- Katherine Fernandez-Rundle**
State Attorney,
Eleventh District
Miami
- Terrence J. Russell**
Ruden, Barnett, McClosky, Smith,
Schuster & Russell, P.A.
Ft. Lauderdale
- Justice Leander Shaw**
The Florida Supreme Court
Tallahassee
- Steven L. Sparkman**
Carlton, Fields, Ward, Emmanuel,
Smith & Cutler, P.A.
Tampa
- Douglas C. Spears**
Pleus, Adams, Davis & Spears, P.A.
Orlando
- Judge William Stafford**
U.S. District Court
Tallahassee
- Eugene E. Stearns**
Stearns, Weaver, Miller, Weissler,
Alhadeff & Sitterson, P.A.
Miami
- Diane Van Ness**
Miami
- Sylvia Walboldt**
Carlton, Fields, Ward, Emmanuel,
Smith & Cutler, P.A.
Tampa
- Sarah White**
Sands, White & Sands, P.A.
Daytona Beach

CLASS NOTES

'69

John W. Frost, II announces the change of his firm name to Frost, O'Toole & Saunders, P.A. He also has been appointed as a Florida Bar president's pro bono awards circuit committee chair. John's daughter, Ashley, graduated from the College of Law in May.

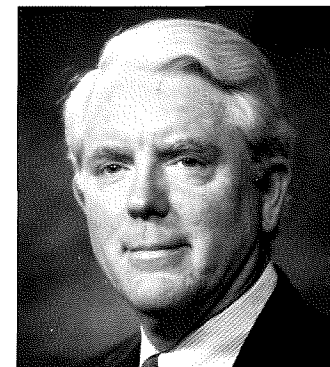
'70

Donald A. Gifford of Shackleford, Farrow, Stallings & Evans has been appointed as a Florida Bar president's pro bono awards circuit committee chair.

William E. Johnson formerly of Parker, Goodwin, McGuire, Burke, Landerman & Dabold announces the opening of his office located at 3751 Maguire Boulevard, Suite 150, Orlando, FL 32803-3011, telephone (407) 894-1195.

S. Kirby Moncrief announces the relocation of the Sanford office of Moncrief and Wallace, P.A. The new location is 413 West First Street, Sanford, FL 32771, telephone (407) 323-3660.

'71



Richard Payne has been re-elected Circuit Court Judge. He was re-elected without opposition. He presides in the Key West and Marathon area.

'72

Charles A. Francis of Francis and Sweet, P.A. has been appointed as a Florida Bar president's pro bono awards circuit committee chair.

C. David Fonvielle and **Donald M. Hinkle '80** announce the relocation of their firm, Fonvielle & Hinkle, to 3375 Capital Circle N.E., Building A, Tallahassee, FL 32308, telephone (904) 422-

7773. The firm will continue to concentrate in personal injury and wrongful death.

'73

Stann Givens and **Jim Knox '74** announce the formation of Knox, Givens & Hood, P.A. Offices are located at 607 W. Horatio Street, Tampa, FL 33606, telephone (813) 254-0034.

Stanley W. Moore presented a lecture entitled "Inverse Condemnation." The presentation was part of the CLE lecture program entitled "1994 Condemnation Seminar."

'74

Robert J. Angerer announces the formation of Angerer & Angerer. Offices are located at 150 S. Monroe Street, Suite 300, Post Office Box 10468, Tallahassee, FL 32302, telephone (904) 576-5982.

Jim Knox and **Stann Givens '73** announce the formation of Knox, Givens & Hood, P.A. Offices are located at 607 W. Horatio Street, Tampa, FL 33606, telephone (813) 254-0034.

Robert I. Scanlan participated in a panel discussion entitled "Access." The presentation was part of the CLE lecture program entitled "1994 Condemnation Seminar."

Bruce M. Stone of Holland & Knight, Miami, is listed in 1995-1996 edition of *The Best Lawyers in America* in the Trust and Estates category.

Rayford Taylor has joined the firm of Stiles, Taylor & Metzler, P.A. Offices are located at 317 N. Calhoun Street, Tallahassee, FL 32301, telephone (904) 222-2229.

George E. Tragos recently presented a CLE lecture entitled "What's New in Federal Criminal Practice: Recent Developments in the Federal Sentencing Guidelines and the New Crime Bill." The presentation was part of the lecture series entitled "1994 Federal Advanced Criminal Practice Seminar."

'75

Catherine Brunson has been appointed by Governor Lawton Chiles as Circuit Court Judge in Palm Beach County. Her offices are located at 300 N. Dixie Highway, Palm Beach County Courthouse, West Palm Beach, FL 33401-4566, telephone (407) 355-6386.

Michael Currea announces the relocation of his offices to 1200 N.W. 78th Avenue, No. 212, Miami, FL 33126-1817, telephone (305) 470-9335.

James B. Fensom of Barron, Redding, Hughs, Fite, Bassett & Fensom, P.A. has been appointed as a Florida Bar president's pro bono awards circuit committee chair.

Richard Lott formerly of Livermore, Klein & Lott has joined the firm of Miller, Canfield, Paddock and Stone & Lott, P.A. Offices are located at Harborview on the Bay, 25 West Cedar, Suite 500, Pensacola, FL 32501, telephone (904) 469-1088.

John D. Rawls has been appointed Chairperson of the Louisiana Governor's Commission on HIV and AIDS. He is the first openly gay chairperson of the commission. His offices are located at 431 Gravier Street, Suite 200, New Orleans, LA 70130-2418, telephone (504) 525-7117.

Jeff Savlov participated in a panel discussion entitled "Attorney's Fees and Costs Including Expert Witness Fees." The presentation was part of the CLE lecture program entitled "1994 Condemnation Seminar."

'76

Richard E. Benton formerly of Young, van Assenderp, Varnadoe & Benton, P.A., announces the opening of his office at 3837-A Killearn Court, Tallahassee, FL 32308, telephone (904) 893-0003.

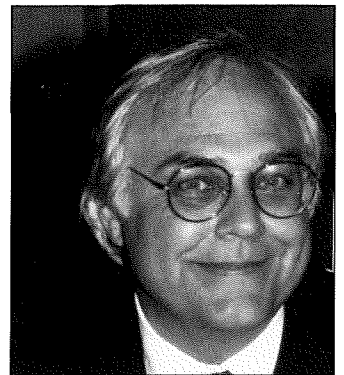
Charles (Gary) Stephens has become a partner in the law firm of Ervin, Varn, Jacobs, Odum and Ervin. Offices are located at 305 S. Gadsden Street, Post Office Drawer 1170, Tallahassee, FL 32302, telephone (904) 224-9135. Gary has moved his boat to Carrabelle.

Dr. Raymond B. Vickers has published a book entitled *Panic in Paradise: Florida's Banking Crash of 1926*.

'77

Nancy Daniels has been elected President of the Florida Public Defenders Association, Inc. She is the first woman to serve as president of the association.

Patricia Lott formerly of Livermore, Klein & Lott has joined the firm of Miller, Canfield, Paddock and Stone & Lott, P.A. Offices are located at Harborview on the Bay, 25 West Cedar, Suite 500, Pensacola, FL 32501, telephone (904) 469-1088.



Ben Poitevent testified before the U.S. House of Representatives Committee on Education and Labor regarding the private security industry, addressing the state concerns that proposed legislation would reduce training and licensing standards. He is Assistant General Counsel, Florida Department of State.

Robert W. Wells, Jr. presented a CLE lecture entitled "Attorney Perspectives (Petroleum)." The presentation was part of the lecture series entitled "Risk Assessments: Understanding Their Strengths & Weaknesses."

'78

James S. Groh a partner with Holland & Knight has been elected president of the Board of Directors of the Miami Bridge, Inc., a non-profit organization providing shelter, counseling and educational services for homeless and abused adolescents. His office is located at 701 Bickell Avenue, Miami, FL 33131, telephone (305) 374-8500.

Robert Q. Williams of Williams, Smith & Summers, P.A. has been appointed as a Florida Bar president's pro bono awards circuit committee chair.

'79

Michael Atter announces the formation of Wood and Atter. His offices are located at 333-1 E. Monroe Street, Jacksonville, FL 32202-2880, telephone (904) 355-8888.

Douglas E. Daze announces the opening of his office located at Park Pointe Office Plaza, 4741 Atlantic Boulevard, Suite B-6, Jacksonville, FL 32207, telephone (904) 396-5611. He has also been appointed to the Florida Bar Workers' Compensation Rules Committee, and spoke at the Jacksonville Bar sponsored Law Day seminar on workers' compensation.

David S. Dee recently presented a CLE lecture entitled "Solid Waste Update: Not a Waste of Time." The presentation was part of the lecture series entitled "Recent Trends in Environmental, Land Use, and Local Government Law: A Practitioner's Manual."

John W. Jolly, Jr. has become a shareholder in the firm of Parker, Skelding, Labasky, Corry, Eastman & Hauser, P.A. Offices are located at The Madigan Building, 310 North Monroe Street, Post Office Box 669, Tallahassee FL 32302-0669, telephone (904) 222-3730.

Terry E. Lewis, Anne Longman '79, Cari L. Roth '83 and R. Steven Lewis '84, formerly of Messer, Vickers, Caparello, Madsen, Lewis & Goldman, P.A. announce the formation of Lewis, Longman & Walker, P.A. Offices are located at 2000 Palm Beach Boulevard, Suite 900, West Palm Beach, FL 33409, telephone (407) 640-0820 and 215 S. Monroe Street, Suite 702, Post Office Box 10788, Tallahassee, FL 32302, telephone (904) 222-5702. The firm will concentrate in the areas of environmental, land use, water, legislative, governmental and administrative law.

J. Lane Middleton, III has been appointed a trustee of the Miami Country Day School. He also received an AV rating from Martindale-Hubbel. His practice is concentrated in personal

injury, wrongful death and civil trial.

Sondra Turner has joined the House Bill Drafting Office. Offices are located at The Capitol, Room 826, Tallahassee, FL 32399-1300, telephone (904) 488-564.

'80

David J. Gruskin is currently associated with Gruskin & LeBerge. Offices are located at 600 First Avenue North, Suite 207, St. Petersburg, FL 33701-3609, telephone (813) 823-8574. He concentrates in the areas of eminent domain, civil and probate litigation, appeals and family law.

Donald M. Hinkle and C. David Fonvielle '72 announce the relocation of their firm, Fonvielle & Hinkle, to 3375 Capital Circle N.E., Building A, Tallahassee, FL 32308, telephone (904) 422-7773. The firm will continue to concentrate in personal injury and wrongful death.

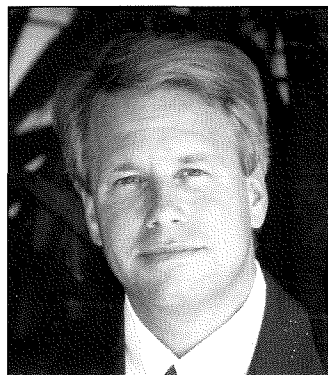
Bruce D. Lamb presented a CLE lecture entitled "Physician Discipline Issues." The presentation was part of the lecture series entitled "True Lies: Representing Physicians in the 90's."

William R. Mayer formerly of Cohen, Shapiro, Polisher, Shiekman and Cohen has become a partner with the firm of

DeCotis, Fitzpatrick & Gluck. Offices are located at 10 Allen Street, Suite 1B, Toms River, NJ 08753, telephone (908) 341-1700.

Maura Smith of Cobb, Cole & Bell is president-elect of the Orange County Bar Association.

'81



Cory J. Ciklin has been elected to the Group 17 County Court Judge Seat in Palm Beach County. His term begins January 1995.

Susana D. Gonzalez published an article entitled "Pimm vs. Pimm: Its Implications for Florida Practitioners and Judges" in *The Florida Bar Journal*.

Michael Mattimore has joined the firm of Hogg, Allen, Norton & Blue, P.A. Offices are located at 215 S. Monroe Street, Suite 305, Tallahassee, FL 32301-1852, telephone (904) 561-3503.

Peggy Sanford has joined the staff of the House of Representatives Committee on Aging and Human Services. Offices are located at House of Representatives, 426 HOB, Tallahassee, FL 32399-1300, telephone (904) 488-8315.

Letitia Wood formerly of Shutts & Bowen announces the opening of her offices located at 200 East Robinson Street, Suite 500, Orlando FL 32801, telephone (407) 425-4242. She concentrates in real property, small business and special district representation and elder law.

'82

Anthony E. Diresta has been elected to the American Law Institute.

Maureen S. Sikora presented a CLE lecture titled "Code Enforcement: Recent Cases." The presentation was part of the lecture series entitled "Recent Trends in Environmental, Land Use, and Local Government Law: A Practitioner's Manual."

'83

Robert B. Abel, Jr. has become associated with Liebman, Reimer & McNeil. Offices are located at 100 First Street, Suite 2250, San Francisco, CA 94105-2637, telephone (415) 227-0777.

Mark P. Barnebey gave the opening remarks and moderated the afternoon panel discussion at the recent CLE lecture program entitled "Recent Trends in Environmental, Land Use, and Local Government Law: A Practitioner's Manual."

David D. Eastman has become a shareholder in Parker, Skelding, Laborsky, Corry, Eastman, & Hauser, P.A. Offices are located at the Madigan Build-



Ann Marie M. Karl

ing, 310 N. Monroe Street, Post Office Box 669, Tallahassee FL 32302-0669, telephone (904) 222-3730.

Ann Marie M. Karl has lectured in six Russian cities this year on international law, negotiations and business development. Her offices are located at 304 W. 88th Street, 3rd Floor, New York, NY 10024, telephone (212)799-6628.

Cari L. Roth, Terry E. Lewis '79, Anne Longman '79, and R. Steven Lewis '84, formerly of Messer, Vickers, Caparello, Madsen, Lewis & Goldman, P.A. announce the formation of Lewis, Longman & Walker, P.A. Offices are located at 215 South Monroe Street, Suite 702, Post Office Box 10788, Tallahassee FL 32302, telephone (904) 222-5702 and 2000 Palm Beach Boulevard, Suite 900, West Palm Beach, FL 33409, telephone (407) 640-0820. The firm will concentrate in the areas of environmental, land use, water, legislative, governmental and administrative law.

Brian R. Toung of Nixon, Quarles & Toung has received an AV rating from Martindale-Hubbel. He concentrates in personal injury, commercial litigation and criminal defense. Offices are located at 619 N. Grandview Avenue, Daytona Beach, FL 32118, telephone (904) 255-3425.



Brian R. Toung

'84

Steven B. Bauman has been appointed to a four-year term on the First Circuit Judicial Nominating Commission. He is a partner in the firm of Smith, Grimsley, Bauman, Pinkerton, Petermann, Saxer & Wells. Offices are located at 25 Walter Road N.E., Post Office Box 2379, Fort Walton Beach, FL 32549, telephone (904) 243-8194.

Cody Fowler Davis of Macfarlane, Ausley, Ferguson & McMullen, P.A. has become board certified as a civil trial lawyer.

R. Steven Lewis, Terry E. Lewis '79, Anne Longman '79 and Cari L. Roth '83 formerly of Messer, Vickers, Caparello, Madsen, Lewis & Goldman,

P.A. announce the formation of Lewis, Longman & Walker, P.A. Offices are located at 215 South Monroe Street, Suite 702, Post Office Box 10788, Tallahassee FL 32302, telephone (904)222-5702, and 2000 Palm Beach Blvd., Suite 900, West Palm Beach, FL 33409, telephone (407) 640-0820. The firm will concentrate in the areas of environmental, land use, water, legislative, governmental and administrative law.

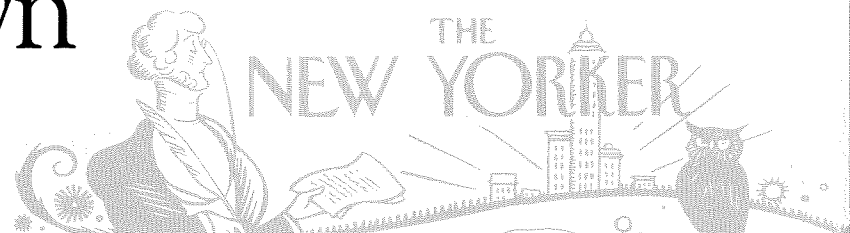
Sherry A. Spiers has joined the Department of Community Affairs. Offices are located at 2740 Centerview Drive, Tallahassee FL 32399-2100, (904) 488-0410.

Jeffrey A. Stoops presented a CLE lecture entitled "New Appraisal Rules-Thresholds, Notices, and Standards." The presentation was part of a lecture series entitled "Keeping Current—Hot Topics for Financial Institutions and Their Lawyers."

'85

Robert A. Pell announces the relocation of his office to 2105 E. National Avenue, Brazil, Indiana 47834, telephone (812) 446-2616. He concentrates in commercial law, bankruptcy, personal injury and wills and estates.

Fast moves of Bob Rice '79 are the 'Talk of the Town'



Garry Kasparov moved a pawn two squares. The move was impossible to glimpse from the spectator seats but was quite clear on two of four big screens that carried magnified images of the board, the pieces, and the players' hands, which were captured by small lipstick cameras positioned around the chess table. And it was immediately evident that the move was a significant one, because the play-by-play announcer, who you listened to through a headset, commented, "Oh my! This game is ready to get crazy!"

The game was speed chess, and for four days the other week, the Jacob K. Javits Convention Center was host to the Professional Chess Association's first Intel World Chess Grand Prix, which introduced the P.C.A.'s version of the game here. In speed

chess, each player is given only twenty-five minutes to make all his moves. "Moving kings, queens, and knights into the 21st Century (at top speed)" is how the press flyer described it. Listening to the play-by-play, you might have thought it was "American Gladiators." Rooks "post up" and "swing along the baseline," bishops "slash through the middle," pawns "go in for a touchdown." Even in speed chess, though, several minutes may go by without a move, during which time the announcer may resort to remarks like "He's loosening up his tie there."

ESPN, the sports network, believes the speed format will make good television. Beginning July 27, it broadcast a tape of the first tournament of the Grand Prix, which was held in Moscow in April. (The Grand Prix will next move to London for another tournament, and then to Paris.) Bob Rice, the commissioner of the P.C.A., is confident that the speeded-up game will find a TV audience. "We have a wonderful television guy," he says. "He directed Cyndi Lauper videos."

Mr. Rice said this in the V.I.P. Lounge at the Javits Center shortly after Mr. Kasparov defeated Viswanathan Anand, whom speed chess aficionados (yes, they already exist) call "the speed king of India." Mr. Rice, who is thirty-nine years old, lean, and cheerfully intense, is a partner at the prestigious law firm of Milbank, Tweed, Hadley & McCloy, a passionate fan of many sports—"I'm still crushed about the Knicks"—and an enthusiastic chess player. In the fall of 1990, he asked his wife for a birthday present of tickets to the world chess championship then being held here. "We went in, and the tension was almost unbearable," he recalled. It wasn't just the players who captured Mr. Rice's attention, however. He saw a potential market. "The audience was composed largely of people who work with me on Wall Street," he said. "The demographics were excellent."

Not long after attending the championship, he formed the

Wall Street Chess Club. It was intended originally as a way to lure potential legal clients over to Milbank's offices. "We have this beautiful conference center—it overlooks the Statue of Liberty—and we served wine and sandwiches, and pretty soon we had quite a strong crowd," he said. Stephen Friedman, the chairman of Goldman, Sachs, and a number of big traders from Salomon Brothers were among those who came. And then the real players began to show up. "The grand masters heard about the club," Mr. Rice said. The big joke was that the Wall Street guys were coming to learn how to play chess and chess guys were coming to learn how to make money."

Mr. Kasparov, the World Chess Champion, would drop by when he was in town, and early last year, after he broke with FIDE, the decades-old governing body of the chess world, he called Bob Rice. Thereupon the Professional Chess Association was born. Mr. Rice went on to put together the TV deal for the new association, and then he assembled a team that developed a high-speed format with television in mind. He foresees a day when chess players will be sports stars, giving product endorsements—not for Nike but for laptop computers, consulting firms, and maybe aspirin, too, because he has a line for aspirin: "If it can solve Garry Kasparov's headache, it can solve yours."

James T. Skuthan recently presented a CLE lecture entitled "The Armed Career Criminal Act, The Career Criminal Sentencing Guidelines and Other Serious Firearm Offenses." The presentation was part of the lecture series entitled "1994 Federal Advanced Criminal Practice Seminar."

'86

James J. Evangelista of Fowler, White, Gillen, Boggs, Villareal and Banker, P.A. has become board-certified in civil trial law.

Richard Grosso has relocated to the south Florida office of 1000 Friends of Florida. His south Florida phone number is (305)452-6140.

Nancy A. Lauten of Fowler, White, Gillen, Boggs, Villareal and Banker, P.A. in Tampa, received her Board certification in Appellate Law from The Florida Bar. She also was appointed vice-chair of the Administrative Committee of the Appellate Advocacy and Practice Section of The Florida Bar.

Marilyn K. Morris has been elected President of the Tallahassee Women Lawyers Association. She is of counsel with the firm of Ervin, Varn, Jacobs, Odom and Ervin.

Cynthia (Barczak) Rupert former assistant State Attorney in Fort Walton Beach, Naples and Daytona Beach, formerly of the *Bradenton Herald* has joined the *Tampa Tribune*. Offices are located at 202 South Parker Street, Post Office Box 191, Tampa, FL 33601. She lives at 2401 Bayshore Boulevard, Tampa, FL 33629, telephone (813) 645-4615 (o); (813) 258-1988 (h).

'87

Amelia Rea Maguire has been appointed to a two-year term to the Florida International Affairs Commission. She is a partner in the Miami office of Holland & Knight.

W. Andrew Hamilton formerly of Hill Ward & Henderson announces the opening of his office at 4100 W. Kennedy Boulevard, Suite 105, Tampa, FL 33609, telephone (813) 288-0086

Matthew D. Powell announces the relocation of his offices to 304 Plant Avenue, Tampa FL 33606, telephone (813) 254-4600.

Derick Roulhac participated in a panel discussion entitled "Business Damages." The presentation was part of the CLE

lecture program entitled "1994 Condemnation Seminar."

'88

Ann Cowles (formerly Ann Cowles-Ferox) is serving as Assistant Attorney General for the government of the U.S. Virgin Islands, where she deals exclusively in the area of labor law. Her address is #8 Lytton's Fancy, Charlotte Amalie, St. Thomas, VI 00802.

J. M. Guarch, Jr. of Aran, Correa & Guarch, P.A. delivered the opening remarks at a CLE lecture program entitled "Unlocking the Mysteries of Federal Court."

Kevin P. Markey announces the opening of his offices at 15 East Merritt Island Causeway, Suite 307, Post Office Box 541081, Merritt Island, FL 32954-1081, telephone (407) 453-0547. He and his wife Julie are also pleased to announce the birth of their daughter, Kailey Loy Markey.

Scott W. Spradley has become associated with Rush, Marshall, Reber and Jones, P.A. Offices are located at 109 East Church Street, 5th Floor, Post Office Box 3146, Orlando, FL 33802, telephone (407) 425-5500. He will concentrate in bankruptcy law.

'89

Mary M. Casteel has become associated with Bunnell, Woulfe & Keller, P.A. Offices are located at 888 E. Las Olas Boulevard, Post Office Drawer 030340, Fort Lauderdale FL 33303-0340, telephone (305) 761-8600. She concentrates in litigation.

Matthew Feil has joined Southern States Utilities. His office is located at 1000 Color Place, Apopka, FL 32703, telephone (407) 880-0058

Erik P. Gustafson has been named Vice President, Institutional Asset Management for the firm of Stein Roe & Farnham, Chicago.

Philip Sypula is president of the Sarastoa Club.

Kathleen Toolan has joined Department of Environmental Protection, Office of the General Counsel at 2600 Blairstone Road, Tallahassee, FL 32399-2400, telephone (904) 488-9730.

'90

Ralph Douglas, Jr. has joined the firm

Alex Villalobos '88 will head the Dade County delegation into the 1995 Legislative Session

Alex Villalobos '88 is a bridge builder.

The second-term State Representative from Miami believes his election as chair of the Dade County legislative delegation for the 1995 Florida legislative session is recognition of his enthusiasm for working for common political ground.

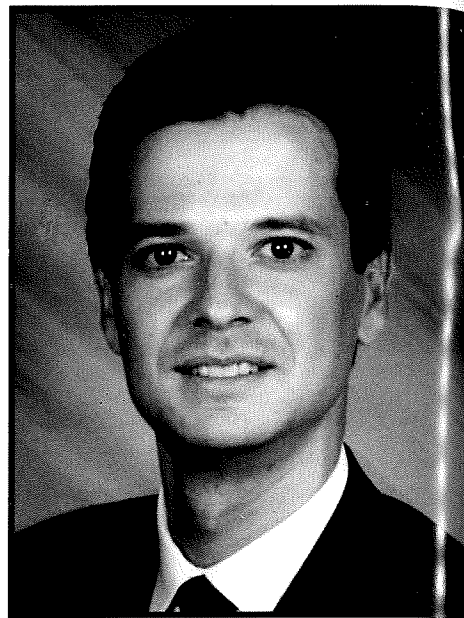
"I was elected because my focus is on developing a consensus that will help my community," says Villalobos, a Republican in the predominantly Democratic delegation. "I believe that my primary obligation is to the community and not to party politics. I think most of the members of the delegation feel the same way."

Villalobos's penchant for working for common ground does not stop at the Dade County line. At a time when many elected officials accept gridlock as a political strategy, Villalobos believes in working with the opposition to make government more effective.

of Staver & Associates. Offices are located at 1900 Summit Towers Boulevard, Suite 540, Orlando, FL 32810.

Robert C. Downie II, formerly of Oertel, Hoffman, Fernandez & Cole, P.A. and **Matt Mathews** announce the formation of Mathews & Downie, P.A. Their offices are located at 418 E. Virginia Street, Tallahassee FL 32301, telephone (904) 681-9303. The firm will specialize in environmental, business, administrative and real property law.

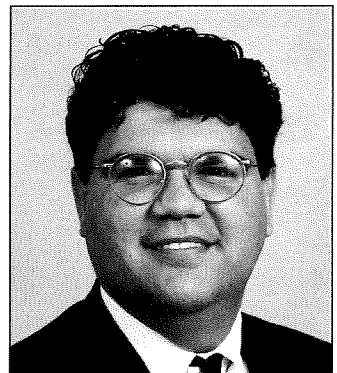
Rafael Gonzalez has become a partner in the firm of Barrs, Williamson, Stoleburg and Townsend, P.A. Offices are located at 401 E. Kennedy Boulevard, Tampa FL 33602-5283, telephone (813) 228-9819. He addressed the St. Petersburg Bar Association Workers' Compensation Section on the use of Social Security expert testimony in a permanent total disability worker's compensation claim. He was also a guest speaker at the Florida Workers' Compensation Educational Conference in September in Orlando.



Rafael Gonzalez

Michael J. Hauversburk has become a partner in the firm of Patterson & Hauversburk. Offices are located at 331 Magnolia Avenue, Panama City, Florida 32401, telephone (904) 872-0226. He concentrates in the areas of criminal appellate and contract litigation.

Patricia Kurlin has joined Intermedia Communications of Florida, Inc. Offices are located at 9280 Bay Plaza Boulevard, Suite 720, Tampa FL 33619-



4453, telephone (813) 621-0011

tive. "Obviously there will be differences of philosophy. That's what political parties are all about. What bothers me, though, is when petty differences keep us from accomplishing important work. More often than not, it is petty stuff that gets in the way."

Villalobos points to the House of Representatives as an example of the way the system can work. "As a member of the minority, I understand very well that things only get accomplished when we work together. The fact is that we got along pretty well in the House. It was lively, it was loud and it was fast. But we all understood what we were sent to Tallahassee to do," he says, adding, "Unfortunately this was not the case in the Senate." Much of the legislation that passed the House died in a Senate that was split evenly between Republicans and Democrats.

On occasion, Villalobos has crossed party lines to support issues he felt strongly about. He was one of five House Republicans to vote for Governor Lawton Chiles's health care reform package in 1994. "I supported it because I believe health care should be more accessible. My father and I run a small business (the Villalobos & Villalobos law firm) and finding good insurance is very difficult." He adds, "Medical costs are simply out of control."

Villalobos effectiveness did not go unnoticed by political insiders. A panel of experts assembled by the *Miami Herald* to rate members of the legislature put him in the top quarter. A *Herald* article that ran at the conclusion of the 1994 legislative session noted that, "Villalobos, a former prosecutor, made a name for himself by joining Democrat Debbie Wasserman Schultz to push a bill that urges all state boards to include women and minorities. He also joined Schultz, who is from Davie, in pushing a failed bill to overhaul state rules on child care."

It was the child-care issue, in fact, that prodded Villalobos into politics in the first place. "When my daughter was born, my wife

4453, telephone (813) 621-0011

Suzanne Rossomondo has become associated with Office of Statewide Prosecution. Offices are located at 3021 Asbury Place, Tampa, FL 33611, telephone (813) 835-1361.

'91

Ramon De La Cabada has joined the firm of Hurley and Rogner. Offices are located at 201 S. Orange, Suite 640, Orlando, FL 32801, telephone (407) 422-1455.

Gordon A. Dieterle has joined the firm of Amstein & Lehr. Offices are located at 515 N. Flagler Drive, West Palm Beach, FL 33410, telephone (407) 833-9800.

Michael P. Spellman former judicial clerk to the Honorable John Moore, Chief Judge United States District Court, has become associated with Douglass, Powell & Rudolph. Offices are located at 211 E. Call Street, Post

Office Box 1674, Tallahassee, FL 32302-1674, telephone (904) 224-6191

'92

V. Stephen Cohen former judicial clerk to Chief Justice Stephen H. Grimes, of the Florida Supreme Court, has joined the firm of Williams Reed Weinstein Schifino & Mangione, P.A. Offices are located at One Tampa Center, Suite 2600, Post Office Box 380, Tampa FL 33601, telephone (813) 221-7335.

Henry Estevez formerly of The Department of Environmental Regulation announces the opening of his offices at 3644-C West Shamrock, Post Office Box 12667, Tallahassee, FL 32306-1034, telephone (904) 668-IDEA. He will continue to concentrate in patent, trademark and copyright law.

Lorraine Rimson has joined the firm of Ciapanna & Associates. Offices are located at 1603 116th Avenue, N.E., Bellevue, WA 98004, telephone (206) 454-2347.

and I needed to find child-care. I found it very hard to get accurate information about day-care centers. What was a center's safety record? Had there been complaints filed about a center? I got frustrated when I couldn't get answers. It was then I decided I needed to do more than complain. I needed to get involved."

Villalobos and Schultz co-authored a *Herald* column in February 1994 criticizing the lack of affordable child-care and the patchwork of regulation and regulatory agencies that oversee the industry. The bill advocated consolidating regulation with one agency, strengthening standards for those working in the industry, and giving tax credits for those establishing a child-care center.

Although the bill failed in the 1994 session, Villalobos says he won't abandon the fight.

Looking toward the 1995 session, Villalobos says crime and education will be the top issue. "Crime respects no political boundaries, no race, no religion," he says. "We have to start with solving our crime problem before we can do anything else. We have to make our people feel secure." He also ranks higher education as an area of critical need. "I think the universities and community colleges are getting shortchanged in terms of funding," he says, adding he does not advocate shifting funds away from K-12 education. "Education has to be a priority. That may mean making cuts in other areas of the budget," he adds. Says Villalobos, "Government has a responsibility to educate and protect the population. If it can't do these things, why should it exist?"

In an era of high anti-government sentiment, Villalobos is quick to come to its defense. He is also a staunch advocate of public service. "People don't realize how much gets done in Tallahassee and Washington. There's a lot of hard work that goes into making government work as well as it does."

Robert "Shef" Wright has become associated with Landers and Parsons, P.A. Offices are located at 310 W. College, Tallahassee, FL 32302, telephone (904) 681-0311.

'93

Jennifer A. Coley (formerly Jennifer L. Anderson) was married to Jay Coley of Atlanta, GA on November 20, 1993. She was with the State Attorney's Office in Okaloosa County until April 1994. She presently is associated with the firm of Scruggs, Millette, Lawson, Bozeman and Dent, P.A. Offices are located at 734 Delmas Avenue, Pascagoula, MS 39568-1425, telephone (601) 762-6068.

Sean Culliton has become associated with Miller, Canfield, Paddock and Stone & Lott, P.A. Offices are located at 25 West Cedar, Pensacola, FL 32501, telephone (904) 469-1088. He concentrates in the area of municipal finance. He married Monica Stenmark in May.

Christopher D. Maline has become associated with Cooney, Haliczer, Mattson, Lance, Blackburn, Pettis & Richards, P.A. Offices are located at 301 East Las Olas Boulevard, Fort Lauderdale, telephone (305) 779-1900.

Kathleen McBride has become associated with Smoot, Adams, Johnson. Offices are located at 12800 University Drive, Suite 600, Fort Myers, telephone (813) 489-1776 or (800) 226-1777 (in Florida).

Eucharía Nnadi-Okolo has been appointed Dean of the College of Pharmacy and Pharmacal Sciences at Howard University, 2300 4th Street, N.W., Washington, DC 20059.

Carl Peterson has become associated with Parker, Skelding, Laborsky, Corry, Eastman, & Hauser, P.A. Offices are located at The Madigan Building, 310 North Monroe Street, Post Office Box 669, Tallahassee FL 32302-0669, telephone (904) 222-3730.

George Sarduy has joined the firm of

High, Stacke, Lazenby, Palahach & de Lamo. Offices are located at 3929 Ponce de Leon Boulevard, Miami, FL 33134-7323, telephone (305) 443-3329. Reports are sketchy on how George's racquetball game is holding up.

Annette Szorosy has joined the Polk County Legal Aid Society. Offices are located at 1850 US Highway 98, South, Lakeland, FL 33801, telephone (813) 686-8215.

Kathleen (Bjorkman) Tailer was married September of 1993 and announces the birth of her daughter Bethany, May 29, 1994.

'94

Matthew Foster has joined the firm of Brooks & LeBoeuf, P.A. Offices are located at 863 East Park Avenue, Tallahassee, FL 32301, telephone (904) 222-2000.

Herbert D. Haughton has become associated with Iglar & Dougherty, P.A. Offices are located at 315 South Calhoun Street, Suite 500, Tallahassee, FL 32301, telephone (904) 224-0203.

Russell S. Kent has become associated with Gray, Harris & Robinson, P.A. Offices are located at 201 East Pine Street, Suite 1200, Orlando, FL 32801, telephone (407) 843-8880.

Juan Martinez received the top score on the July 1994 administration of the Florida Bar Exam. He spoke on behalf of those newly admitted to the Bar at a ceremony held at the Third District Court of Appeals in Miami. He currently is practicing with Friedman, Rodriguez & Fairer, P.A. Offices are located at 200 S. Biscayne Boulevard, Miami FL 33131-2318, telephone (305) 377-4100. Teachers at Woodville School in Tallahassee miss his wife Anna, but wish her well in Miami.

Michael A. Novo has joined Eastern Airlines, Inc. Offices are located at Miami International Airport, Miami, FL 33148.

Alan Richard made a presentation on Marine Law at the Florida Conference of County Court Judges for the continuing Judicial Education program in St. Petersburg.

CLARIFICATION

In our summer/fall edition we incorrectly identified Carey Haughwout '77 as a male. She was honored for her pro bono work in Palm Beach County.

WATCH YOUR MAIL!

The College of Law is updating its Alumni Directory and will be contacting you soon.

Reunion of the College of Law's charter class highlights a busy alumni weekend

The College of Law celebrated homecoming October 21 and 22 with one of the largest turnouts in the school's history. The weekend was highlighted by the 25th Anniversary reunion of the class of 1969, the law school's charter class. Among those attending the black tie event at Tallahassee's Governor's Club were Jon Kaney, the first student admitted to the College of Law, former FSU student body president Lyman Fletcher, District Court of Appeals Judge Jim Jorgenson and faculty members David Dickson and Chuck Ehrhardt.

Other prominent events of the weekend included the 10th reunion of the class of 1984, the FSU vs. Clemson football game, the Alumni Board of Directors Meeting and the annual Dean's cookout at the home of Don and Jiji Weidner.

▼ **Under the Bigtop: The Dean's Cookout drew a crowd of more than 200 alumni, family and friends.**



◀ **Steve Watts, Col. Jon Wheeler, Chuck Ehrhardt and John Bickel at the Charter Class Reunion.**

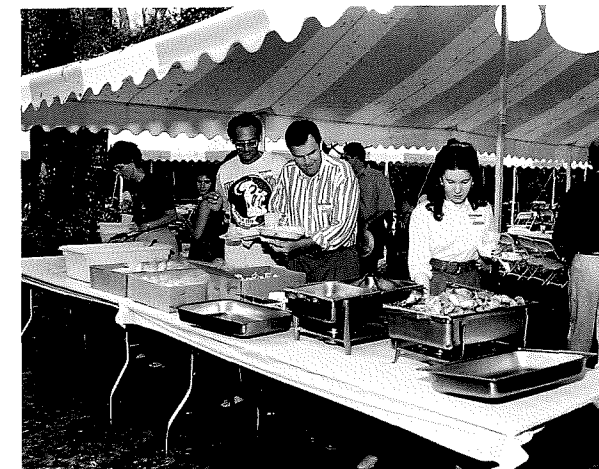


▲ **Vee Hendricks and Ann McGihon share memories at the 1984 class reunion.**



◀ **Pam and John Miller, Jan and Nick Geeker at the Governors Club.**

▶ **The buffet line was a popular meeting place at the Dean's Cookout.**



▲ **Judge Jeff Arnold and Terry Russell**

FACULTY NOTES

Robert Atkinson wrote a chapter in *Federal and State Taxation of Exempt Organizations*. The book was published by Warren, Gorham and Lamont in December.

Margaret Baldwin presented a lecture titled "Women, Pornography and the Law," at the University of West Florida in September.

Charles Ehrhardt presented a civil legislative update at the Annual Education Meeting of the Florida Conference of District Court of Appeal Judges in Jacksonville in October, 1994. He also spoke to the Florida Defense Lawyers at a Continuing Legal program in Tallahassee in October, 1994, providing a Florida Evidence update. He gave a similar Florida evidence update to the Florida Conference of Circuit Judges in Clearwater, also in October.

Steven Gey spoke at the A.C.L.U. of Florida 1994 Lawyers Conference in August in Key West on the subject of "SLAPP suits." Professor Gey also addressed the 64th annual conference of the Florida Communications Association at their October, 1994 meeting in St. Augustine. He spoke on the question of First Amendment rights of anti-abortion groups who wish to protest at health centers where abortions are performed.

Steven Goldstein made a presentation to the 64th Annual Conference of the Florida Communications Association at their annual meeting in St. Augustine in October. He addressed the tension between the rights of a free press and the right to a fair trial.

Mark Seidenfeld's article "A Big Picture Approach to Presidential Influence on Agency Policy-Making" will be published in the *University of Iowa Law Review*.

John Yetter presented a criminal legislative update at the Annual Meeting of the Florida Conference of District Court of Appeal Judges in Jacksonville in October, 1994.

New Faculty

Kathleen Smith and David Tarbert have been appointed to one-year positions at the College of Law's Children's Advocacy Center. Their primary responsibility will be supervising students at the Center. They will also assist with

the college's externship program.

The College also has hired three new legal writing instructors, Barbara Busharis, Lisa Kuhlman and Suzanne Rowe, for the 1994-1995 academic year.

Smith is a 1980 graduate of the University of Miami School of Law. Before attending law school, she was a staff assistant in the office of former Congresswoman Bella S. Abzug (1976-77), and served a year as a research assistant for the Canadian Embassy Office of Public Affairs.

As a law student Smith interned in the Office of the State Attorney, Eleventh Judicial Circuit, Miami. After graduation from law school, she served there as an assistant state attorney for two years before entering private practice. During nine years of solo practice, Smith concentrated in the areas of criminal, juvenile and family law.

Since 1991, Smith has been involved in children's advocacy work in Miami. For three years, as staff attorney, she coordinated the Dade County Bar Association's Children First Project. Beginning January 1994, until coming to the College of Law, Smith managed "Put Something Back," a children's pro bono project, recruiting and training attorneys to represent children in juvenile court.

Tarbert is a 1987 graduate of the University of Florida College of Law, where he served on the *Law Review*, and is a 1994 recipient of an LL.M. in Legal Education from Temple University School of Law. As an Abraham L. Freedman Teaching Fellow and Lecturer in Law at Temple, Tarbert taught or co-taught a number of courses, including Criminal Procedure, Social Science in Law, Legal Writing and Research, Criminal Law, Professional Responsibility, Evidence and Introduction to Trial Advocacy.

After graduation from law school in 1987, Tarbert clerked briefly for the San Joaquin County Public Defender in Stockton, California. He returned to Florida in 1989, serving as an assistant public defender, first for the Fifth Judicial Circuit of Florida (1989-90) and then for the Eighth Judicial Circuit (1990-92) before resuming his law studies at Temple.

Busharis is a 1991 graduate of New York University School of Law. She was associate editor of the *Review of Law and Social Change* and is a recipient of the Vanderbilt Medal for service to the law school community. She gained valuable legal experience during her law student years clerking for Community Legal Aid (Dover, Delaware) and in the Office of the United States Attorney, Eastern District of Pennsylvania (Philadelphia). She also repre-

sented clients in supervised work at the Unemployment Action Center (New York City) and Federal Defender Services Unit (Brooklyn).

Since graduation, Busharis has been an associate at the Philadelphia firm of Duane, Morris & Heckscher, in their commercial and banking litigation group. She is also Delaware state delegate and regional newsletter editor for the American Adoption Congress. Her work with this organization has included counseling adoptive and parents and adoptees on a variety of issues.

Kuhlman is a 1992 high honors graduate of Florida State University College of Law. She was associate editor of the *Law Review* and distinguished herself as a research assistant on a number of critical issues. Kuhlman was a recipient of the prestigious Katzentine-Simon Merit Scholarship.

After graduation, Kuhlman served during 1993 as associate attorney in the family law division of Gardner, Shelfer, Duggar & Pist, P.A., Tallahassee. Before joining the College of Law legal writing staff, Kuhlman was an

attorney in the Workers' Compensation Division at the Florida Department of Labor and Employment Security Office of the General Counsel.

Rowe received the J.D. degree in 1989 from Columbia University School of Law. She was Harlan Fiske Stone Scholar and head notes editor of the *Columbia Journal of Transnational Law*. In Washington, D.C., Rowe worked as a legislative correspondent for then-Senator Lawton Chiles (1985-86) and as a summer associate at the firm of Fried Frank Harris Shriver & Jacobson.

After graduation from law school, during the 1990-91 academic year, Rowe taught first-year courses in legal research, writing, analysis and oral advocacy, as well as some classes in international tax planning at University of San Diego School of Law. The following year, Rowe remained in San Diego as a judicial clerk for Federal District Court Judge Rudi M. Brewster. In 1992, Rowe became an associate in the Washington, D.C., firm of Davis Polk & Wardwell, concentrating on a variety of tax matters.

Donna Christie is named associate dean and Elizabeth C. and Clyde W. Atkinson Professor of Law



FSU College of Law professor Donna R. Christie has been named associate dean for academic affairs, replacing the late Steve Goldstein. Earlier in the fall, she became the Elizabeth C. and Clyde W. Atkinson Professor of Law.

Christie, one of Florida's foremost environmental law scholars, is the author of the textbook *Ocean and Coastal Law Policy*. In addition to her scholarship, she has taken an active role in issues involving environmental disputes among nations. As a teacher, she is credited by many former students with encouraging them to enter careers in public interest environmental law. She was instrumental in development of FSU's *Journal of Land Use & Environmental Law* and serves as its adviser. Christie joined the College of Law faculty in 1981.

In announcing Christie's appointments, Dean Donald J. Weidner noted that Christie "has set an outstanding example for our students, encouraging many to blaze new trails in environmental law."

The Elizabeth C. and Clyde W. Atkinson Professorship was created in 1992 as part of a gift to FSU by Elizabeth Atkinson, her daughter and son-in-law, Sara and Ted Rodrigue.

New judicial clerkship program is established at the College of Law

The FSU College of Law and University of Florida College of Law have received a legislative appropriation for a new judicial clerkship program. Each college received \$200,000 to fund summer stipends for 25 of its students.

Although the students will be compensated for clerking for circuit court judges, Associate Dean Ruth Witherspoon believes that the skills they will learn on the job will be far more valuable than the money they receive. The students will gain experience in conducting legal research and drafting memoranda of law. "It's these kinds of heavy duty research and writing skills that are so important," Witherspoon says. "The students will get a chance to develop and enhance their analytical skills, and that's what makes them more competitive in the job market."

Witherspoon points out that the judicial clerkship program is in keeping with the advice of the law school's new Board of Visitors, the 40-member board of law professionals charged with assisting the College in improving the marketability of its students. "We've heard repeatedly from a number of the members about how new law school graduates often are competing with graduates who have been out two, three, four years," says Witherspoon. "They've told us that it's easier for new graduates to get an offer from a law firm straight out of law school if they have had a judicial clerkship or clerked with a firm."

In the shrinking job market of the 1990s, law firms are not

hiring the way they were a decade ago, Witherspoon notes. Many firms are downsizing or merging, which has created a much more competitive environment.

Candidates for the new program will be chosen on the basis of their law school G.P.A., résumé, a personal statement, an assessment of their writing ability and one letter of recommendation from a faculty member. Applications for the 1995 summer internships are available in Dean Witherspoon's office.

Mock Trial team preps for season with Bobo, Spicer, Ciotoli, Fulford, Bocchino, DeBevoise & LeClainche Competition

The College of Law's student mock team warmed up for the 1994-95 competitive season with its annual Intramural Mock Trial Competition, November 3 and 4. The event is sponsored by Bobo, Spicer, Ciotoli, Fulford, Bocchino, DeBevoise & LeClainche, P.A.

The winning team included Bob White, Tiffany Crews and Jennifer Beltz. Kym Johnson was a finalist. The best oralist was Kirk Rogers. William

Stafford, Federal Judge for the Northern District of Florida, played the role of judge for the event. Russ Bobo, Gene Ciotoli, Phyllis Slater, Robert Harper, Professor Sylvia Lazos and Dean Donald Weidner selected the winners.

According to team president Steve Blount, the mock trial competition helps students sharpen their competitive skills for the intercollegiate meets that begin in January. "This

event is conducted in a spirit of sharing," said Blount. "It's an opportunity for us to work on our style and technique in a friendly atmosphere and, at the same time, be judged by experts. It is a very important learning experience for the team."

The team plans to enter four events in 1995: The Florida Bar's Chester Bedell Memorial Mock Trial Competitions in Miami and the Florida Academy of Trial Lawyers Competition in St. Petersburg, both of which involve Florida's six law schools; the American Academy of Trial Lawyers Competition, a southeastern regional event; and the American Bar Association Regional Competition.

Student Trial Team officers are Steve Blount, president; Phyllis Williams, vice-president; Kim Redmond, treasurer; Ed Koch, intercollegiate chair; and Debra Byles, secretary. Professor Jean Sternlight is coach of the trial team.



The College of Law Moot Court team of Jacqueline Blanton and Jessica Enciso captured first place at the annual Workers' Compensation Educational Conference competition in September. From left to right, Judge Peter Webster, Blanton, Judge Robert Benton II, Enciso and Judge Marguerite Davis.



Winners and sponsors at the Bobo, Spicer, Ciotoli, Fulford, Bocchino, DeBevoise & LeClainche Competition: from left to right Gene Ciotoli, Jennifer Beltz, Bob White, Tiffany Crews and Russ Bobo.

ANNUAL REPORT

The 1993-94 Annual Report of the Florida State University College of Law includes all gifts received during the fiscal year that began July 1, 1993, and ended June 30, 1994. Gifts received in July are reported on page 40 under the heading 1994-95 Gifts. These gifts will be included in the 1994-95 Annual Report, published in September, 1995.

SUMMARY OF CONTRIBUTIONS

Annual Fund*	\$ 75,212.25
Book Awards	\$ 53,992.00
Restricted Giving**	\$435,768.39
TOTAL GIFTS	\$564,972.64

* Any non-endowed gift \$1,000 or less

** Any endowed gift and any non-endowed gift in excess of \$1,000

ANNUAL REPORT

ANNUAL REPORT BRIEFS

RUDEN, BARNETT, McCLOSKEY, SMITH, SCHUSTER & RUSSELL ENDOWED PROFESSORSHIP

The Ft. Lauderdale-based law firm of Ruden, Barnett, McClosky, Smith, Schuster & Russell, P.A., has redirected an earlier gift to open an account with the FSU Foundation to endow a professorship at the College of Law. The account will open with a reallocation of funds committed in 1989 to the College's Village Green project. The new plan was announced in a February letter from Terrence Russell, a partner in the firm and a 1969 College of Law graduate, to Dean Don Weidner. Referring to his law firm's plan, Russell said, "It is our intent, in making this redesignation, that contributions qualify for the state's matching gifts program."

Originally, the firm had committed \$50,000 to sponsor a dining room in the Cawthon House on the Village Green, now the James Harold Thompson Green. The Cawthon House currently houses the LeRoy Collins Center, a state university system project not directly connected with the law school. Said Russell, "We thought the switch of funds would provide a more direct benefit to the College."

Ruden, Barnett, McClosky,

Smith, Schuster & Russell, P.A., is a general service commercial firm, with an emphasis in complex commercial litigation. In addition to the main office in Ft. Lauderdale, the firm has offices in Tallahassee, Miami, Naples, and Sarasota.

In addition to Russell, other College of Law graduates with the firm include Margaret Ray Kemper, Mary Smallwood, Gerald Sternstein, Frank Rainer, Glenn Smith, Bonnie Satterfield, Ed Stacket, Rich Reyes and Brian McHugh.

PATRICIA DORE ENDOWED PROFESSORSHIP

Initiated by the Administrative Law Section of the Florida Bar, this professorship honors Pat Dore, who served on the law school faculty from 1970 until her death in January, 1992. Dore was a widely known and highly respected expert on Florida administrative law. In 1978 she served as a consultant to the Constitutional Revision Commission, drafting Section 23, Article I, commonly known as the "privacy amendment." She also played a key role in the development and enactment of the state's Administrative Procedures Act. Dore was active in the Administrative Law Section of the Florida Bar, and their annual conference has been renamed the Patricia Ann Dore Memorial Administrative Law Conference in her honor.

Once fully funded, the professorship will be awarded to a faculty member teaching and conducting research in the area of Florida Administrative Law. Contributions thus far total \$44,288 and have primarily been solicited from alumni and friends of the law school, particularly from those who practice administrative law. Ques-

tions regarding this endowment may be directed to Ms. Vivian Garfein ('82) at (904) 488-6221, Mr. Paul Jess ('82) at (904) 224-9403, or Mr. George Sheldon ('79) at (904) 222-5620.

TALLAHASSEE ALUMNI ENDOWED PROFESSORSHIP

Contributions are being solicited from law school alumni living in Leon County to create the Tallahassee Alumni Endowed Professorship. The interest ultimately earned on the endowment will be used to provide a salary supplement for an outstanding faculty member and help defray costs such as those incurred in travel to professional meetings and in the hiring of student assistants. The faculty member designated the Tallahassee Alumni Professor will be selected by the dean and will likely be a faculty member whose salary is significantly below the national average for faculty members of comparable rank at peer institutions. Neil Butler ('75) reported that commitments of \$40,000 have been obtained. Those wishing to join in this effort may contact Neil at (904) 222-6969 or Dominic Caparello at (904) 222-0720.

MASON LADD ENDOWED PROFESSORSHIP IN EVIDENCE

Inaugurated by the charter class, this endeavor was expanded beyond alumni who graduated in the law school's first four classes to include all those who wished to establish a living memorial to Mason Ladd. This professorship has been fully funded and was completed with a gift of

\$60,000 from the Florida Workers' Compensation Institute, of which alumni Jim McConaughay and Steve Rissman are board members. The \$100,000 total gift has qualified for a \$50,000 state matching gift, which we have received. Chuck Ehrhardt has been named the Ladd Professor of Evidence and receives financial support through this professorship. Those coordinating this endowment have been Doug Stowell ('69), Wayne Hogan ('72), and Gary Pajcic ('72).

JOHN W. AND ASHLEY E. FROST ENDOWED PROFESSORSHIP

John W. Frost II, of Bartow, has endowed a professorship to the College of Law. Frost, a graduate of the 1969 Charter Class, contributed \$80,000 this past year to complete his pledge of \$100,000 to establish the professorship. A pledge of this size qualifies for a \$50,000 state matching gift, which has been received by the College of Law. Frost, who served on the law school's first moot court team, is a partner in the firm of Frost, O'Toole and Saunders. He practices plaintiffs personal injury and commercial trial litigation. Professor Steven Gey has been named the John W. and Ashley E. Frost Professor of Law.

THE WILLIAM VANDERCREEK ENDOWED PROFESSORSHIP

This project is coordinated by Ken Connor ('72) to honor Professor William VanDercreek, who is currently in phased retirement. Fundraising efforts are being focused on alumni who participated in moot court, and cur-

1993-1994

rent donations total \$7,000. Questions regarding this endowment may be directed to Ken Connor at (904) 681-9550 or Doug Spears at (407) 422-8116.

RICHARD M. DAVIS SCHOLARSHIP ENDOWED

An anonymous donor has contributed \$24,000 to establish a scholarship in perpetual memory of 1978 College of Law graduate Richard M. Davis. Before his death, Davis served as senior vice-president and general counsel of Associated Industries in Tallahassee. Each year, the recipient of the scholarship, an outstanding student with financial need, will be designated the Richard M. Davis Scholar. Contributions toward this endowment may be sent to Dean Don Weidner.

THE BOOK AWARDS PROGRAM

The College of Law's Book Awards program provides a valuable source of discretionary funds for a variety of critical law school needs. In addition to helping to fund direct payments to deserving students, book award moneys are used for such functions as student and alumni receptions and reunions.

The program enables an individual or law firm to sponsor a specific law course by making an annual contribution of at least \$1,000 for each of three years. Book awards are fully tax deductible, and payments can be made on a schedule convenient to the sponsor. For more information about the Book Awards program, contact Dean Don Weidner at (904) 644-3071.

BOOK AWARDS & SPONSORED COURSES

Level One: \$5,000

Foley & Lardner
— *Insurance Law*
Stearns Weaver Miller
Weissler Alhadeff &
Sitterson, P.A.
— *Business Associations*

Level Two: \$3,000

Frost, O'Toole & Saunders,
P.A. — *Evidence*
Kerrigan, Estess, Rankin &
McLeod — *Criminal Law
and Procedure*
McConnaughay, Roland,
Maida & Cherr, P.A.
— *Workers' Compensation*
Ruden, Barnett, McClosky,
Smith, Schuster &
Russell, P.A. — *Property*

Level Three: \$2,000

Chris Cadenhead — *Criminal
Law and Procedure*
Cobb Cole & Bell
— *State Constitutional
Law*
Mr. & Mrs. C. David
Fonvielle
— *International Law*
J. William Kirkland, P.A.
— *Torts*

Macfarlane Ausley Ferguson
& McMullen
— *Environmental Litigation*
Rumberger, Kirk & Caldwell
— *Law Review (outstand-
ing trial practice article)*
Judge Hugh M. Taylor
— *State Constitutional Law*
Tom and Julie Thornton
— *Torts*
Peter and Michelle Weidner
— *Agency and Partnership*
Young, van Assenderp &
Varnadoe, P.A.
— *Florida Administrative
Practice*

Level Four: \$1,000

Bridgers, Gill & Holman
— *Civil Procedure*
Clark, Partington, Hart,
Larry, Bond, Stackhouse
& Stone
— *Professional Responsibility*
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— *Federal Jurisdiction*
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1993-1994

TOTAL CONTRIBUTIONS BY CLASS

1969

Number in Class: 95
Number of Donors: 12
Participation: 13%
Total Gifts: \$82,521.50
Average Gift: \$6,876.79

1970

Number in Class: 94
Number of Donors: 18
Participation: 19%
Total Gifts: \$7,175.00
Average Gift: \$398.61

1971

Number in Class: 84
Number of Donors: 14
Participation: 17%
Total Gifts: \$10,427.50
Average Gift: \$744.82

1972

Number in Class: 143
Number of Donors: 23
Participation: 16%
Total Gifts: \$18,087.00
Average Gift: \$786.39

1973

Number in Class: 157
Number of Donors: 29
Participation: 18%
Total Gifts: \$6,902.75
Average Gift: \$238.03

1974

Number in Class: 174
Number of Donors: 18
Participation: 10%
Total Gifts: \$2,268.00
Average Gift: \$126.00

1975

Number in Class: 168
Number of Donors: 31
Participation: 18%
Total Gifts: \$12,327.00
Average Gift: \$397.65

1976

Number in Class: 134
Number of Donors: 16
Participation: 12%
Total Gifts: \$3,850.00
Average Gift: \$240.63

1977

Number in Class: 158
Number of Donors: 24
Participation: 15%
Total Gifts: \$3,781.25
Average Gift: \$157.55

1978

Number in Class: 157
Number of Donors: 27
Participation: 17%
Total Gifts: \$4,914.00
Average Gift: \$182.00

1979

Number in Class: 170
Number of Donors: 26
Participation: 15%
Total Gifts: \$6,777.25
Average Gift: \$260.66

1980

Number in Class: 176
Number of Donors: 13
Participation: 7%
Total Gifts: \$4,728.00
Average Gift: \$363.69

1981

Number in Class: 190
Number of Donors: 24
Participation: 13%
Total Gifts: \$3,285.00
Average Gift: \$136.88

1982

Number in Class: 156
Number of Donors: 28
Participation: 18%
Total Gifts: \$12,207.00
Average Gift: \$435.96

1983

Number in Class: 197
Number of Donors: 33
Participation: 17%
Total Gifts: \$8,583.00
Average Gift: \$260.09

1984

Number in Class: 197
Number of Donors: 24
Participation: 12%
Total Gifts: \$4,596.00
Average Gift: \$191.50

1985

Number in Class: 196
Number of Donors: 20
Participation: 10%
Total Gifts: \$2,741.50
Average Gift: \$137.08

1986

Number in Class: 213
Number of Donors: 25
Participation: 12%
Total Gifts: \$3,069.50
Average Gift: \$122.78

1987

Number in Class: 172
Number of Donors: 22
Participation: 13%
Total Gifts: \$1,702.50
Average Gift: \$77.39

1988

Number in Class: 170
Number of Donors: 25
Participation: 15%
Total Gifts: \$2,235.00
Average Gift: \$89.40

1989

Number in Class: 163
Number of Donors: 24
Participation: 15%
Total Gifts: \$6,307.00
Average Gift: \$262.79

1990

Number in Class: 171
Number of Donors: 18
Participation: 11%
Total Gifts: \$1,145.79
Average Gift: \$63.66

1991

Number in Class: 247
Number of Donors: 21
Participation: 9%
Total Gifts: \$927.79
Average Gift: \$44.18

1992

Number in Class: 169
Number of Donors: 18
Participation: 11%
Total Gifts: \$4,948.50
Average Gift: \$274.92

1993

Number in Class: 215
Number of Donors: 11
Participation: 5%
Total Gifts: \$571.50
Average Gift: \$51.95

ANNUAL FUND CAMPAIGN BY CLASS

Class of 1969

Class Representatives:
Douglas L. Stowell
Stephen G. Watts
Jonathan D. Kaney, Jr.
Lyman T. Fletcher

Number in Class: 95
Number of Donors: 6
Participation: 6%
Total Gifts: \$721.50
Average Gift: \$120.25

Class of 1970

Class Representatives:
Donald A. Gifford
James R. Meyer, Sr.
E. Jon Whitney

Number in Class: 94
Number of Donors: 12
Participation: 13%
Total Gifts: \$2,900.00
Average Gift: \$241.67

Class of 1971

Class Representatives:
William C. Martin
William B. Milliken

Number in Class: 84
Number of Donors: 6
Participation: 7%
Total Gifts: \$1,177.50
Average Gift: \$196.25

Class of 1972

Class Representatives:
George L. Varnadoe
David Paul Horan
Gene V. Coker

Number in Class: 143
Number of Donors: 8
Participation: 6%
Total Gifts: \$1,223.00
Average Gift: \$152.88

Class of 1973

Class Representative:
John M. Kest

Number in Class: 157
Number of Donors: 22
Participation: 14%
Total Gifts: \$4,927.75
Average Gift: \$223.97

Class of 1974

Class Representatives:
Brian S. Duffy
Carl D. Motes
George E. Tragos

Number in Class: 174
Number of Donors: 14
Participation: 8%
Total Gifts: \$1,518.00
Average Gift: \$108.43

Class of 1975

Class Representative:
Chad J. Motes

Number in Class: 168
Number of Donors: 26
Participation: 15%
Total Gifts: \$4,827.00
Average Gift: \$185.65

Class of 1976

Class Representative:
Lawrence N. Curtin

Number in Class: 134
Number of Donors: 10
Participation: 7%
Total Gifts: \$1,775.00
Average Gift: \$177.50

Class of 1977

Class Representatives:
Charles W. Dodson.
Guy E. Burnette, Jr.
Bruce A. Minnick
J. Stephen O'Hara

Number in Class: 158
Number of Donors: 22
Participation: 14%
Total Gifts: \$3,381.25
Average Gift: \$153.69

Class of 1978

Class Representatives:
Robert C. Apgar
Paul H. Amundson

Number in Class: 157
Number of Donors: 24
Participation: 15%
Total Gifts: \$3,489.00
Average Gift: \$145.38

Class of 1979

Class Representatives:
David W. Wilcox
T. Whitney Strickland, Jr.

Number in Class: 170
Number of Donors: 23
Participation: 14%
Total Gifts: \$4,277.25
Average Gift: \$185.97

Class of 1980

Class Representatives:
Stefan V. Stein
James F. Heekin, Jr.

Number in Class: 176
Number of Donors: 9
Participation: 5%
Total Gifts: \$1,028.00
Average Gift: \$114.22

Class of 1981

Class Representatives:
Sarah B. Mayer
Julie Gallagher
Jane C. Hayman
Deborah K. Kearney

Number in Class: 190
Number of Donors: 19
Participation: 10%
Total Gifts: \$2,650.00
Average Gift: \$139.47

Class of 1982

Class Representatives:
Stephen Fredrickson
J. Thompson Thornton

Number in Class: 156
Number of Donors: 17
Participation: 11%
Total Gifts: \$3,722.00
Average Gift: \$218.94

Class of 1983

Class Representatives:
Chris E. Cadenhead
Tommy E. Roberts, Jr.

Number in Class: 197
Number of Donors: 19
Participation: 10%
Total Gifts: \$2,848.00
Average Gift: \$149.89

Class of 1984

Number in Class: 197
Number of Donors: 15
Participation: 8%
Total Gifts: \$1,146.00
Average Gift: \$76.40

Class of 1985

Class Representatives:
Carlos R. Diez-Arguelles
Robert D. Fingar
Samuel P. King

Number in Class: 196
Number of Donors: 20
Participation: 10%
Total Gifts: \$2,741.50
Average Gift: \$137.08

Class of 1986

Class Representatives:
Robert N. Clarke, Jr.
Stephan A. Pendorf
Kimberly L. King
Craig Clendinen

Number in Class: 213
Number of Donors: 20
Participation: 14%
Total Gifts: \$1,669.50
Average Gift: \$83.48

Class of 1987

Class Representatives:
P. Timothy Howard
Stanley E. Halbert
Michael Manglardi

Number in Class: 172
Number of Donors: 18
Participation: 9%
Total Gifts: \$1,097.50
Average Gift: \$60.97

Class of 1988

Class Representatives:
David M. Jeffries
Eduardo A. Suarez

Number in Class: 170
Number of Donors: 23
Participation: 14%
Total Gifts: \$1,638.00
Average Gift: \$71.22

Class of 1989

Class Representative:
Mary Casteel

Number in Class: 163
Number of Donors: 15
Participation: 9%
Total Gifts: \$1,826.00
Average Gift: \$121.73

Class of 1990

Class Representatives:
Albert L. Kelley
Grissim H. Walker
Laura L. Vaughn
David M. Corry
Christopher M. Kise

Number in Class: 171
Number of Donors: 18
Participation: 11%
Total Gifts: \$1,062.50
Average Gift: \$59.03

Class of 1991

Class Representatives:
Andrew I. Solis
D. Keith Wickenden
Paul A. Vazquez
Timothy J. Center
William Lewis
Kathy Castor

Number in Class: 247
Number of Donors: 15
Participation: 6%
Total Gifts: \$529.50
Average Gift: \$35.30

Class of 1992

Class Representatives:
Frederick R. Jorgenson
Laurie Taylor
Eduardo E. Neret
Charles M. Harris
Andrew J. Lewis

Number in Class: 169
Number of Donors: 14
Participation: 8%
Total Gifts: \$498.50
Average Gift: \$35.61

Class of 1993

Class Representatives:
Andy W. Acosta
George A. Sarduy
Alan S. Wachs

Number in Class: 215
Number of Donors: 11
Participation: 5%
Total Gifts: \$571.50
Average Gift: \$51.95

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Gerald Cope, Jr.
Robert Cowdery
Rebecca Cunningham
David & McElyea, P.A.
Danielle DeVito
David Dickson
Joseph Donnelly
Alexander Douglas, II
Charles Ehrhardt
Mark Ellis
Robert Ervin
Richard Hadlow
Herbert Haughton
Cindy Hoover
Angela Hughes
Wendy Jensen
Randolph Jones, Jr.
Kimberly King
Paul Lambert
Jorge Maldonado
Mechele McBride
McConaughay, Roland,
Maida & Cherr, P.A.
Shields McManus
Louis Nicholas, II
Daryl Parks
Jeffrey Pepper
Dario Perez
David Powell
Matthew Powell
Emilia Quesada
Alan Richard
Peter Ringsmuth
Alan Roddy
Joseph Schimmel
Edwin Schroeder
Lois Shepherd
Douglas Spears
Richard Summa
Karla Valladares
Jeffrey Ward

Dan Thompson

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mediator from Washington State. "It was here we dealt with the Everglades as a system, not just the issues related to the federal suit," says Thompson. During mediation, the size of the filtration marshes was expanded from 35,000 to 40,000 acres. State-owned land was added to the acreage to be the set-aside, while total agriculture acreage was reduced. During the negotiations, it became clear to Thompson and agricultural interests that the funding mechanism in the Marjorie Stoneman Douglas Act, based on a calculation of pollutants generated per acre, would not work. Says Thompson, "This would have opened the door to endless arguments and lawsuits." The new settlement set flat rates designed to raise between \$230 and \$380 million.

When negotiators tried to put the mediated agreement into legal terms, environmentalists objected angrily. They protested the use of state lands for the cleanup and the fact that previous agreements had been revised. Some wanted the sugar industry to shoulder more of the costs. "They wanted absolute assurance that certain things would happen," Thompson says. "It was impossible to make that kind of commitment."

It became obvious to Thompson that efforts to get all sides to agree were collapsing and that new legislation would be necessary to reach a resolution.

Talks continued at a fevered pace between Florida, the federal government, agriculture and environmental groups still willing to talk. The state had to convince the Justice Department to accept changes to the original agreement based on mediation between Florida interests. Thompson worked side by side with Lieutenant Governor Buddy MacKay, shuttling back and forth to Washington to win acceptance of the changes, while he continued to work with agricultural and environmental representatives. "Having the lieutenant governor involved in negotiations was a tremendous help. He has enormous credibility in Washington because of his service in Congress," says Thompson. "He was able to explain what we could accomplish within the framework of Florida politics."

Early last year, Thompson returned to the legislature seeking changes to the Douglas Act that would incorporate the new agreements, including the new funding

formula. Opposition from environmental groups ran high. Some favored a constitutional amendment that would have levied a one cent per pound tax on refined sugar to raise cleanup money.

Thompson pressed forward with legislation amending the Douglas Act to accommodate the mediated agreement of Florida interests. The name of the legislation was changed to the Everglades Forever Act when Douglas objected to terms of the revised law and asked that her name be removed.

Thompson thinks the project, which got underway last summer, will withstand the inevitable legal challenges. One challenge comes from the Miccosukee Indian Tribe, represented by former U.S. Attorney Lehtinen. The tribe filed a suit against the U.S. Department of the Interior in late October to throw out the agreement, charging, among other things, that they were not a party to the agreement. "What's ironic here," says Thompson, "is that Lehtinen is now claiming that the agreement that he helped develop won't work." He adds: "We think the tribe gets a very good deal because the water flowing into their area will be cleaner."

A legitimate complaint, voiced by the Miccosukees and others, says Thompson, is that the project is moving slowly. He argues, however, that the delays are a function of the compromise. Cost is another factor, he says. "If you're willing to spend more money, there's always the possibility of completing the project sooner. In government, we have the choice of seeking the ideal and getting the job done."

Other criticism comes from agricultural interests. Silvia Alderman, a 1977 graduate of the College of Law and partner in Katz, Kutter, Haigler, Alderman, Marks & Bryant, who represents agricultural clients in South Florida, is concerned that efforts to restore the Everglades, including provisions of the settlement with the federal government, put too much emphasis on environmental concerns and not enough on the needs of the population. "A lot of questions remain to be answered about the effect on people of what we're doing to protect the Everglades," she says, adding, "Some of the replumbing will cause higher water levels in the eastern areas of the Everglades and could have a devastating effect on farms and homeowners."

Terry Lewis '79 of Lewis, Longman & Walker, who represents sugar growers, has

mixed feelings. He questions whether the filtration marshes will do the job they are intended to do, but thinks many of the provisions are fair. "There has been a huge amount of plumbing done to directly benefit farm interests. As long as farmers can still make a good living, I don't have a problem. I think there is probably some rough justice here."

Those who followed the grueling five-year negotiation, give Thompson most of the credit for bringing the case to a conclusion. Says MacKay, who immersed himself in the details of the case and remained involved during the most difficult discussions, "Thompson was the maestro who made the thing work."

College of Law professor Larry George, friend and former teacher of Thompson, has followed the case with special interest. "He was the linchpin to the entire project," says George, who calls Thompson's beyond-the-call-of-duty work to reach an agreement "heroic." Says George, "If I were to nominate this law school's most successful all-around graduate, it would be Dan Thompson."

The experience of the Everglades' settlement has left Thompson with mixed feelings. He is pleased about the funding and implementation plan. "I honestly think we've put something together that can work," he says, pointing out that a common failure of environmental regulation is that it often lacks the funding and oversight necessary to be successful. "I think we are on the cutting edge of a new approach to finding solutions to environmental problems," he says. "Instead of the old 'sue the bastards' regulatory approach, we've put together a programmatic, regional plan that involved all the parties affected."

On the other hand, Thompson says that trying to reach agreement between agricultural and environmental interests was extremely frustrating. "At some point, all parties have to realize that an agreement takes some comprehension of the other side's point of view. In this case, there was an awful lot of scapegoating." He recalls angering an environmental group in 1993 when he quoted the comic strip character Pogo's conclusion: "We have met the enemy and he is us." Says Thompson: "What happened in the Everglades' negotiations was that everybody wanted to blame someone else. To find solutions we have to share the responsibility." ♦