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## FSU Law Magazine (Winter 1998)

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W I N T E R / 1 9 9 8

# FSU LAW

THE MAGAZINE OF THE FLORIDA STATE UNIVERSITY COLLEGE OF LAW

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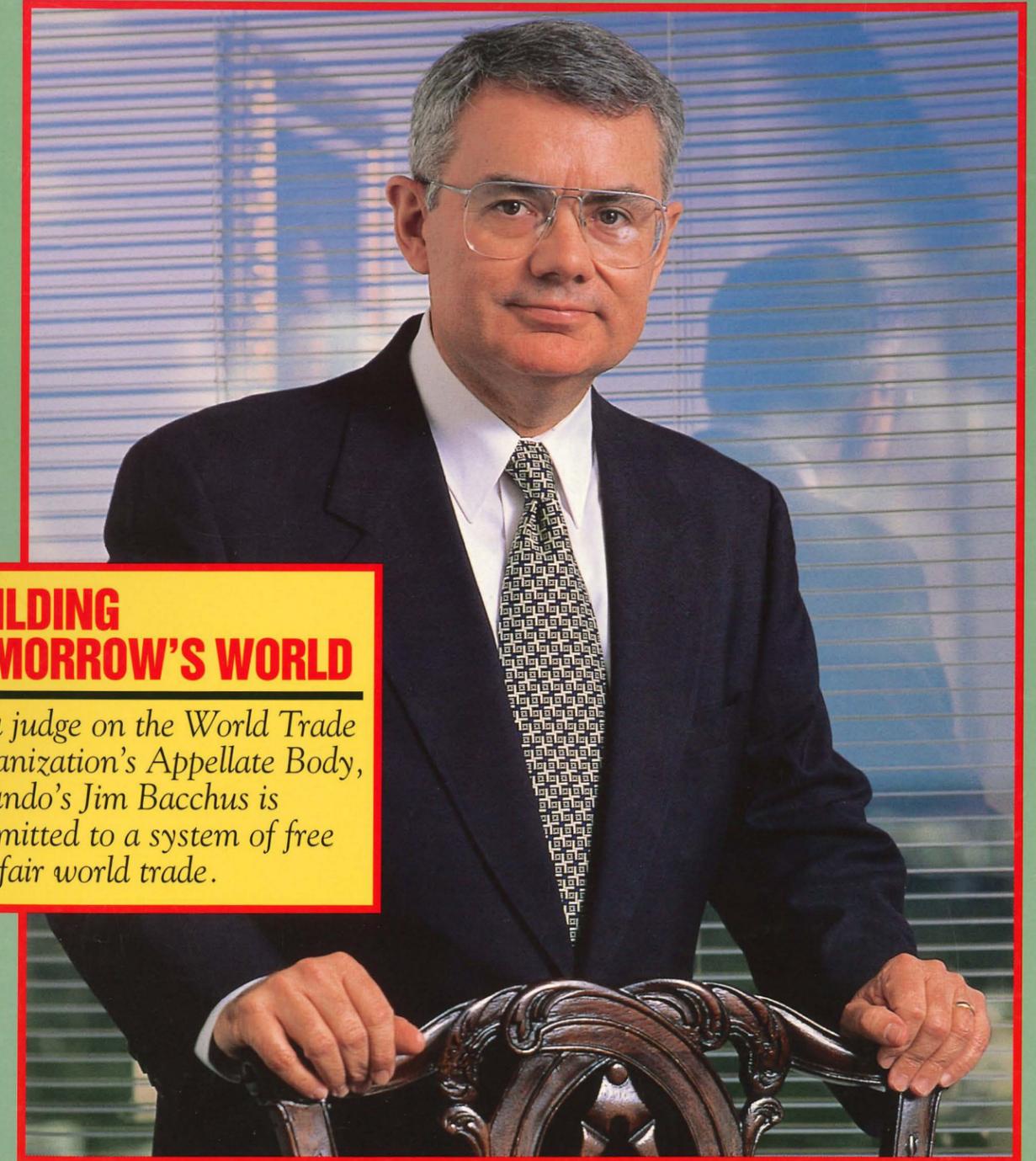


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**FSU LAW**

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**BUILDING  
 TOMORROW'S WORLD**

*As a judge on the World Trade Organization's Appellate Body, Orlando's Jim Bacchus is committed to a system of free and fair world trade.*

## Dean's Letter

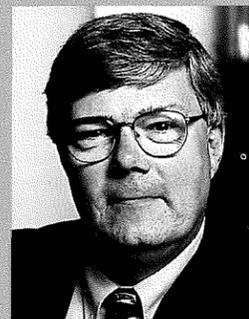
### The College of Law's commitment to public law continues to grow

This is my first opportunity to use FSU Law as a vehicle for sharing with you some thoughts about developments at the College of Law. The story of our law school has many chapters of accomplishment and promise. The focus of this issue's letter is on the role of the College of Law in public life.

From its inception, the College of Law has enjoyed a strong relationship with the public sector. That relationship has, if anything, grown stronger over the years. Many of our students experience first-hand the operation of the legislature, the courts, and administrative agencies through intern and extern placements and through private employment with those entities and the firms that practice before them. The law school years in Tallahassee offer an opportunity to establish a connection to public life that is rarely found in legal education, and that enriches the educational experience of our students. In traveling around the state in my first months as dean, I've been struck by how many of our alumni who have gone on to distinguished careers in public service have credited the exposure they received in law school with fostering their commitment to play a role in public life.

Our faculty also has a strong record of involvement in the most vital public issues. In just the last few months, for example, the College of Law has hosted two gatherings of academics and public officials engaged with some of those issues. Professor Donna Christie took the lead in organizing a symposium on the Protection of Archeological Resources. Professor Meg Baldwin, in cooperation with a number of other faculty, coordinated a two-day workshop on Domestic Violence Education in Legal Education, focusing on how to implement the recommendation of the Governor's Task Force that attention to domestic violence issues should be integrated into the education of legal and health care professionals.

Each of these events placed Florida State University at the forefront of efforts to incorporate the scholarly insights and expertise of our faculty with the pressing public policy agenda affecting the quality of life in diverse ways. What is striking about these events is that they constitute only a fraction of the contribution that our school makes to deeper understanding of public policy issues. I encourage you to take a look at the faculty and alumni activity sections of this magazine, and to notice how many of our colleagues are playing significant roles in public life. Our school enjoys a rich tradition of service, and I am proud to say that the tradition has never been healthier.



A very recent development will reinforce the role of the College of Law in public law. The Attorney General of Florida, the Honorable Robert Butterworth, is responsible for a major gift being directed to the College of Law to establish the Richard Ervin Eminent Scholar Chair. Richard Ervin is a former attorney general and Supreme Court Justice. This gift to the endowment, along with its state match, will amount to \$1,750,000, the income from which will be devoted to a special kind of faculty appointment and educational activities associated with that appointment. The Ervin Scholar will be an eminent appellate practitioner who will be appointed as a Visiting Professor of Law at the College of Law, and who will also serve in the Office of the Attorney General as the Solicitor General of Florida. In addition to the law school's compensation of the Ervin Scholar, the gift will support research fellowships for students who will work with the Solicitor General and will support programs that relate to the public law agenda of that position.

The Ervin Scholar position is an exciting opportunity for us to add to the richness of the public law experience at the College of Law. The work performed by the Solicitor General will enable our students and faculty to be exposed to the most sophisticated and cutting-edge appellate litigation in which the state is a party. I know you will join me in expressing appreciation to Attorney General Butterworth and to the many people who participated in the effort, including our former dean, FSU President Sandy D'Alemberte, and our alumnus, Deputy Attorney General Peter Antonacci.

As much as we can point to a vibrant public law identity in our law school, it is nevertheless true that the majority of our graduates go on to careers that concentrate on private law matters. That aspect of the College of Law is just as strong as our public law endeavors, with outstanding scholarship and teaching being conducted by a wide range of our faculty.

The excellence we achieve and which we continue to enhance in both the public law and private law segments of our curriculum creates an exceptional educational experience at the College of Law. I am confident that my future reports to you will be occasions for sharing in the sense of healthy pride in our achievements and in the considerable optimism about what lies ahead for us.

PAUL LEBEL, DEAN, COLLEGE OF LAW



About the Cover: Jim Bacchus, a 1979 College of Law graduate, is helping to establish justice in the field of international trade.

#### THE MAGAZINE OF THE FLORIDA STATE UNIVERSITY COLLEGE OF LAW

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Charles Lewis

##### EDITOR

David Morrill

##### CONTRIBUTORS

Margaret Barlow

Cathy Butler

Tricia Curran

John Ward

##### PHOTOGRAPHY

Ray Stanyard

FSU Photo Lab

##### GRAPHIC DESIGN

Robert Celander

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W I N T E R / 1 9 9 8

# FSU LAW

THE MAGAZINE OF  
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OF LAW

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Orlando attorney and former Congressman Jim Bacchus '79 is serving as a judge on the World Trade Organization's Appellate Body.

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Although he's learning a new trade when many people his age are entering retirement, D'Annunzio insists he still has work to do.

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The 1996-1997 report on giving

By David Morrill

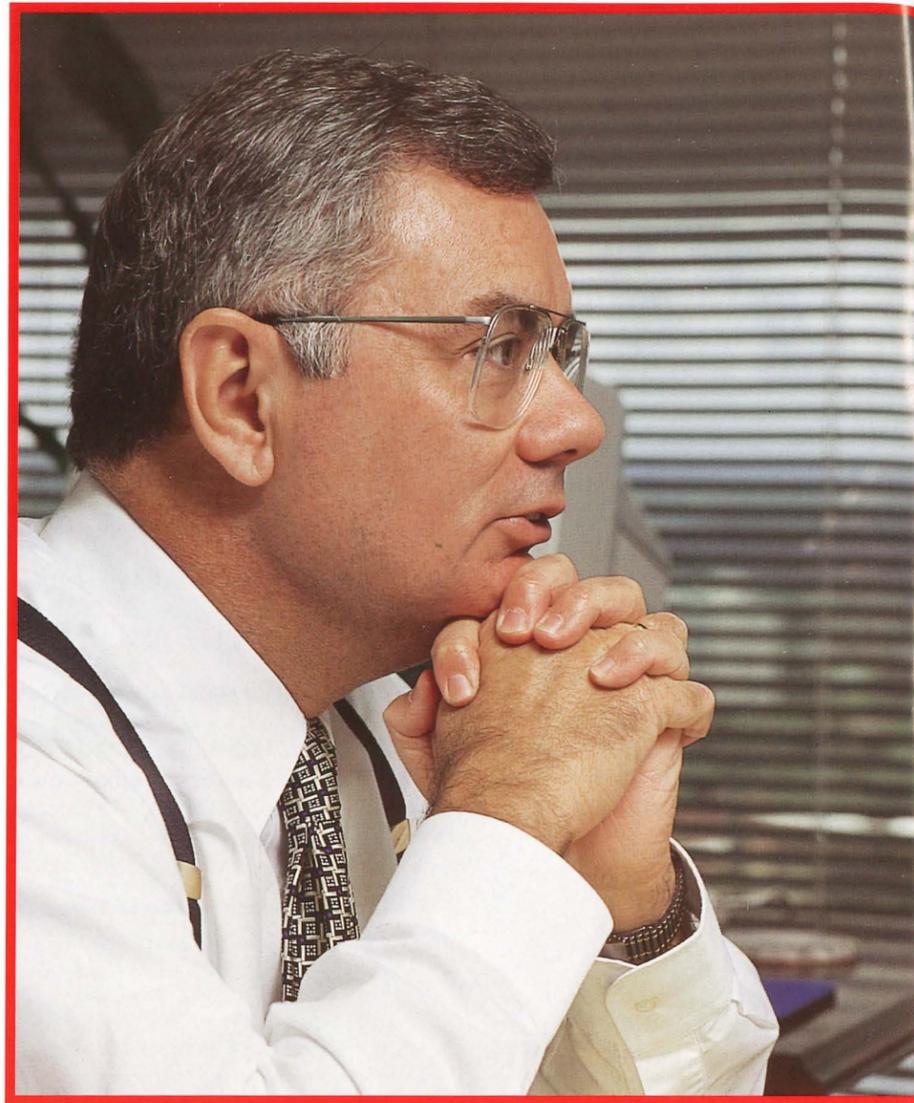
Bringing up the two appeals pending before the World Trade Organization's Appellate Body, and you're likely to get a non-comprehending roll of the eyes from the typical American. It's a reaction that Jim Bacchus, who serves as a judge on that body, accepts with mixed feelings. "We prefer to remain somewhat anonymous and do our work outside of the media glare," says Bacchus, a 1979 graduate of the College of Law.

On the other hand, Bacchus is a man on a mission: spreading the word about the WTO's work as well as the growing importance of international trade and the inter-relatedness of nations. That mission entails a relentless schedule of speaking engagements for the former U.S. Congressman, before civic, legislative and business groups.

For those involved in the burgeoning arena of international trade, as well as countless diplomats and government officials, the WTO needs no introduction. It also is well understood, within those ranks, that Bacchus and his six colleagues are among the most powerful judges in the world. Media commentators have aptly labeled the Appellate Body "the supreme court of world trade," and Bacchus makes no attempt to conceal his belief in its destiny. "If we succeed in our efforts to make it what it should be, the WTO could well be the most significant economic institution in the world in the 21st century."

Nominated by President Bill Clinton and Congress, Bacchus was the only North American chosen to serve on the Appellate Body. He was selected as one of seven judges in November 1995, after an extensive examination by a group of international diplomats.

Other members of the Appellate Body are Florentino Feliciano of the Philippines, a former Senior Justice of the Philippines Supreme Court; Said El-Naggar of Egypt, professor of law and economics at the University of Cairo and former senior managing director of the World Bank; Julio Lacarte-Muro of Uruguay, former deputy director general of GATT and Uruguay's former ambassador to the U.S., Japan and Germany; Christopher Beeby of New Zealand, former ambassador to France; Mitsuo Matsushita of Japan, professor of law and former senior advisor to the MITI,



Japan's trade ministry; and Claus-Dieter Ehlermann of Germany, professor of law at the European University Institute in Florence, and former chief counsel to the European Commission. Says Bacchus, the youngest of the group by 17 years, "I believe I'm keeping pretty good company."

Bacchus's interest in trade dates back to his college days at Yale, Vanderbilt and FSU. "I always was fascinated with the subject but didn't get a chance to immerse myself in it until 1979." That was when the young lawyer accompanied former Florida Governor Reubin Askew, whom he had served as a senior aide while he attended the College of Law, to Washington, after Askew was appointed U.S. Trade Representative in the Jimmy Carter Administration.

Later, during two terms as a Central

Florida Democratic Congressman, from 1990 through 1994, Bacchus was often at the center of trade legislation. In his freshman year he was appointed by the Speaker of the House to the Trade Policy Coordinating Committee, where he was involved in bipartisan efforts to promote multinational trade rules. He was also a key player in the 1993 passage of the North American Free Trade Agreement (NAFTA).

The WTO was established during the 1986-1994 Uruguay Round of trade agreements that revamped the General Agreement on Tariffs and Trade (GATT), strengthening the settlement process for international trade disputes. The Appellate Body, created to handle appeals and to provide timely, credible resolution of contested issues, was a key element in the new organization. Equally important, the new WTO dispute resolution process, with its authority to impose economic sanctions on noncompliers, put teeth into enforcing trade decisions.

# JIM BACCHUS *out to change the world*

The former Central Florida Congressman sees his work as a judge on the World Trade Organization's Appellate Body as building a foundation for 21st century world prosperity.

Previously, under the cumbersome and often ineffective rules of GATT, a plaintiff nation was required to get the permission of the defendant nation to file suit. If permission was granted, an ad hoc committee of experts convened to hear the dispute but was under no time limit to reach a resolution. Finally, if a decision was rendered, the offending nation had to agree to its enforcement. Says Bacchus, "It was not altogether inappropriate that GATT was sometimes referred to as the 'General Agreement to Talk and Talk.'"

The proof of WTO efficiency is borne out by the numbers, Bacchus maintains. "We've received 100 cases in less than three years. This is more than the number brought before the International Court of Justice in The Hague during the rest of the 20th century." As many as 15 appeals involving dozens of countries and issues ranging from agricultural to textile manufacturing to high technology are expected to be decided by the new court in 1998.

Bacchus is aware that the Appellate Body's low profile can become high in a hurry. When a 1996 WTO ruling involving quality standards of gasoline imported from Venezuela and Brazil went against the U.S., some newspaper editorialists and politicians labeled the members of the Appellate Body "faceless foreign judges." Bacchus, who points out that he is neither foreign nor faceless, knows that some future decisions will go against the United States. Understandably, like any other

## How the WTO's dispute settlement process works

1. Member states party to the dispute consult among themselves to resolve the conflict. A large number of disputes are resolved at this stage.
2. If a settlement is not reached within 60 days, the complainant can ask the WTO's Dispute Settlement Body (DSB) to convene a panel to review the matter. Procedures require the DSB to establish a panel no later than the second time it considers the complainant's request for a panel, unless the DSB decides by consensus not to establish a panel.
3. The panel, which consists of either three or five experts acceptable to the parties to the dispute, examines the complaint. The panel's final report, containing its findings and recommendations, should be given to the parties within six months.
4. If it wishes, a party to the dispute can appeal the panel's decision to the WTO's Appellate Body. As a general rule, the appeal proceedings are not to exceed 60 days although they can run to 90 days in special cases.
5. The DSB automatically adopts the panel report 60 days after it is issued, unless it decides by consensus not to adopt the report. If an appeal is made, the DSB adopts the Appellate Body's report 30 days after it is issued, together with the panel report, unless there is a consensus against the adoption. Adoption by the DSB triggers the losing party's obligation under the treaty.
6. Thirty days after adoption of the Appellate Body panel report, the party concerned must inform the DSB of its plans to implement the recommendations. If it is impractical for the party to comply immediately, the party will be given a reasonable period of time to complete the implementation. If it fails to act within this time frame, it is obliged to enter into compensation negotiations with the complainant. If no satisfactory compensation is agreed to, the complainant may request authorization from the DSB to suspend its trade concessions or treaty obligations to the noncomplying party.



The WTO Appellate Body. From left to right, Florentino Feliciano of the Philippines, Said El-Naggar of Egypt, Julio Lacarte-Muro of Uruguay, Jim Bacchus, Christopher Beeby of New Zealand, Mitsuo Matsushita of Japan, and Claus-Dieter Ehlermann of Germany

judge, Bacchus will not comment on the merits of pending cases. However, one case that could easily qualify as high-profile is a challenge to the 1996 Helms-Burton Act which, in certain circumstances, penalizes foreign companies that do business with Cuba. A suit challenging the legality of the act was filed by the European Community, though it has been temporarily suspended as the two sides attempt to negotiate a settlement.

Despite the occasional setback, Bacchus insists the WTO is good for this country. "The U.S. has won more than 80 percent of its trade cases in international court." He adds, "I would not be serving on this body if I did not think it was in the best interest of the United States." Then there is the convincing bottom-line argument, says Bacchus: WTO members trading under organization rules pay an average tariff of 4 percent while non-WTO members average 60 percent.

Bacchus is a resounding testament to the old Scottish saw that to get a job done, find a busy man. Though he claims to have slowed down since his days in Congress ("These days I'm a triple-A personality; I used to be quadruple-A," he says.), the evidence is hard to find. In addition to his speaking schedule and the growing load of work with the WTO, which includes frequent late-night con-

*"I would not be serving on this body if I did not think it was in the best interest of the United States."*

ference calls and email communications from his Orlando home not to mention extended visits to Geneva headquarters, he has spent much of the past two and half years building the Orlando law office of Greenberg Traurig Hoffman Lipoff Rosen & Quentel, P.A..

Having decided not to seek reelection to Congress in 1994, Bacchus was persuaded by the major partners of the Miami-based firm to let him open a Central Florida office. "I started the office with a car phone and a concept," he says. Today, the office is "at 26 lawyers and growing," and Bacchus remains the managing shareholder. When Bacchus joined the firm out of law school, following service as editor-in-chief of the *FSU Law Review*, he was its only FSU law graduate. "We've hired many more since then and plan to continue hiring there," he says.

The most significant change for Bacchus since his Washington days is with his personal life. "My children call me Daddy, not Mr. Congressman, these days." He says that the most difficult aspect of that service was the time it took away from his

family. "Although I feel very privileged to have served in Congress, I have to say that I underestimated the toll it would take on the family," he said. "I went five years without seeing a movie and seven years without a vacation and came to realize that that was no way to live." Last summer, Bacchus took his wife Rebecca, 6-year-old daughter Jamey, and 17-year-old son Joe, to Geneva while he served as presiding judge in a WTO banana case involving 24 countries. "I feel like I've regained my life."

Bacchus says that a full schedule is the only life he knows. "My problem is finding time to do all the things I want to do," adding, "I'm absolutely amazed when I hear people say they don't know what they want to do. My challenge is dealing with the fact that there are so many important things to do that one life is just not enough to do them all."

Given the fact that he has but one life to live, Bacchus says his circumstances are close to ideal. "I'm the most fortunate man I know. I have the opportunity to work with six of the most brilliant men in the world, doing work that I fervently believe will make a difference to the future of the world. I have a family life and a law practice."

Bacchus adds: "I have two windows to the world, one in Orlando overlooking Lake Eola and one in Geneva overlooking Lake Lemman," he says. "I couldn't imagine wanting anything more." ■

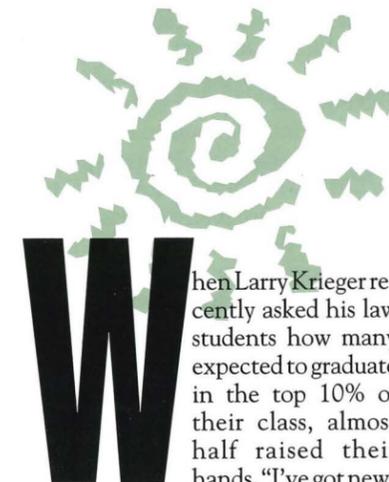
By David Morrill

# Taking Aim

## at stress in the legal culture

Since his days as a law student,

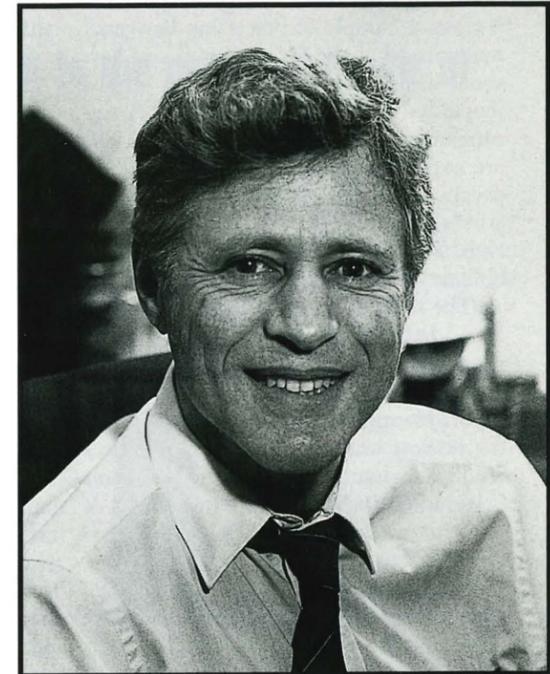
**LARRY KRIEGER,**  
the College of Law's Director of Clinical Programs, has been troubled by the high level of personal dissatisfaction within the legal profession. In his classes and in Florida Bar CLE sessions, he's trying to change that.



**W**hen Larry Krieger recently asked his law students how many expected to graduate in the top 10% of their class, almost half raised their hands. "I've got news for you," said Krieger, who has directed the College of Law's Clinical Externship program since 1991. "Not all of you are going to make it."

When he spoke before lawyers in a continuing legal education session on stress reduction and professionalism, Krieger reminded participants that they will lose 50% of their trials. "It's a fact of life. Accept it."

These are the kind of cautionary points Krieger makes frequently with his law students and with attorneys who attend his CLE courses. In these cases, he suggests that what he calls the scarcity-abundance paradigm is responsible for high levels of distress among law students and lawyers. "Too many of them have bought into the idea that the pie is only so big and if they don't get their piece, there won't be any left. They have to finish at the top of their class or they're failures. They have to win all their cases or they're failures. My job," says Krieger, "is to show them that this kind of thinking will make them miserable, not only as lawyers but as human beings."



LARRY KRIEGER

Ultimately, Krieger, who serves as vice chair of the Florida Bar Committee on Quality of Life and Stress Management, preaches a gospel of self-fulfillment and personal happiness to the legal profession and those who will enter it.

Krieger's work is supported by a rising tide of evidence that indicates that the pressure to succeed among lawyers and law students is unhealthy. It is evidence that is at the heart of concerns about the decline in professionalism that has become a focus of state and national bar organizations.

Almost everyone agrees that professional stress is cause for concern. Studies conducted over the last decade show that stress is significantly higher among both lawyers and law students than any other profes-

## Krieger's core point is simple. To be a truly successful and fulfilled professional, you first must be a balanced human being.

sional group, including medical doctors and medical students. A study published last year in the *Journal of Law and Health* titled "Lawyer Distress: Alcohol-Related Problems and Other Psychological Concerns Among a Sample of Practicing Lawyers," maintains that the "professional and personal well-being of lawyers is in serious jeopardy." The report continues: "A significant percentage of practicing lawyers are experiencing a variety of significant psychological distress symptoms well beyond that expected of the general population. These symptoms are directly traceable to law study and practice."

The study is one of a series conducted by Andrew Benjamin, University of Washington law and medical school professor, and his associates, that, among other things, report alarming levels of alcoholism and depression among lawyers. Benjamin's studies also indicate that the problems begin in law school, where up to 40% of students fall into a "psychological distress" category, compared to 2.27% for the population at large. Further, his findings conclude that law students arrive at law school matching the psychological profile of the general public and reach their level of distress in the first few months of classes.

The findings are supported, although by less dramatic numbers, by state and national bar surveys. In a recent Florida Bar questionnaire on professional satisfaction, 49% of responding lawyers reported that their stress level had increased in recent years. Says Krieger, "The studies show that there are an awful lot of unhappy, unfulfilled people out there."

**B**esides pursuing remedies with his externship program, Krieger is focusing on continuing legal education courses he conducts through the The Florida Bar. A session held in July, in conjunction with The Florida Bar convention, drew dozens of attor-

neys, and Krieger has been the first to submit proposals to fulfill the Bar's new professionalism and substance abuse education requirement.

Krieger's core point is simple. To be a truly successful and fulfilled professional, you first must be a balanced human being. "Law students and lawyers, too often, are disconnected from basic values and goals," says Krieger. "They are motivated by external factors—what others think of them and what others expect of them. Basically, they surrender their sense of self." For many, he contends, the legal culture has become addictive, which he describes as "a giving up of one's self."

He draws freely on his own experience of meditation techniques and recommends readings from a broad range of sources, including psychologists, Oriental philosophers and efficiency expert Stephen Covey. He insists that lawyers need to be reminded that the best professionals are those who are well rooted in such virtues as integrity, wisdom and compassion.

Above all, Krieger emphasizes the importance of choices made by law students and lawyers. "It's good to shoot for top grades and *Law Review*, but you can have a great career without those achievements. I've handled hundreds of trials and thousands of hearings, and no judge has ever asked me about my GPA," he says. "And instead of taking a job with a high-profile law firm, where you will live and die by billable hours, you might take a position making less money, but where you'll have more time to pursue other things that are important to you."

Despite official bar support of statistics indicating that too many legal professionals suffer from poor mental health, some question conclusions drawn from the studies. A few even suggest that they are motivated by anti-lawyer sentiment.

Peter Glenn, Dean of the Dickinson School of Law, writing in the same 1996 issue of *Law and Health* as Benjamin, questions both the methodology of the re-

search as well as its sense of fair play, claiming its tone to be "slightly hysterical." Like others, he suggests that lawyering is a tough business in which stress plays an inherent, even healthy part. "Lawyers often act under terrible time pressures, often deal with unreasonable clients, nasty opponents and indifferent bureaucracies."

Much of the stress, Glenn says, is the result of the unique client-lawyer relationship, in which a lawyer is committed to zealously pursuing a client's interest, an interest, Glenn points out that the lawyer often has no personal stake in. "It is not surprising that there is measurable distress among lawyers. But in view of what we ask of our lawyers, it is, I think, a cause for celebration that so many lawyers perform so well for so long, so many lawyers take pleasure and pride in their work, that so many of them are good companions, good friends, good parents, good spouses and effective community leaders."

**K**rieger's interest in the subject is an outgrowth of his own experience.

Returning from a tour of duty as an Air Force officer during the Vietnam conflict, he was struck by the poor mental attitude of his classmates during his first semester of law school at the University of Florida. "People seemed to be depressed over stuff I thought was pretty unimportant. A few months earlier I had been responsible for taking people to the hospital whose arms and legs had been blown off. What I saw in law school was a serious lack of balance about what was important in life."

Krieger took a five-year break from law school to pursue an interest in meditation, going through training to become an instructor in the Transcendental Meditation (TM) program. Later, he became certified to train other instructors.

He began his legal career as an assistant state attorney in Palm Beach County in 1980, continuing to teach TM on the side. "That job was my first look at the distorted behavior of many lawyers," he says, adding, "I was prosecuting during the week and teaching relaxation methods on the weekends. I found that to be a pretty good balance."

The role of prosecutor was a good match

for Krieger's personality and interest in public service. "I was extremely aggressive and extremely successful." Krieger's success in the courtroom won the recognition of colleagues as well as the urging of the local bar president that he consider running for a circuit court judgeship, which he declined.

Later, as trial lawyer with the Florida Department of Banking and Finance, a unit of the Comptroller's Office, and then as chief trial counsel in Tallahassee, Krieger continued to be troubled by levels of addiction and dissatisfaction among attorneys.

His workplace experiences are never far from Krieger's mind at FSU, where he has developed a teaching method that emphasizes process over results. "Law students and lawyers are trained to be results-oriented, which puts all the pressure on winning. I see a lot of performance anxiety, which boils down to the idea that if you're good you win, if you're not you lose. What I try to do is to get the students to focus on doing a good job and appreciating the fact that they have done their best, no matter the outcome."

Krieger's students are required to keep a daily diary recording their work experiences, and to meet in groups to discuss those experiences.

**I**t has become almost an article of faith within the legal profession that the place to deal most effectively with stress and professionalism problems is in law schools. Despite his reservations about studies critical of the legal culture, Dickinson Dean Glenn sounds a common theme about the role of law schools in developing healthy lawyers. "It is time our law schools add to their agendas a more systematic study of lawyers and the practice of law. It is time that we heed the messages warning us to pay more attention to the personal needs of law students and lawyers."

Mike Cohen, director of Florida Lawyers Assistance agrees: "Dealing with the problem in law school is probably the most important thing we can do." He adds: "This is where you can begin to work on the 'win at all costs' kind of mentality that is so prevalent in the profession."

Florida Supreme Court Justice Harry Anstead, who heads the Florida Commission on Professionalism, says that an im-

portant starting point for students is the acquisition of a thorough understanding of the role of lawyers in society. "A lot of the students entering law school have made a tentative decision that they want to be lawyers. It's up to the law schools to provide students with a fundamental comprehension of what it means to be a lawyer and to provide a realistic appraisal of the legal system and how they will interact with it."

## It is time that we heed the messages warning us to pay more attention to the personal needs of law students and lawyers.

Anstead, a strong supporter of Krieger's work, says a personal focus is essential for lawyers. "Lawyers need to do more self-analysis and decide what is important in their lives. If they don't, they'll be carried along by circumstances and will probably not have a healthy, happy life."

Anstead recommends that law schools play a larger role in matching students to the kind of work in which they will be best suited. "One problem is that people coming out of law schools are not aware of how law offices operate," he says. "If they had more opportunities while they are in law school to have real work experiences, they would gain a better grasp of what the profession is all about."

Anstead, like Krieger, also believes that law school is the place to instill a sense of respect for the ethical practice of law.

For the first time in fall of 1997, largely as result of Krieger's efforts, incoming FSU law students took an orientation seminar titled "Personal Satisfaction/Professional Excellence." The seminar examines the role of professionals in society, problems facing the legal profession and the potential of law school to contribute to those problems, the theory of human needs fulfillment, the general concept of addiction and its relationship to a lack of fulfillment.

According to FSU law dean Paul LeBel, the orientation reflects the law school's responsibility to prepare law students for what lies ahead. "There is a widespread perception, both inside the profession and

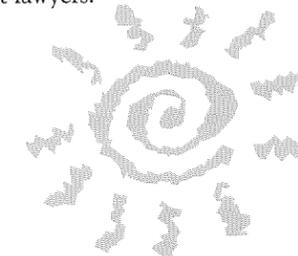
among the public generally, that the practice of law has become less satisfying in recent years. Our thought was that a program offered early in law school could highlight the need to retain a sense of self in the practice of law and survey a number of theories and techniques that can be helpful in doing so." He adds that the orientation is not intended as therapy, nor is it intended to be alarmist. "Part of our responsibility to our students is to do as much as we can to

equip them for rewarding and satisfying professional careers, and it is increasingly apparent that our responsibility extends beyond legal analysis and doctrine."

**A**lthough Krieger uses terms such as happiness, and self-fulfillment, and cites stress reduction techniques such as meditation, he is sensitive to the fact that many law students and lawyers don't respond well to such notions. "What I'm proposing is not some touchy-feely thing. There are many ways to achieve self-fulfillment."

He also maintains that he is not advocating a relaxation of high work standards. "I'm not suggesting that lawyers be less aggressive or that they not care about being successful. I'm suggesting that they make sure they take care of their personal needs as well their professional obligations."

Adds Krieger, "It's pretty obvious to me, that healthy, happy people make the best lawyers."



# Healthy, Happy and Sane: The Road to Professionalism

Since my first concerted exposure to legal education, I have been troubled by a seemingly obvious and consistent reality: many of those involved simply don't seem to be happy. Most of my fellow students didn't seem to be happy, and most of my professors didn't seem to be happy either. "Big deal," you say, and at first I agreed. But the thread extended itself with my experience as I graduated and moved into the practicing bar. The lawyers, including me, did not for the most part seem to be happy; and neither did the judges. We managed to find a variety of objects for our negative feelings: the outcomes of cases, the operation of the judicial process, our salaries or office appointments or retirement prospects, the lack of appreciation we received for our hard work and sacrifice, and, of course, how judge X, attorney Y, or Mr. Z had treated us that day. The list of "reasons" for our unhappiness was a constantly shifting and self-renewing resource it seemed, and at the same time the consistency of the underlying experience was evidenced by a tendency to worry and to complain about, rather than openly appreciate, what we were doing.

The ensuing years have given me a wonderfully exciting and fulfilling career in the law. At the same time, the early negative experiences and impressions which I noticed have come increasingly to the fore of our collective lives and our profession. There is, of course, intense focus today on both the subjective and objective realities of the legal profession in this regard. Lawyers are recognized to be "dissatisfied" in epidemic proportions; depression and substance abuse are documented in similar proportions<sup>1</sup>—not a coincidence, to be sure; and both civility within and respect from without the profession are said to be at ebb tide.

A variety of commentators have documented the problems, analyzed their causes, and proposed a variety of solutions. These analyses are useful in that they point out how the institutionalized values of much of the profession support the current malaise in the profession—the intense pressure to compete in law school to make a good start toward a good career; the competition among a rapidly growing corps of new lawyers for a shrinking job market and, once employed, for a client base which is shrinking relative to the available attorney population; the pressure for billable hours; and the need to sacrifice personal life to move ahead in the structure of many firms.

At this point improvement is not manifest, at least to me, and the analyses, while helpful for some purposes, may well be flawed to the extent that they focus both causation and amelioration on the competition for jobs and clients in an increasingly "crowded" profession. Indeed, unhappiness both within and with the profession is not new. Negative comments about lawyers have been celebrated for centuries,

and high levels of addiction and depression have been identified and documented since the mid-1980's<sup>2</sup> in studies dealing with lawyers during the supposed "Golden Age" of salaries and hiring opportunities. Further, the analyses lead to largely unrealistic recommendations for improvement—generally based on wholesale changes in the environment of legal education and law practice. There is little hope or specific advice on how to change either the profession's prevailing values or the structures which have expressed them.

I do not believe that we can go back to the "good old days," nor am I convinced that the good old days were all that good. I do agree with the observations that dissatisfaction, incivility, mental distress, personal health, family problems, and lack of professionalism are increasing among lawyers. And on the positive side, I also believe that, at this point, our awareness of these problems is growing faster than the problems themselves. This is encouraging; as we more openly acknowledge problems, we become ready to wrestle with potential solutions.

I propose that the "problem" may be much simpler, much more fundamental, and much easier to manage than people realize. After all, perhaps we lawyers tend as a group to be unhappy folks, and perhaps I was seeing 25 years ago the seeds of today's unpleasant harvest.

Common sense suggests to me that the lawyer's lack of professionalism so often discussed today results from the internal distress and addictive tendencies common among us. It strikes me that I have never seen a healthy, happy lawyer steal a client's trust funds or abuse a witness or another lawyer in court. I also have never seen a healthy, happy judge ridicule or shame a defendant, an attorney, or a clerk in front of other people. I do not know any healthy, happy people who work sixty to seventy hours a week on a regular basis, regularly surrender their family and personal life as a result, or regularly need a couple of drinks to relax and unwind from the stress of their average work day.

I propose that we experiment awhile by focusing on becoming happy people, and then look at changing the profession from our new perspective so that we can then be happy.<sup>3</sup> To the extent that we thought that becoming lawyers, with the concomitant potential for making the dollars, having the power, or getting the notice would make us happy and healthy, we were apparently wrong. Much of our competition both in law school and in practice is based on these assumptions, and they simply have not proven themselves in the field of real human experience.

Despite our exalted intelligence, I believe many of us have confused cause and effect. We forgot (or perhaps never knew because we were never told) that wealth that fulfills is a by-product of action that fulfills, and action that fulfills is never based on self-aggrandizement or beating out a perceived competitor in the race for a slice of a limited pie. I suggest that much of our proclivity toward chemical and process addictions, depression, dissatisfaction, incivility, and a host of related physical and interpersonal problems proceeds from our false assumptions about the nature of ourselves and our much-sought fulfillment.

Such assumptions may well include the beliefs we hold as followers<sup>4</sup> of our cultural underpinnings: that one must work hard to be a good person; that most persons are "just average" and therefore not particularly laudable beings; and that my worth is defined by how I look, what I have, what people think of me, what I earn, where I went to school, how I ranked, and whether I won or lost my last six cases. Fundamentally, these assumptions share a common thread which is literally deadly<sup>5</sup>—that a decent life requires a constant exercise in competition for limited resources, coupled with the ability to win consistently in that competition. If our educational and practice milieus support such notions even in a general way (and they do), it would be entirely predictable that anxiety, depression, perfectionism, workaholicism, alcoholism, and the hypercritical nature which is almost stereotypical of lawyers, would be manifest in us as a group.

Assuming any validity to these observations, we need to learn, or relearn, how to be healthy and happy as a prerequisite to living life and practicing law well. There are innumerable roads to follow to accomplish those goals, and one can choose a road (a path in more traditional terms) which suits personal taste, pace, and comfort. Most of them are quite simple when analyzed for their essence, but the choice to embark can be daunting indeed for a number of reasons. First, such a decision is inevitably unpopular, often frightening, to colleagues and associates, because it challenges basic assumptions of the prevailing work culture. Second, the trip involves taking an honest view of each of our deep personal goals and values and an eyes-open assessment of how we are really doing around those things that matter the most in our lives (or should matter if we were to be really healthy and happy). Third, such an open appraisal may ultimately lead to realignment of one or more dimensions of our personal or work life, as we re-prioritize or even reject one or more of the basic assumptions on which the failing satisfaction and declining professionalism among us is feeding. But if the choice is to take a difficult step or remain in a life paradigm which has manifestly failed, let's not delay.

I would also suggest that the one characteristic which perhaps most poignantly distinguishes us from the rest of our society—the ability to "think like a lawyer"—may well be a foundation of our collective struggle. It is beyond question that as law students and lawyers we must gain and perfect the ability to think like a lawyer. Our problem, it seems to me, is that many of us begin to think like lawyers most of the time, when it may only be appropriate and supportive for our life 1, 5, or 10 percent of the time. Everyone who has begun to cross-examine his or her spouse based on an apparently inconsistent statement about skim milk understands this point from personal experience, and many of us probably must confess to such practice. The need of the attorney to analyze and differentiate the whole into constituent, attackable or supportable parts, works well in few human settings. Virtually all of our personal life, and probably the majority of our professional dealings—with "normal" people after all—goes much better with the use of normal words and "normal" thinking.

The truth of normal reality and most experience is that preferences and predispositions run deeper than analysis, and particularly when the preferences are mine while the analysis is yours.

When it comes to thinking like a lawyer, there is often a right or best answer. But it is important for both student and attorney to be reminded that, in the human endeavors which constitute the bulk of our life and our reality, it is more important to be happy than to be "right." Thinking like a lawyer needs to be learned, perfected, and then reserved for only those professional situations in which it will work to our advantage as human beings. It is often difficult to turn off or compartmentalize a skill which we labor to develop, and I often notice blank stares from my students when I note for them, for example, that no one other than lawyers, law students, and occasionally police officers, does anything in life "prior" to eating breakfast.

It should be clear that any specific resource always will appear limited, and specific outcomes always will appear uncertain. There is not an unlimited number of A's for students, nor clients for lawyers (especially the kind that pay their bills and pat you on the back regardless of the outcome), nor turbo-charged Volkswagens nor favorable jury verdicts. But persons are not therefore relegated to insecurity in their quest for fulfillment. There is a decision to be made here a choice of assumptions. As we look around critically, we can often notice that high achievement in the objective field does not reliably produce fulfillment, and in fact may more often produce a drive for more and greater achievement instead. It may even be that some who are high achievers suffer acutely indeed, because they never learn that it is possible to be happy without constant achievement in the many arenas of the competition game.

There can and should be healthy competition in a world of limited resources and uncertain outcomes, provided that one defines "success" so that fulfillment of goals is reliably attainable with a reasonable and well-motivated effort. Focussing for meaningful goals on the subjective qualities of right motivation and healthy process, rather than specific and uncertain externals, is an excellent starting point on the path to consistent fulfillment.<sup>6</sup> On the other hand, basing fulfillment, "success," and happiness on the results of competition for limited resources and uncertain outcomes is necessarily fear-based, because on some level we are aware that we do not have the power to control such outcomes. Success and fulfillment are also then only for the few, and the rest are doomed to mediocrity both objectively and in their experience. The resulting tone of competition, which can be seen all too often in litigation and the law school classroom, is rather likely to produce intense distortions in behavior in the effort to control results.<sup>7</sup>

We all either have, or should have, come to this profession in order to be professionals—to exercise well the power and privilege we receive as practicing attorneys. True professionalism means dedication to the use of that power and privilege gracefully, with wisdom and expanded vision, and in service to others. *There can be no competition for professionalism*—an exalted state of being (in wisdom and expanded vision) and of doing

(gracefully and in service to others). These qualities involve personal commitments, motivations, and choices, and are unlimited in potentiality. *There can also be no competition for happiness or fulfillment*, which are purely internal experiences and are similarly unlimited in potentiality.

I am excited by encouraging results in recent years in integrating these thoughts, and certain analytical structures toward their implementation, into my classroom teaching and the clinical experience of many of our law students. Students seem to learn well, given time and consistent comparison of the theory with their direct experience, that fulfillment depends much more on healthy attitudes and reasonable expectations than on a win-loss record, a GPA, or the attitudes of others.

Certainly, we would all like to triple our income this year and receive constant praise, but raising the level of satisfaction and professionalism in students and lawyers depends on each individual's willingness to critically look at his or her attitudes and assumptions, and begin to operate from there as a basis for fulfilling personal and professional life. Many of us have tried the other way the proposition that happiness proceeds from outside to inside, and the paradigm indeed is a failure.

We are not to be blamed for the failure. Although we are arguably the most intelligent and powerful group of people in our society, the assumptions on which these problems have thrived are shared, almost without exception, throughout our broader culture. Perhaps because of our enhanced intelligence, earning ability, and power as a subgroup, we have been able to more generally actualize the enculturated goals of relative power, affluence, etc., and we have experienced the consequences. To the extent that the consequences have not reliably produced fulfillment, and the documentation in this regard seems clear, it is time that we as an intelligent group try something new. That will involve courage and, inevitably, a significant amount of tension as we reassess and reject failed elements of the previous assumptions.

Many people (perhaps most) will, of course, disagree and insist on the viability of our current way of thinking and being. Time will tell for us, as individuals and as a collective, whether a fundamental shift in our thinking and our definition of success is in fact in order. Either way, the *sine qua non* of a realistic determination is the willingness to look hard at whether we really are happy and settled in a good life. Should we affirm, or reorder, the conceptual foundations of our personal and professional life streams? I believe the time has come to reorient our collective focus, from external symbols to the internal realities that really make life a worthwhile experience.

## Notes

1 A recent study by the California Bar, for example, revealed that fully half of the respondents would not again choose to be lawyers. Hensler and Reddy, *California Lawyers View the Future*, Rand (1994). The startling incidence of depression among lawyers has been variously documented. A recent study of Washington lawyers, replicating a study of Arizona lawyers and law students, found depression at the clinical level among almost 25 percent of practicing

lawyers. Benjamin, et. al., *Lawyer Distress*, *Journal of Law and Health*, Vol. 10:1 (1996). Perhaps even more disturbing, a Johns Hopkins University study in 1990 found Major Depressive Disorder to be more prevalent among lawyers than any other group, compared by employment type, in society. The occurrence of Major Depressive Disorder among lawyers was 3.6 times that in the general population. Eaton, et. al., *Occupations and the Prevalence of Major Depressive Disorder*, *Journal of Occupational Medicine*, Vol. 32:1079 (1990).

2 Benjamin, et. al., *The Role of Legal Education in Producing Psychological Distress Among Law Students and Lawyers*, 1986 Am. Bar Found. Res. Journal 225.

3 *Most people are about as happy as they make up their minds to be.*

— Abraham Lincoln

One way we fail to make up our minds in this context is to set unrealistic or ill-conceived external goals as prerequisites for happiness. It seems strange indeed that while we clamor about competition as the cause of incivility and dissatisfaction, vast numbers of potential clients, well into the middle class, cannot afford a lawyer for common legal transactions. *What are we really competing for? And have our imagined lifestyles actually created a sort of poverty consciousness in the midst of objectively comfortable living circumstances?*

4 But wait—aren't professionals supposed to be leaders rather than followers? Who is it that, for our profession or ourselves, is setting the standard for "success" as a lawyer? Do we need to subscribe to the production/consumption model of modern culture, and does that model really work? Obviously I think not.

5 These assumptions strongly support a short, stressful life. The biological stress response is triggered by the organism's perception of any "demand;" continued perception of demand results in continuation of the adaptation response, ultimately leading to exhaustion and death. See, e.g., Selye, H., M.D., *The Story of the Adaptation Syndrome*, pages 33-35, ACTA New Medical Publishers (1952).

6 In his classic studies of psychological health and fulfillment, Abraham Maslow consistently notes that psychologically mature, "self-actualized" people live in a state of virtually constant enjoyment because their focus is spontaneously on internal matters—what they perceive to be right process, character expression, and personal growth—rather than on external symbols, achievements, or outcomes. The achievements and positive outcomes are often abundant as a result of right and character-based process, but are not the primary focus or purpose of the mature and healthy person. *Motivation and Personality*, Harper and Row (2nd edition, 1970).

7 The ancient *Bhagavad Gita* is blunt on this point and echoes Maslow's findings, declaring the person whose fulfillment depends on the results of action to be "pitiful." *On the Bhagavad-Gita*, 2:49, M. Mahesh Yogi trans., Penguin Books (1979).

LARRY KRIEGER is Director of Clinical Programs at the Florida State University College of Law. He has chaired the Association of American Law School's Committee on Externships since 1994. He is vice-chair of The Florida Bar Committee on Quality of Life and Stress Management. He was a criminal prosecutor in Palm Beach County and Chief Trial Counsel for the Florida Comptroller's Office prior to joining the law faculty.

By Tricia Curran

SEVEN FSU LAW ALUMNI ARE  
WORKING TO RESHAPE FLORIDA'S  
MOST IMPORTANT LEGAL DOCUMENT

# Re-evaluating the Constitution

Whatever proposed revisions to Florida's Constitution go before the voters in November 1998, they will include the handiwork of seven College of Law graduates.

Five of the 37 Constitution Revision Commission's members as well as two key staff members are FSU law graduates, including Ken Connor '72, Valerie W. Evans '86, Paul Hawkes '86, Jacinta Mathis '89 and James Harold Thompson '69. Staff members are Billy Buzzett '86, executive director, and Deborah Kearney '81, general counsel. Commissioners are appointed by the Governor, the Speaker of the House of Representatives, the Senate President and the Chief Justice of the Supreme Court.

Although many of the issues before the commission bear a marked resemblance to matters considered in 1978, those close to the process say that some outcomes could be different during this revision cycle.

An example, according to Thompson, is the method of selecting and retaining circuit and county judges. One proposed amendment, rejected twenty years ago, would make all judgeships gubernatorial appointments. Under current law, Supreme Court justices and district court of appeal judges are appointed by the Governor while county and circuit judges are elected of-

fices. "In the larger circuits," says Thompson, who served in the Florida House of Representatives from 1974 until 1986, the last two years as Speaker, "it is often difficult for the average voter to know a judicial candidate's qualifications." Because this may not be a problem in the smaller circuits, "where everyone knows every one else," Thompson speculates that there may be an opt-out provision.

The selection of judges is one of 93 suggestions still alive before the commission, which concludes its work this spring. Other items on the table include revising rules governing personal privacy, and modifying the citizen-initiated constitutional amendment process.

Article I, Section 23 of the Constitution, commonly known as the Privacy Amendment, is one amendment passed by voters in 1980 that might be jeopardy in 1998. The language, written by late College of Law professor Pat Dore, who served as a consultant to the 1978 Constitution Revision Commission, is under fire from opponents of abortion and physician-assisted suicide. Thompson concedes that the amendment's future is uncertain.

Commission chairman Dexter Douglass, who served as a commissioner in 1978, points out another issue at the forefront. "We are still dealing with an executive

**Constitution Revision Commission Legal Counsel Deborah Kearney '81 and Executive Director Billy Buzzett '86 make the process run smoothly**

branch needing revision and looking at proposals to eliminate some cabinet positions." He believes the proposal will receive greater attention this year because it does not propose outright abolition of the cabinet, as was the case in 1978, when cabinet members campaigned against it.

Thompson's educated guess is that "we won't recommend a drastic change this time." On the whole, he says, he doesn't see that much that needs changing, an outlook he attributes to his "conservative nature."

As chair of the legislative committee, Thompson says his major goal is to develop "a workable recommendation on legislative reapportionment." Currently, he notes, "the legislature, pursuant to the Constitution, is charged with dividing the state into districts." According to Thompson, that can probably be done just as well by another entity. "When I was in the legislature we hated that, and most legislators I've talked with hate it," he says, adding, "The few that really care about it make an awful



lot of trouble for the rest of us. It's pitting brother against brother and sister against sister." He adds, "I don't know why the public thinks the legislature wants to do that. But the question is, what's fair to the public? The public elects the legislators, whereas, with a different system, say a commission, you are taking politics out of the hands of the public. I hope we can balance that in some way and come up with something that can work."

Thompson makes a distinction between proposals that are constitutional in nature and those that can be enacted statutorily by the legislature. The legislature, he says, should deal with "hot subjects of the day," such as education and prisons, as well as setting budget priorities.

A particularly contentious topic before the current commission is the future of the citizen initiative process that allows voters to put constitutional amendments directly on the ballot. It is a hot potato for Thompson. "If I could wave a magic wand, I'd require that any initiative require a three-fifth majority (instead of its current simple majority). I really dislike the idea of buying those signatures and paying people to get them. We need to look at that more than we have."

According to Douglass, "Statutory initiative is more realistic than what we've got,

however it only works if you want to abolish the republican form of government set up in the United States Constitution, which is what statutory initiative does in enabling people to bypass their elected representatives." He finds the amendments that have been proposed by constitutional initiative "poorly conceived and not amendment material" and, in the case of the net ban, a blatant "bypass of the legislature, which had refused to pass the ban."

The commission will also consider various proposed revisions to the state's taxation system, particularly one for a uniform sales tax with restricted exemptions. Right now, according to Douglass, "We have every exemption known to man, woman or otherwise; all services are exempt, legal fees, accounting fees, a lot of industry exemptions. The lawyers are for the sales tax. All you do is set it up on your computer and add it to your bill. You don't pay it until you get it. The people who are paying the high legal fees have the money to pay the sales tax on them."

**I**n handling various administrative and legal aspects of the commission's work, Kearney and Buzzett maintain hectic schedules. Kearney calls serving as the commission's general counsel "the crowning glory of my career thus far."

Her job is to "put all the proposals in draft form, choose the words, decide where the commas will go and whether or not to combine proposals or to list them separately, and place them in the appropriate section." Kearney, who has spent the past eight years as a Senate bill drafter, says "It's as if I've been training for this position. This is very much my baby."

One of Buzzett's primary duties as executive director is making sure that the public has access to the work of the commission. This is one role that has changed dramatically since 1978, thanks in part to the Internet and to the College of Law, which has been facilitating public access to the constitutional revision process. Says Buzzett, the College of Law-maintained Constitution Revision website (<http://www.law.fsu.edu.crc>) "is being used by thousands of people all over Florida. This is fundamentally important because it puts people from Pensacola and Key West in touch with the commission without having to come to Tallahassee." According to Buzzett, the site has had roughly 8,500 hits, 6,000 since July, and the number is increasing each month.

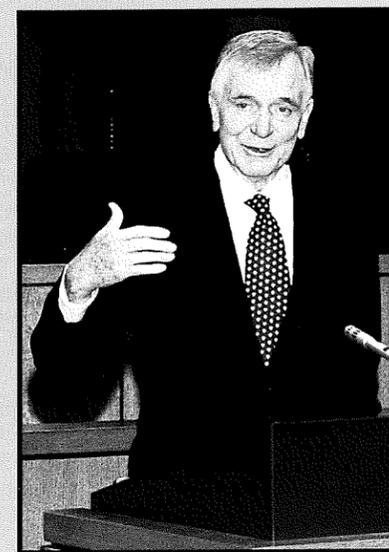
Buzzett says it is refreshing change to see the university and law school offer technical assistance to the commission. "Frankly," he added, "the legislature was pleasantly surprised to see someone offer something, instead of asking. It's a great example for other universities to follow."

There have been other changes, too, since 1978. If many of the issues the commission faces are similar, the process is not. In 1978, a simple majority of commissioners was sufficient to put a proposal before voters. Today, the procedure requires a "super majority" of three-fifths for a proposed amendment to go forward.

Although the change most likely means there will be fewer proposals placed before the voters, the expectation is that those that are will have broader support. In 1978, not a single one of the dozens of proposals was adopted initially, although many were subsequently passed by the legislature or approved through the citizen initiative process.

According to Thompson, the super majority will help produce proposed amendments with a greater chance of voter acceptance. ■

# Symposium examines Florida's historic settlement with the tobacco industry



**Governor Lawton Chiles (left) gives an overview of the tobacco settlement. Attorney General Bob Butterworth, David Fonvielle and Wayne Hogan were panelists during the November 17 discussion.**



legislation, Racketeer Influenced and Corrupt Organizations Act (RICO) claims, and tobacco industry documents, as well as the lessons of the lawsuit and its resolution.

The discussion was joined by four legal experts, G. Robert Blakey, Notre Dame law professor, FSU College of Law Dean Paul LeBel and FSU law professors Charles Ehrhardt and Larry Garvin. Blakey is a nationally recognized expert on the RICO Act, which he helped to draft while serving as counsel to the U.S. Senate Judiciary Committee. LeBel and Ehrhardt are noted for their scholarship in the areas of products liability and tort law, and evidence, respectively.

Butterworth complimented the lawyers for taking on the massive case on a contingency basis. "The odds for winning were so low, the lawyers that took it on probably should have checked into a psychiatric hospital." Those odds, according to the attorney general, were lengthened by the numerical superiority of tobacco attorneys, which he put at twenty to one, and the intense legislative lobbying effort by tobacco companies.

Panelists agreed that had it not been for some good fortune and narrow victories in the state legislature and on the Florida Supreme Court, the settlement would not have materialized. "There was some luck involved in this," said Gentry, who said that Chiles's determination to see the fight through was the foundation for the settlement. Echoing the sentiments of Hogan and Fonvielle, he

added, "I give full credit for our success to the Governor. If he had not hung in there, we wouldn't be here today."

Introducing RICO into the proceedings played a significant role in the victory, according to Blakey, who said he was initially skeptical of the approach. "As we looked at our evidence we began to realize that the tobacco industry was acting very much like we would expect the mob to act." Berly, whose South Carolina firm is working on a number of tobacco cases across the country, presented some of the subpoenaed documents in which tobacco company officials openly targeted teenagers and admitted that cigarettes were "nicotine delivery systems."

Although adoption of the national tobacco settlement pending in Congress would mean substantial changes to Florida's settlements, panelists said that the state would benefit under either plan. If a national agreement is not reached, Florida and the tobacco companies will return to court in September, 1998, to resolve final differences in implementing the settlement.

Of the nine attorneys on the Florida's original tobacco legal team, three are FSU law graduates. In addition to Fonvielle and Hogan, the group includes Bob Kerrigan '72 of Pensacola.

FSU law professors Lois Shepherd, Jean Sternlight and Associate Dean Jeffrey Stempel served as panel moderators for the symposium. ■



*Clockwise, from top left:*  
**KEN CONNOR '72,**  
**VALERIE W. EVANS '86,**  
**PAUL HAWKES '86,**  
**JACINTA MATHIS '89**  
**and JAMES HAROLD**  
**THOMPSON '69, serve**  
**as Constitution**  
**Revision**  
**Commissioners.**

CLASS NOTES

'69

**James M. (Chet) Barclay** has joined the firm of Ruden, McClosky, Smith, Schuster & Russell P.A., as a partner, in their offices at 215 South Monroe St., Suite 815, Tallahassee, FL 32301, phone (850) 681-9027. He specializes in health care law.

**Douglas L. Stowell**, of Stowell, Anton & Kraemer, P.A., has been named to the 1997-98 Boards of Directors of the Tallahassee Area Chamber of Commerce and its Economic Development Council.

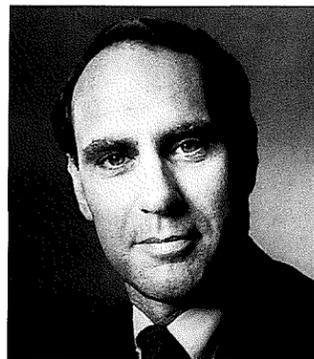
'71

**Cynthia Tunnickliff** is serving as president of the Florida State University Alumni Association.

'72

**John R. Marks, III**, of Knowles Marks & Randolph, P.A., has been named to the 1997-98 Board of Directors of the Tallahassee Area Chamber of Commerce.

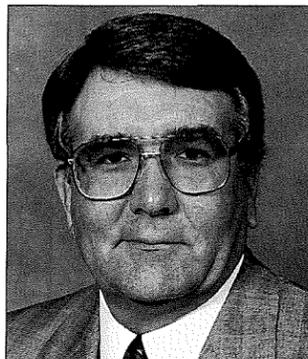
'73



**John Marshall Kest**, of Wooten, Honeywell and Kest, P.A., Orlando, was elected to serve on The Florida Bar Board of Gov-

ernors, Ninth Judicial Circuit, Seat Three, for 1997-98. Kest also is Secretary of the American Board of Trial Advocates, and is President-Elect of FSU College of Law's Alumni Association.

'74



**James B. Loper** has been elected President of the Board of Directors of the Tampa United Methodist Centers, one of the oldest human services agencies in Central Florida.

**John A. Sampson, III** has been appointed General Master of the Fourth Judicial Circuit, Duval County.

**George E. Tragos**, Clearwater, received the outstanding service award from the Criminal Law Section at The Florida Bar Annual Meeting in Orlando. He also received this award in 1995. Tragos, currently Secretary of the Section, served most recently as Treasurer and as its liaison to the Florida Association of Criminal Defense Lawyers.

'75

**Drucilla E. Bell** has relocated her main office to 200 Windward Passage, Office #1, Island Estates, Clearwater, FL 34630, phone (813) 466-6080.

**F. Phillip Blank**, of Blank, Rigby & Meenan, published

"The 1997 Amendments to Florida's Certificate of Need Law," in the October issue of *The Florida Bar Journal*.

**Michael A. Currea** has moved his law offices to The Courtyards, 8181 N.W. 36th St., Suite 27-C, Miami, FL 33166, phone (305) 470-9335, fax (305) 470-9731.

**Margaret-Ray Kemper** has become a partner with Ruden, McClosky, Smith, Schuster & Russell, P.A., in their Tallahassee office.

**Gerald B. Sternstein** has formed the firm of Sternstein, Rainer & Clarke, P.A., with offices at 314 North Calhoun St., Tallahassee, FL 32301, phone (850) 577-6557, fax (850) 577-6599. He recently was named a Leading Florida Attorney in Health Law in the American Research

Corporation's *Law and Leading Attorneys*.

'76

**Judge Terry Lewis**, who has served as judge in Leon County since 1988, was appointed by Gov. Lawton Chiles to a seat on the Second Circuit. He assumes his new office in January 1998.

**Michael S. Rosier**, a Washington, D.C.-area criminal defense attorney, has appeared several times on CNN's legal show, *Burden of Proof*.

'77

**Edwin P. Krieger, Jr.**, has relocated from Colorado and is currently of counsel to the firm of Yerrid Knopik & Mudano, P.A., in their offices at 101 East Kennedy Blvd., Suite



**RICK GRANT '74,  
Retired Navy JAG**

**Rick Grant '74**, who retired earlier this year as the U.S. Navy's Judge Advocate General, has been named Chief Operating Officer of Municipal Code Corporation in Tallahassee. He joins another College of Law graduate, Lawton Langford '83, who is president of the company.

Founded in the early 1950s by Langford's father, Municipal Code is the largest publisher of municipal government ordinances in the country. In recent years, the company has broadened its base by expanding into specialized publications and online computer services.

Grant, who was a Navy flier before going to law school and retired with the rank of rear admiral, will focus on expanding the company's services and increasing Municipal Code's market base.

2160, Tampa, FL 33602-5148, phone (813) 222-8222.

'78



**John H. Mueller** is currently a partner in the firm of Smith, Clark, Delesie, Bierley, Mueller & Kadyk, P.A. Their offices are at 100 North Tampa St., Suite 2120, Tampa, FL 33601-2939, phone (813) 226-1880, fax (813) 226-1879.

'79

**Bruce Barkett** is a name partner in the firm now known as Collins, Brown, Caldwell & Barkett. Their offices are located at 756 Beachland Blvd, Vero Beach, FL 32963; phone (561) 231-4343.

**Miranda (Randi) F. Fitzgerald**, of Lowndes, Drosdick, Doster, Kantor & Reed, P.A., was named to chair the City of Orlando Customer Service Review Team.

**Chris Griffin** received the J. Crockett Farnell Contribution to Amateur Football Award from the Tampa Chapter of the National Football Foundation and Hall of Fame. Griffin, of Annis, Mitchell, Cockey Edwards & Roehn, Tampa, is president of the Outback Bowl. Griffin played varsity football for Florida State in the mid-1970s.

**Michael M. Hamrick**, of Hamrick, Perrey, Quinlin & Smith, P.A., can now be reached at P.O. Box 551, Bradenton, FL 34206, phone (941) 747-1871, fax (941) 745-2866.

**Frederick J. Lotterhos, III**, a partner in the Jacksonville office of Holland & Knight LLP, has received his board certification in business litigation law from The Florida Bar Board of Legal Specialization and Education. He also holds board certification in civil trial law.

**Thomas J. Maida** has joined with several partners in forming the law firm of Maida, Galloway & Neal, P.A., with offices at 300 East Park Ave., Tallahassee, FL 32301, phone (850) 224-3555, fax (850) 224-3101. The firm's practice will concentrate on matters involving administrative law, insurance law, and legislative representation.



**Belinda Quarterman-Noah**, of Tallahassee, has expanded her international law practice and will be working extensively in Europe and Africa on various global issues.

**Charles A. Sullivan, Jr.** has become managing partner of McFarland, Gould, Lyons & Sullivan, P.A., Clearwater.

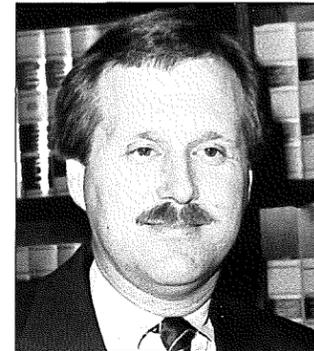
'80

**James F. Heekin, Jr.** has been confirmed by the Florida Senate to serve a second six-year term on The Florida Board of Regents, ending January 1, 2003. Heekin, a shareholder with the Orlando law firm of Lowndes, Drosdick, Doster, Kantor and Reed, P.A., previously served as BOR chairman and presently chairs its master plan committee.

**Donald Hinkle**, of Fonvielle, Hinkle & Lewis, P.A., Tallahassee, has been certified as a member of the Million Dollar Advocates Forum, limited to trial lawyers who have achieved a verdict or settlement amounting to \$1 million or more.

'81

**Wayne L. Helsby**, a partner with Allen, Norton & Blue, P.A., Orlando, has been appointed to the Orange County Bar Association Executive Committee.



**David A. King**, of Orange Park, authored the new Florida Stat-

**The Woman  
Behind the Deal:  
RANDI FITZGERALD  
'79**



When the *Orlando Business Journal* and the *Orlando Sentinel* report major land transactions in Central Florida, it's often old news to Miranda (Randi) Fitzgerald. As the land use attorney on many of these newsmaking projects, including the Ruby Lake Ranch property, the Lake Nona development, and Heathrow International Business Center, Fitzgerald was instrumental in putting the "deals" together. It is her job to represent the project developers in negotiations with state and local authorities, to secure approvals, and to maximize development potential while balancing the interests at hand. Fitzgerald, who practices in the real estate department of the Orlando firm of Lowndes, Drosdick, Doster, Kantor & Reed, P.A., has shown the value of bringing creativity as well as experience to navigating complicated mazes of public and private interests—from rezoning to satisfying environmental requirements to handling every issue and challenge of the often difficult proceedings.

ute Section 201.02(7), which became effective on July 1, 1997, exempting deeds between divorcing spouses from documentary stamps.

**Robert C. Martin** announces the relocation of his law firm, now known as Martin & Bennis, P.A., to 319 S.E. 14th St., Ft. Lauderdale, FL 33316, phone (954) 524-5331, fax (954) 522-8610.

'82

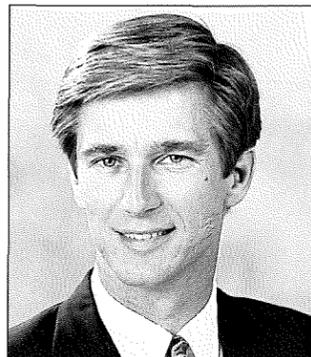
**Elizabeth McArthur** has joined the firm of Katz, Kutter, Haigler, Alderman, Bryant & Yon, P.A., in their offices at 106 East College Ave., 12th floor, Tallahassee, FL 32301, phone (850) 224-9634, fax (850) 222-0103. McArthur was elected to the Executive Council of The Florida Bar Administrative Law Section and chairs its membership committee. She spoke recently at a Florida Bar-sponsored seminar on litigation under the new Florida Administrative Procedure Act.

'83

**Mark P. Barnebey**, Senior Assistant Attorney for Manatee County, was elected Secretary/Treasurer for the City, County and Local Government Law Section of The Florida Bar. Barnebey lectured on land use law for The Florida Bar City, County and Local Government Law certification exam course for the second year and spoke on private property rights for the CLE International course on Regulatory Takings.

**Dean B. Morphonios** has established Dean Morphonios, P.A., with offices at 610 North Duval St., Tallahassee, FL 32301, phone (850) 224-8828, fax (850) 224-2283. The firm will specialize in the areas of family and criminal law.

**Timothy L. Newhall**, of Hamrick, Perrey, Quinlin & Smith, P.A., is at P.O. Box 551, Bradenton, FL 34206, phone (941) 747-1871, fax (941) 745-2866.



**Alexander Muszynski, III**, is a partner in the recently established firm of Meir, Lengauer, Bonner, Muszynski & Doyle, P.A., with offices at 315 East Robinson St., Suite 555, Orlando, FL 32801, phone (407) 872-7774, fax (407) 872-7997.

**Alan Wagner** represented FSU in a contract dispute involving a former women's basketball coach, donating a large portion of his fee to the university.

'84

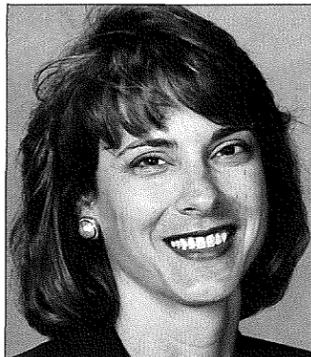
**Randall W. Hanna**, of Bryant, Miller & Olive, P.A., has been named to the 1997-98 Board of Directors of the Tallahassee Area Chamber of Commerce.

**Anne L. McGihon** of McGihon & Associates, P.C., Denver, Colorado, has been elected chair of the Denver Business & Economics Council.

**James M. Porter**, a partner in the Miami office of Holland & Knight LLP, was appointed to a one-year term as co-chair of the Environmental Law Committee of the Dade County Bar Association. He was also named editor of the Association's quarterly *Florida Air & Waste Management Newsletter*.

'85

**Ralph A. Demeo**, of Hopping Green Sams & Smith, P.A., wrote an article entitled "By the Way, More APA," which appeared in the October issue of *The Florida Bar Journal*.



**Lynn Futch**, a partner in the Ft. Lauderdale office of Conrad, Scherer & Jenne, was installed as President-Elect of the Broward County Bar Association. She recently served as a member of the Board of Governors of the Young Lawyers Division of The Florida Bar and as an appointee to The Florida Bar Joint Presidential Advertising Task Force.

**Kevin W. Wood** has joined Commonwealth Land Title Insurance Company as Assistant Vice President/Counsel of the firm's national title service. The company is located at 3350 Cumberland Circle, Suite 1895, Atlanta, GA 30339, phone (770) 980-9440, fax (770) 980-9799.

'86

**Forrest K. Clinard** has announced the opening of his new law offices at Tower Place, Suite 2615, 3340 Peachtree Street NE, Atlanta, GA 30326, phone (404) 842-2636. He concentrates in the areas of commercial and personal injury litigation.

**Anthony J. DiFilippo, Jr.**, announces the relocation of the offices of DiFilippo & Clark, P.A., to 4239 Sunbeam Rd., Suite 6, Jacksonville, FL 32257, phone (904) 443-7449.

**Sherry Grant Hall** and **Steven K. Hall** announce the relocation of Hall and Runnels to 36468 Emerald Coast Pkwy, Suite 2201, Destin, FL 32541, phone (850) 837-9166, fax (850) 837-9027.

**Harry T. Hackney** has opened his law office at 14229 U.S. Highway 441, Tavares, FL 32778, phone, (352) 343-0770, fax (352) 343-6005.



**Michael A. Shorstein**, of Shorstein & Kelly, P.A., in Jacksonville, has been appointed by the Secretary for the Department of Business and Professional Regulation to serve on the Board of Directors of the Florida Engineers Management Corporation, a non-profit corporation established by the Florida Legislature to provide administrative, investigative and other services to the Board of Professional Engineers.

**Rebecca Southwell (Conlan) Daffin** was appointed by Sen. Bob Graham to a four-year term on the Judicial Nominating Commission of Florida. Daffin, a sole practitioner specializing in labor and employment law, has moved her office to Panama

City, where she recently was elected to serve on the Board of Directors of Bay Bank & Trust Co. Her office address is 509 Harrison Avenue, Panama City, FL 32401, phone (850) 769-0012.

'87

**Meredith Charbula** has become the Florida State University Deputy General Counsel, in Tallahassee.

**J. Scott Nooney** has announced the opening of his private practice, located at 1819 Hendricks Ave., Suite 2, Jacksonville, FL 32207, phone (904) 398-1992, fax (904) 399-1718. He will continue to specialize in personal injury litigation.

**David L. Powell**, a shareholder at Hopping Green Sams & Smith, P.A., Tallahassee, was appointed by Gov. Lawton Chiles to serve as chairman of the Public Schools Construction Study Commission. The 17-member group will make recommendations for improvements in state laws relating to school planning, siting, and

concurrency requirements of Florida's Comprehensive Plan.

**Lansing C. Scriven**, of Trenam, Kemker, Scharf, Barkin, Frye, O'Neill & Mullis, Tampa, has been elected President of the Board of Directors of the Gasparilla Festival of the Arts, Inc.

'88

**Patrick T. Bergin** is now with Bryant, Clark, Dukes, Blakeslee Ramsay & Hammond, P.L.C., with offices at 2223 14th St., Gulfport, MS 39502, phone (601) 863-6101, fax (601) 868-9077.

**Rick A. Buchwalter** has joined Raymond James & Associates, Inc., a member of the New York Stock Exchange/SIPC, as Vice President of Office Services. He is responsible for safety and security at the firm's corporate headquarters in St. Petersburg, Florida.

**Michael W. Jackson**, a municipal judge in Selma, Alabama, was selected by the Alumni Association Board of

Directors of Centre College in Danville, Kentucky, to receive its Distinguished Young Alumni Award, in October.

**Lisa M. Sutton** has announced the opening of Coia & Sutton, P.A., in offices at 11900 Biscayne Blvd., Biscayne Centre, Suite 700, Miami, FL 33181, phone (305) 891-7595, fax (305) 891-1961.

'89

**Anita Clark Pryor** has become a partner with Brown, Terrell, Hogan, Ellis, McClamma & Yegelwel, P.A. Their office is in the Blackstone Bldg., Suite 804, 233 East Bay St., Jacksonville, FL 32202, phone (904) 632-2424.

**John A. Rogers, Jr.**, Senior Vice President and General Counsel for the Florida Retail Federation, was named 1997 Executive Member of the Year by the Florida Society of Association Executives, at a July awards banquet.

'90

**Rafael Gonzalez**, of Barrs,

Williamson, Stolberg, Townsend & Gonzalez, P.A., Tampa, is editor of The Florida Bar Workers' Compensation Section "News and 440 Report," which recently published the 1997 special legislative issue. Gonzalez also has published an article entitled "Florida Workers' Compensation Permanent Impairment Benefits: A Historical Review and Plea for Re-examination of the 1994 Statutory Amendments" in the *St. Thomas University Law Review*.

**Marianne Lloyd** is with Dale, Bald, Showalter & Mercier, P.A., in their offices at 200 West Forsyth St., Suite 1100, Jacksonville, FL 32202, phone (904) 355-1155, fax (904) 355-1520.

**Helene S. Mayton**, of Tallahassee, was named to the Board of Directors of Tallahassee Women Lawyers for 1997-98.

**Samuel P. Queirolo**, of Holland & Knight, LLP, in Tampa, has been certified as a Real Estate Specialist by The Florida Bar Board of Legal Specialization and Education.

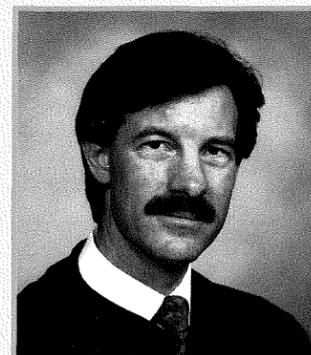
'90

**Michael F. Andrews** has been appointed by Gov. Lawton Chiles as a Pinellas County Court Judge in the Sixth Judicial Circuit, in St. Petersburg.

**Nina Ashenafi**, of the Florida Education Association United in Tallahassee, was named Vice President of Tallahassee Women Lawyers for 1997-98.

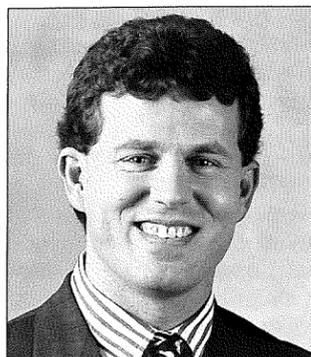
**Jesse R. Dillard, Jr.** announces the opening of his private practice at 4801 East Independence Blvd., Suite 1000, Charlotte, NC 28212, phone (704) 535-6116, fax (704) 535-8113. His practice concentrates on personal injury, workers' compensation, traffic and bankruptcy law matters.

### Writing Novels Poses No Conflict of Interest for JUDGE TERRY LEWIS '76



Just when it seems that attorneys-turned-best-seller-authors John Grisham and Scott Turow can't write fast enough to satisfy an increasingly sophisticated public's desire for legal thrillers, along comes Terry Lewis '76. Lewis, whose day job is changing in January from a Leon County judge to a Second Circuit judge, recently published *Conflict of Interest*, his first murder mystery, to promising reviews. His story, set in Tallahassee, is told from the point of view of Ted Stevens, an alcoholic lawyer who has been called upon to act as defense counsel in a case involving the murder of a newspaper reporter. The fact that the victim also was his secret lover provides for dramatic twists and turns, as Stevens struggles with concealing evidence, and the reader wonders: Did Stevens have something to do with the crime during one of his alcohol-induced blackouts?

Lewis worked on the novel for five years, during which time he took classes in the FSU English department's creative writing program.



**William L. Grant**, of Maguire, Voorhis & Wells, P.A., Orlando, has been appointed chairman of the Construction Law Committee of the Orange County Bar Association.

**Wendy Morris**, of the Florida Board of Regents, was named President of Tallahassee Women Lawyers for 1997-98.

**Guillermo E. Pena** has relocated his offices to Rivergate Plaza, 444 Brickell Ave., Suite 928, Miami 33131, phone (305) 377-1119.

'92

**Horace Broadnax** has been named head basketball coach at Bethune Cookman College in Daytona Beach.

**Michael P. Bruyere** has left Tallahassee to join the firm of Jones, Day, Reavis & Pogue in their offices at One Peachtree Center Suite 3500, 303 Peachtree St., Atlanta, GA 30308, phone (404) 521-3939.

**Maria Isabel Matthews** of Tallahassee, was named treasurer of Tallahassee Women Lawyers for 1997-98.

**Salesia V. Smith** has relocated her offices to 759 South Federal Highway, Suite 312, Stuart, FL 34994, phone (561-219-4411).

'93

**Cynthia J. Brennan** has been appointed Treasurer of the Orange County Bar Association Young Lawyers Section. She is an attorney in the Orlando office of Holland & Knight, LLP, practicing in the areas of commercial litigation and labor and employment law litigation.

**Eucharis E. Nnadi-Okolo** is the Vice President for Academic Affairs at University of Maryland Eastern Shore, in Princess Anne. Dean Nnadi-Okolo can be reached at (410) 651-6508, fax (410) 651-6085.

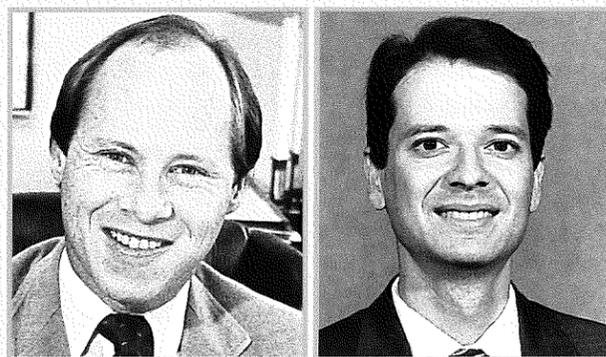
'94

**David Barberie** is an associate with Shumaker, Loop & Kendrick, LLP, 101 East Kennedy Blvd., Barnett Plaza, Suite 2800, Tampa, FL 33602, phone (813) 229-7600.

**James W. Gustafson, Jr.**, has joined the firm of Masterson, Masterson & Lopez in their offices at 699 First Ave., N., St. Petersburg, FL 33701, phone (813) 896-3641. His practice is concentrated in the areas of personal injury, wrongful death, and claims involving medical malpractice.

**Scott Maddox**, Mayor of Tallahassee, has been named to the 1997-98 Board of Directors of the Tallahassee Area Chamber of Commerce Economic Development Council.

**Austin B. Neal** has joined with several partners in forming the law firm of Maida, Galloway & Neal, P.A., with offices at 300 East Park Ave., Tallahassee, FL 32301, phone (850) 224-3555, fax (850) 224-3101. The firm's practice will emphasize matters involving administrative law, insurance law, and legislative representation.



JENNE

VILLALOBOS

### KEN JENNE '72 AND ALEX VILLALOBOS '88 consider higher offices

The number of veteran lawmakers ready, willing and able to seek election to Florida's six cabinet posts is about to multiply. Topping the list, according to a June 1997 *Wall Street Journal* article, are College of Law graduates **SEN. KEN JENNE '72** and **REP. ALEX VILLALOBOS '88**. They are among the dozens of state legislators who will soon vacate their current positions due to the 1992 constitutional amendment limiting legislators to eight years in office.

According to the article by the *Journal's* staff writer John D. McKinnon, most of those interviewed showed interest in running for either Attorney General or Commissioner of Insurance, or, as in the case of Ft. Lauderdale Democrat Jenne, both. Jenne may step aside for the time being, however. A 1988 candidate for the insurance commissioner post, he now sees that job as having lost its strength, given the national and international character of today's insurance industry. That leaves the attorney general position, which Jenne says he would not seek unless his friend and former colleague Bob Butterworth steps aside.

Villalobos, a Miami Cuban-American who made his mark in the House since it came under his party's control, also has his eye on the attorney general slot. But then there is a good chance that first he'll solidify his base in the state with a bid for the Florida Senate. As chairman of the criminal-justice budget committee, the Republican lawmaker has undertaken an ambitious program to fight crime with better education opportunities for at-risk inner-city children.

Jenne and Villalobos are among dozens of College of Law graduates who have risen to prominence in the legislature, judiciary and executive branches of government in recent years. As the law school's alumni body continues to grow, many more will surely follow.

**David Oxamendi** has left Miami and has joined the firm of Jaroslawicz & Jaros at 150 William St., 19th Floor, New York, NY 10038. His area of concentration is plaintiff's medical malpractice, products liability, and personal injury.

**Davage J. Runnels, III** announces the relocation of Hall and Runnels to 36468 Emerald Coast Pkwy, Suite 2201, Destin, FL 32541, phone (850) 837-9166, fax (850) 837-9027.

**William L. Sundberg** has announced the opening of Sundberg & Hessman, P.A. with offices at 2012 N. Pointe Blvd., Suite F, Tallahassee, FL 32308, phone (850) 385-7200.

'95

**Luis A. "Tony" Cabassa** has become associated with Fechter & Dickson, P.A., in their new offices at 1201 Swann Ave., Tampa, FL 33606, phone (813) 254-2404.

**Michael W. Carlson** has joined Emmanuel, Smith & Cutler,

P.A., practicing general litigation, administrative law and appellate law, in their offices at 215 Monroe St., Tallahassee, FL 32301, phone (850) 224-1585.

**Christy Donovan**, an Assistant County Attorney in the Pinellas County Attorney's Office, was chosen to sing the national anthem at the ACC Baseball Tournament in June.

**Mark H. Gelman** has taken a position with the firm of Cole, Stone, Stoudemire & Morgan, P.A., in their offices at 76 South Laura St., Jacksonville Center, Suite 1700, Jacksonville, FL 32202, phone (904) 353-9664, fax (904) 353-1055.

**James E. Hurley** has joined the firm of Kelley Drye & Warren LLP, in their Miami offices. He will be working with both the Real Estate and Corporate Practice groups.

**Jeanne M. Miller**, a Jacksonville attorney, was appointed to the City of Jacksonville's Municipal Code Enforcement Board, Urban Core District, and has been elected chairperson.

**Joy Stubbs**, of the Florida Attorney General's office, Tallahassee, was named secretary of Tallahassee Women Lawyers for 1997-98.

**Jessica M. Varn** has taken a position with the First District Court of Appeal in Tallahassee, 301 M.L. King, Jr., Blvd., Tallahassee, FL 32399-1850.

**Tina M. Willis** has become an associate at Lord, Bissell & Brook in Chicago. She practices in the area of employment litigation and counselling, with a concentration in sexual harassment, the Americans with Disabilities Act, and the Family and Medical Leave Act.

'96

**Shannon M. Baer** has joined the firm of Adams, Hill, Reis, Adams, Hall & Schieffelin in their offices at 1417 East Concord St., Orlando, FL 32803, phone (407) 896-0425, fax (407) 896-9236.

**Shannon D. Bream** is an associate at Allen Norton & Blue, P.A. (formerly Hogg, Allen, Norton & Blue, P.A.) in its office at 324 South Hyde Park Ave., Suite 350, Tampa 33606, phone (813) 251-1210.

**Michael Buckner** has published "The Adequacy Provision in the Florida Constitution: The Next Step after Coalition for Adequacy and Fairness in School Funding, Inc. v. Chiles" in the October issue of *The Florida Bar Journal*.

**Ronald A. Christaldi** published "Florida's Water Future: A Legislative Proposal for the Distribution of Water Resources in Florida" in the June issue of *The Florida Bar Journal*. An earlier version of the article appeared in the *College's Journal of Land*

*Use & Environmental Law*, of which he was editor-in-chief. Christaldi practices with de la Parte, Gilbert & Bales, P.A., in Tampa.

**Robert P. Harris**, Assistant Public Defender for the Twentieth Judicial Circuit, addressed a group of state senators and representatives, judges, attorneys, domestic violence counselors and law enforcement officers attending a seminar on "Domestic Violence—Safety or Due Process?" at Lee Memorial Hospital in May.

**William H. Hollimon** has joined the firm of Ausley & McMullen, P.A., as an associate in their office at 227 South Calhoun St., Tallahassee FL 32301, phone (850) 224-9115, fax (850) 222-7560. Hollimon, formerly a professional engineer, will be practicing in the areas of administrative, environmental, and land use law.

**Stacey L. Kenny** is an associate at Allen Norton & Blue, P.A. (formerly Hogg, Allen, Norton & Blue, P.A.) in its office at 215 South Monroe St., Suite 305, Tallahassee 32301, phone (850) 561-3503.

**Pablo S. Quesada** has joined the litigation department of Zack, Sparber, Kosnitzky, Spratt & Brooks, P.A., in their offices at One International Place, Suite 2800, 100 S.E. Second St., Miami, FL 33131, phone (305) 539-8400.

**Craig D. Varn** has taken a position with Ausley & McMullen, P.A., in their offices at 227 South Calhoun St., Tallahassee, FL 32301, phone (850) 224-9115, fax (850) 222-7560.

### STEVEN KELLEY '88 needs your help in battle with Hodgkins Disease

Two and a half years ago, Steven Kelley watched his younger brother die of leukemia. Little more than a year later the Kelley family received another dose of devastating news when Steven was diagnosed with Hodgkins Disease, a form of cancer that infects the lymph nodes and lymphoid tissues.

Kelley, an attorney with Whitehurst, Cohen & Blackburn, in Thomasville, Georgia, has been undergoing chemotherapy. However, he has been advised that he must undergo a costly stem-cell transplant. So far, his insurance company is refusing to pay and litigation is in process.

Anyone wishing to help make a financial contribution to the Steven Kelley Benefit Account at the Bank of Thomas County, P.O. Box 2368, Thomasville, GA 31799.

'97



Ellen M. Avery has joined the Orlando office of Foley & Lardner as an associate, in its environmental department. Her office address is 111 North Orange Ave., Suite 1800, Or-

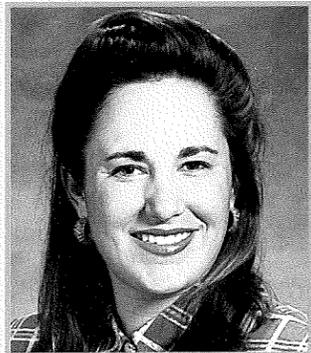
lando, FL 32801, phone (407)423-7656, fax (407) 648-1743.

Alejandro Espino has taken a position with Cummings and Thomas, P.A., in their offices at 1004 DeSoto Park Dr., Tallahassee, FL 32301, phone (850) 878-3700.

IN MEMORIAM

Stephen J. Kubik, '76, an attorney with Bryant, Miller and Olive, Tallahassee, died on June 6, of cancer. An Iowa native, he had lived in Tallahassee since 1973.

**STEPHANIE REDFEARN '95 Named Most Productive Young Lawyer For 1997**



Stephanie Williams Redfearn has been named Florida's Most Productive Young Lawyer for 1997. In addition to her regular practice as a litigation associate with Ausley & McMullen in Tallahassee, Redfearn has devoted countless hours to her public service interests. Her credits include chairing the Young Lawyer's Seminar on Professionalism at the College of Law, lecturing on landlord-tenant law during The Tallahassee Bar's Law School for Laymen, representing clients pro bono before circuit and county courts in family law, probate and landlord-tenant matters, mediating at the Neighborhood Justice Center, serving as president-elect of the Young Lawyers Division and the Kappa Delta Alumnae Board of Tallahassee.

Redfearn's honor is the second in two years for an FSU law graduate. Donna Blanton '92 won the title in 1996.

The Florida Bar Administrative Law Section and the Florida State University College of Law present

**Retail Electric Competition: Legal & Policy Issues**

Course Classification: Intermediate Level (Course #1080 8R)

February 6, 1998

Florida State University College of Law

B.K. Roberts Hall, Room 101

425 W. Jefferson Street, Tallahassee

For additional information, please contact Jackie Werndli, section administrator at the Florida Bar. Email address: jwerndli@flabar.org

Ever wonder how to get in touch with your classmates?

Order your FSU College of Law Alumni Directory Today.

To order your directory, send \$25 to: Alumni Directory, Florida State University College of Law, Office of Alumni Affairs, Tallahassee, FL 32306-1034.

FOR MORE INFORMATION, CALL (904) 644-7260

Homecoming Scenes, 1997



CLASS OF 1972



CLASS OF 1977



CLASS OF 1987

REUNIONS OF THE COLLEGE OF LAW CLASSES OF 1972, 1977 AND 1987 HIGHLIGHTED THE 1997 HOMECOMING WEEKEND, FRIDAY, OCTOBER 31, AND SATURDAY, NOVEMBER 1. ALUMS ENJOYED A VARIETY OF ACTIVITIES AND MANY WATCHED THE SEMINOLES DEFEAT NORTH CAROLINA STATE AT DOAK CAMPBELL STADIUM ON SATURDAY AFTERNOON. OTHER WEEKEND HIGHLIGHTS INCLUDED THE FSU HOMECOMING POW WOW FRIDAY NIGHT, A LAW SCHOOL ALUMNI BOARD OF DIRECTORS MEETING SATURDAY MORNING, AND A PRE-GAME TAILGATE PARTY ON THE VILLAGE GREEN. ALUMNI PARTICIPATING IN HOMECOMING WEEKEND EVENTS TOTALED MORE THAN 350.

Dear Alumni:

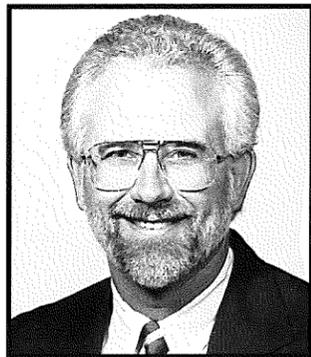
This is an exciting time for the Florida State University College of Law as we enter a new era under a new dean, Paul LeBel. Dean LeBel comes to us from a rich academic background at William and Mary and brings to the law school a fresh viewpoint and a wealth of experience. We are exceptionally pleased that Dean LeBel accepted the position. He was the unanimous first choice of the selection committee that was composed of faculty and alumni.

The Alumni Association in the past three years has significantly increased its involvement in, and support of, all the law school's programs. The continued activity and support of the Board is particularly important this year as we assist Dean LeBel in establishing new goals and directions for the law school. There are tremendous opportunities for alumni to "reconnect" with the law school, not only to lend support for its continued growth, but also to draw from its vast well of resources.

A principal focus of the Board's activities this year will be assisting Dean LeBel in fund raising. As many of you know, major gifts to the law school in the past three years have had a tremendous impact on our ability to improve the educational program funding at a time when funding growth from the state has been stagnant. In the past three years, major gifts to the law school have established the John and Ashley Frost Professorship, the Steven M. Goldstein Memorial Fund and Professorship, the Fonvielle and Hinkle Professorship, the Talbot "Sandy" D'Alemberte Professorship, the Patricia A. Dore Professorship, and the Wayne Hogan Endowment in Civil Trial Justice.

One area of giving in which we need to make the greatest improvement is individual annual giving. There will be a significant effort by class representatives and the Board to generate additional book awards and to increase the number of our alumni in a program of personal annual donation planning. When you receive our calls, please be receptive and generous in your response.

Beyond fund raising efforts (which are headed up by our Resource Development Committee under the direction of Rich Hadlow and vice chair, Maryanne Morgan), the Board has two other standing committees with important goals for the coming year. The Placement and Professional Mentoring Committee, under Rob Clarke, is charged with contacting superior student candidates who have been accepted for admission to the law school but who have not made a final choice of which law school they will



DOUG SPEARS

attend. This is an effort to be sure that the incoming class includes the best, brightest and most diverse group. The relationships established between alumni and these students will continue after the students have accepted admission to Florida State, into their education and as they progress toward the practice of law. The Committee will also conduct a series of interviewing seminars for students at the law school during the fall and spring semesters of the coming year.

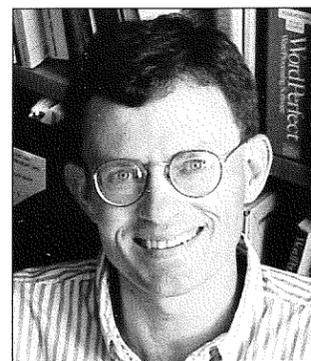
The Professional Enrichment and Institutional Evolution Committee, under the direction of Jeanne Miller and vice chair Frank Sheppard, will continue efforts to positively address and affect valuations of the law school for the purpose of improving published rankings with periodicals and organizations such as *U.S. News*. These rankings are routinely relied upon by prospective students and employers, and alumni can play an important role in keeping the law school's reputation on the rise. The committee is also charged with developing faculty enrichment and professional opportunities for law school professors to make visits around the state, sharing their particular expertise with bar groups, through CLE activities, alumni events and direct interaction with private law firms. This is a particularly valuable opportunity for alumni to draw on the vast base of resources available through the College of Law and its eminent faculty.

We hope as many alumni as possible join with us to be part of these activities first hand. We encourage you to attend our two alumni board of directors meetings each year, at the annual Florida Bar convention in June, and during homecoming weekend. This is an organization serving you and the law school. I believe that as you learn more about our programs and goals, you will want to become more active in our efforts. I look forward to seeing you around the state.

DOUG SPEARS, *Class of 1983*

## FACULTY NOTES

**Paolo Annino** was appointed Legislative Chair of the Disability Law Committee at the annual meeting of the Executive Council of the Public Interest Law Section of the Florida Bar, in June. In October he was an invited speaker at the meeting of the Young Lawyers Division at the ABA conference in Tampa. His topic was psychological testing and the new Supplemental Security Income rules for children. Under the federal Welfare Reform Act, hundreds of thousands of children will be losing their SSI benefits, and his goal was to educate pro bono attorneys on litigation strategies and the use of psychological testing to prevail at administrative hearings.



**Rob Atkinson** was appointed to the Board of Advisors for the National Center on Philanthropy and the Law. In October, he presented a paper at the ninth annual conference on Philanthropy and the Law at the New York University School of Law. The presentation was based on an article,

"Unsettled Standing: Who (Else) Should Enforce the Duties of Charitable Fiduciaries?" that will be published in the summer 1998 symposium issue of the *Journal of Corporate Law*.

**Meg Baldwin's** "Public Women and the Feminist State," appeared in the *Harvard Women's Law Journal* (1997). The article is an exploration of an expanded role in feminist philosophy for the public aspect of women's lives. She critiques the predominant approach in feminist philosophy and politics that emphasizes the privatization of the role of women, using concrete examples that illustrate the limiting consequences of that prevailing view. In November, Baldwin served as a facilitator for a training workshop in Jacksonville for lawyers who are volunteering to work with the domestic violence legal hotline program established through a grant under the federal Violence Against Women Act.

**April Cherry** has published "Social Contract Theory, Welfare Reform, Race, and the Male Sex-Right" in the *Oregon Law Review* (45:4, 1997). The target of the article is the social contractarian justification offered for recent federal welfare reform legislation. In it she critiques representatives of both classical and contemporary social contract theory by identifying and challenging material inequality and gender subordination premises embodied in the structure of that theory. The latest issue of the *Wisconsin Women's Law Journal* includes Cherry's "Choosing Substantive Justice: A Discussion of 'Choice,' 'Rights' and the New Reproductive Technologies." In this expanded version of an address given at the University of Wisconsin, Cherry demonstrates how the rhetoric

of choice and the language of rights can mask underlying inequalities and injustice when viewed from a feminist perspective.

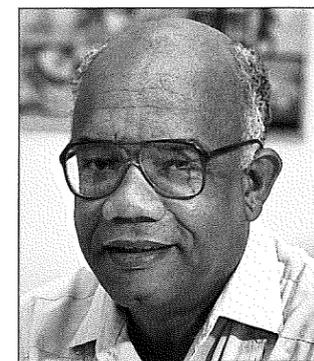
**Mark Duedall** took part in a panel discussion on law school admissions, the law school experience and legal careers for FAMU's Hatchett Pre-Law Society as part of Florida A&M University's pre-law week, in October. He also gave a sample first-year class to the group.

**Chuck Ehrhardt's** *Florida Trial Objections*, was recently released by West Publishing Co. The book is a courtroom guide to making and responding to evidentiary objections, with a quick reference to the authoritative sources.

**Frank Garcia** has published several articles. "Americas Agreements — An Interim State in Building the Free Trade Area of the Americas" appeared in the *Columbia Journal of Transnational Law* (35:1, 1997). "Decisionmaking and Dispute Resolution in the Free Trade Area of the Americas: An Essay in Trade Governance," which appears in the *Michigan Journal of International Law* (18:2, 1997), offers a theoretical construct for implementing the hemispheric free trade arrangement proposed in 1994. Drawing on international organization theory in political science, Garcia demonstrates how international governance issues can be shaped to promote the economic integration aims underlying the proposal. A review/essay on Surya Sinha's *Legal Polycentricity and International Law* in the *Virginia Journal of International Law* (36:4, 1997) presents a critical analysis of this work of international theory, identifying its important insights as well as its shortcomings. In November, Garcia

appeared on the Bobby Bowden show as the featured professor, to discuss his work in international law and international trade.

**Steve Gey's** article entitled "Free Exercises?" appeared in the July issue of *Liberty*, "A Magazine of Religious Freedom," published by the Seventh Day Adventist Church. The article highlights the tension between conduct based on religious belief and the state control of conduct in general.



**Elwin Griffith**, chairman of the board of the Florida Association of Voluntary Agencies for Caribbean Action, met in September, in Barbados, with U.S. Ambassador Jeanette Hude, Hon. Phillip Goddard, Minister of International Business, and Hon. David Simmons, Q.C., Attorney General, to discuss FAVA/CA's program in the Caribbean. The organization places volunteers throughout Latin America and the Caribbean to assist in development programs in the region. In October he attended a meeting of the Cave Hill Campus Council, University of the West Indies, Barbados. He was elected to that governing body last year. "The Road Between the Section 212(c) Waiver and Cancellation of Removal Under Section 240A of the Immigration and Nationality Act" appears in the December *Georgetown Immigration Law*

*Journal*. "Truth in Lending—The Right of Rescission, Disclosure of the Finance Charge, and Itemization of the Amount Financed in Closed-End Transactions" appears in the December *George Mason Law Review*.

Sally Hadden's (FSU history department) developed a Legal History II class website that was featured in July as a "site of the

week," in *Jurist*, a compilation of legal education resources on the Internet. Look for *Jurist* at <http://www.law.pitt.edu/hibbitts/jurist.htm>. Look for Legal History II at <http://mailer.fsu.edu/~shadden/Legal19.htm>. Look for her main page, The History Jumpgate, at <http://mailer.fsu.edu/~shadden/>

Adam Hirsch has had two articles excerpted in the new edition of Ritchie, Alford & Elffland's *Cases and Materials on Decedents' Estates and Trusts*, to be published in 1998 by Foundation Press. The articles are "A Qualitative Theory of the Dead Hand," (co-authored, 1992) and "Spendthrift Trusts and Public Policy: Economic and Cognitive Perspectives" (1995).

Larry Krieger was appointed vice-chair of The Florida Bar's Life/Stress Management Committee.

Sylvia Lazos participated as a commentator on the Raced Citizenship panel on a symposium/workshop on "Taxation in a Democracy" at the law school at SUNY Buffalo, in September.

Doug Litowitz's "Jury Nullification: Setting Reasonable Limits," which appears in the latest issue of the *Chicago Bar Association Record* (11:6), reviews the history and philosophy of jury nullification, concluding that it has an important but quite limited role to play and that jurors ought to be treated "as grown-ups who can deal with being told the full extent of their power and the dangers it brings." The article won the *CBA Record* writing contest.



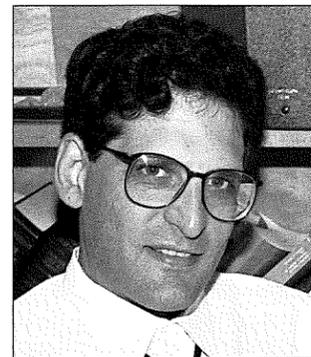
Ann McGinley has published a new article, "The Emerging Cronyism Defense and Affirmative Action: A Critical Perspective On the Distinction Between Color-Blind and Race-Conscious Decisionmaking Under Title VII" in 39 *Arizona Law Review* 1003 (1997). The article compares the law's treatment of cronyism and affirmative action, proposing that the mere use of (or failure to use) race in decisionmaking should not determine whether an employer is liable for race discrimination under Title VII of the Civil Rights Act. She has recently been appointed a Special Consultant to the Florida Constitution Revision Commission and will advise the Declaration of Rights Committee on legal and constitutional issues concerning equal opportunity and parental consent to abortion.

Jordan Paust, who held the Ball Eminent Scholar Chair in International Law last spring, has acknowledged that his article entitled "Race-Based Affirmative Action and International Law," in the most recent *Michigan Journal of International Law*, was written during his time visiting FSU.

Jim Rossi spoke at a Workshop on the Deregulation of the Electricity Market at the Chicago-Kent College of Law in October. The workshop, sponsored by the

law school's Program on Energy and Environmental Law, brought together lawyers and academics to consider the legal implications of introducing competition into the provision of electricity. Rossi has written on the duty to serve and retail competition in electricity. Rossi recently was appointed vice chair of the State Administrative Law and Publications committees of the Administrative Law & Regulatory Practice Section of the ABA. His interview on lay participation under Florida's APA was aired on the Nov. 11 "To the Forefront," a half-hour radio show on WMNF, 88.5 FM in Tampa, hosted by (a somewhat outspoken) Tampa community activist, Helen LaCount. The topic was initiated by some recent challenges to the school board in Tampa. They discussed the APA generally, lay participation in administrative proceedings, qualified lay representatives, and related problems. Rossi has completed the planning for a conference on Retail Electric Competition: Legal and Policy Issues, cosponsored by the College of Law and the Administrative Law Section of The Florida Bar. The conference will be held at the College of Law on February 6, 1998.

Edwin M. Schroeder made a presentation on Vendor-Neutral Citation at the 1997 Annual Education Meeting of the Florida Conference of District Court of Appeal Judges, in October. In the emerging world of on-line publication of legal materials, a number of courts have been wondering whether the systems of citation relying on West Publishing and other commercial providers need to be modified.



Mark Seidenfeld testified before the Florida Constitution Revision Commission at a September public hearing in Tallahassee. He addressed the Commission on the initiative process for constitutional revision.

Lois Shepherd's article on "Sophie's Choices; Medical and Legal Responses to Suffering," which appeared in the *Notre Dame Law Review* (72:96, 1996), has been excerpted in the latest edition of the casebook on Health Care Law and Ethics published by Aspen Publishers. The quoted passages draw attention to specific legal and social cultural phenomena identified as having important consequences in new approaches to health care issues. In June she spoke to the Annual Health Law Teachers' Conference, in Newark, New Jersey, on "Genetics: Second Generation Issues." She has been invited to participate in a multidisciplinary colloquium, in February, sponsored by the Liberty Fund, on "Liberty, Tolerance and Social Sanction," to discuss the nature and role of tolerance in sustaining a free and responsible society.

Phil Southerland's article, "Conflict of Laws in Florida: The Desirability of Extending the Second Restatement Approach to Cases in Contract," appeared in *Nova Law Review* (21:777, 1997). The article is a critique of Florida's decisions

and projects how the restatement approach would work.

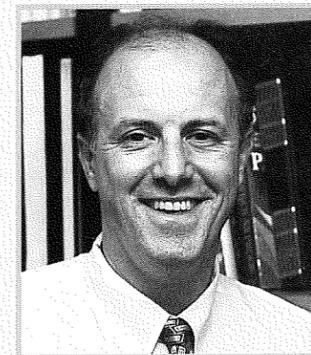
Jeff Stempel has become a regular contributing editor to the *Journal of Risk and Insurance*; he will report on recent court decisions concerning insurance coverage. He also was named to the Board of Editors of *Litigation Ethics*, a new semiannual periodical of the Committee on Ethics and Professionalism of The American Bar Association Section on Legal Ethics. His article "Beyond Formalism and False Dichotomies: The Need for Institutionalizing a Flexible Concept of the Mediator's Role," appeared in the *FSU Law Review* (24:949, 1997). Another article, "Bootstrapping and Slouching Toward Gomorrah: Arbitration Infatuation and the Decline of Consent," was published in the *Brooklyn Law Review* as part of a symposium on securities arbitration.

Jean Sternlight wrote the Practice and Perspective column, on Consumer Arbitration, in the June issue of *Juris Publishing's World Arbitration & Mediation Report*. The article comments on *Hill v. Gateway* as an example of recent court decisions that allow large companies to impose potentially unfair binding arbitration agreements on unwitting consumers. Also, she recently had the lead article, "Gateway Widens Doorway to Imposing Unfair Binding Arbitration on Consumers," in *Florida Bar News* (71:10). The article criticizes the increasingly common practice of putting an arbitration clause in the information given to consumers in a way that is unlikely to put them on notice that they have given up access to the court system. She shows how enforcement of such clauses is contrary to the

Magnuson-Moss Act, common law contract doctrines of offer and acceptance, Seventh Amendment right to jury trial and Fourteenth Amendment right to due process, and public policy protections to which the consumer ought to be entitled. The July issue of *Mealey's International Arbitration Report* featured her book review of Tom Carbonneau's *Cases and Materials on Commercial Arbitration* (1997), noting the author's extensive commentary, which Sternlight calls either a virtue or a flaw, depending on the reader. Comprehensive as well as analytical, both textbook and refer-

ence document, it is "a major contribution to the literature on arbitration," she writes. In July, she co-authored an amicus brief in *Duffield v. Robertson Stephens & Co.*, currently pending before the U.S. Court of Appeals for the Ninth Circuit. The case involves a claim of sex discrimination brought by Tonyja Duffield, a securities brokerage employee. The brokerage argued that Ms. Duffield could not litigate this claim in court, but rather must take it before a securities arbitration panel. The brief argues that the arbitration clause is void because it was involuntary and nonconsensual and, further, that the district court erred

### JEFFREY STEMPEL named Associate Dean for Academic Affairs



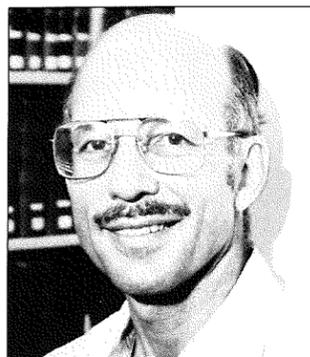
Jeffrey Stempel has been appointed associate dean for academic affairs at the College of Law by Dean Paul LeBel. He replaces Donna Christie who returned to full-time teaching duties at the beginning of the fall semester.

Stempel, who was named Fonvielle & Hinkle Professor of Litigation earlier this year, joined the College of Law faculty in 1995. Prior to coming to FSU, he was a tenured professor at Brooklyn Law School.

In accepting administrative duties, Stempel said he looked forward to working with "an active, energetic faculty teaching an exceptionally broad, deep and rich curriculum." He also cited the challenge of working on projects outside of the law school. "A particularly enjoyable aspect of the position is greater contact with alumni and the legal profession."

Stempel is a nationally recognized expert in dispute resolution and insurance coverage litigation. He is the author of *Interpretation of Insurance Contracts* and co-author of *Lawyering: Practice and Planning, Foundations of the Law and Fundamentals of Pretrial Litigation*.

in dismissing the plaintiff's constitutional claims based on a supposed lack of "state action."



Jack Van Doren has co-authored (with Thomas Magstadt) "Czech Constitutional Democracy: Focus on the Czech Dual Executive and the Future Senate," in the *Fordham International Law Journal* (20:2). The essay, which compares the Czech constitution of 1992 with its 1920 interwar predecessor, focusing on the power arrangements between the president and the prime Minister in those two documents, offers observations and speculations about the relationship between constitutional structure and the personalities of the political leaders at critical "constitutional moments."

Don Weidner moderated a panel on "Affirmative Action at Southern Law Schools After Hopwood and Podberesky" at the Southeastern Association of American Law Schools, in July, in Asheville. "The Crises of Legal Education: A Wake-Up Call for Faculty," was published in the *Journal of Legal Education* (47:92, 1997). "Foreword to Freedom of Contract and Fiduciary Duty: Organizing the Internal Relations of the Unincorporated Firm" appeared in *Washington and Lee Law Review* (54:389, 1997). "Realty Shelters: Nonrecourse Financing, Tax Reform and Profit Purpose," (1978) has

been excerpted in P. Goldstein and G. Korngold *Real Estate Transactions* (1997). "Cadwalader, RUPA and Fiduciary Duty," appears in the *Washington & Lee Law Review* (54:877, 1997). In October, he moderated a panel at the 1997 Annual Education Meeting of the Florida Conference of District Court of Appeal Judges, in Jacksonville.

Ruth Witherspoon spoke to the American Association of University Women (AAUW) at

their regional "cluster" leadership conference in October, at the Chautauqua Center, in DeFuniak Springs. Her presentation was entitled "Women in the Criminal Justice System: Opportunities, Advancements and the Challenges that Impact Them."

John Yetter's "Truth in Jury Instructions: Reforming the Law of Lesser Included Offenses," published in the *St. Thomas University Law Review* (Spring, 1997), is critical of a Florida

practice of requiring instructions on lesser included offenses even without evidentiary support for them. He concludes that having judges issue instructions only for offenses that are grounded in the evidence would not be an unacceptable intrusion into the function of the jury and would be preferable on policy grounds. Additionally, his proposal would help to control a curious "jury pardon" consisting of a conviction for an offense that ought not to have been considered.

### SANDY D'ALEMBERTE'S Constitution Revision I Course uses computer links to tap into a once-every-twenty-year opportunity

A forceful advocate of distance learning since he assumed the FSU presidency four years ago, Sandy D'Alemberte got a chance to put his theories into practice in a law school course this fall.

With the teaching assistance of Carol Gregg, former director of the law school's clinical program, Constitutional Revision I went online in August, coinciding with Florida's once-every-twenty-year exercise in reviewing its fundamental document.

Law schools offer opportunities for moot court, but not for moot legislature, D'Alemberte contends, at least not since Thomas Jefferson was a student at the College of William & Mary in the 1760s. He sees the current constitution revision as "a tremendous learning opportunity that won't come along again for a long time to demonstrate the dynamics of the legislative process in action and the intricacies of constitutional litigation."

In a sense, the mock constitutional revision session that will conclude the course will be déjà vu for D'Alemberte, who chaired the 1978 commission.

Although attendance at class sessions is required, Con Rev I is otherwise set up as an exercise in distance learning. Class meetings are taped, assignments are submitted electronically, conferences with instructors are held online, and students



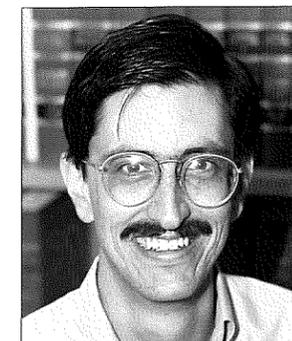
SANDY D'ALEMBERTE

are able to discuss their group assignments in computerized chat rooms.

The course's link to cyberspace, College of Law Coordinator of Computer Applications Diana Patterson, set up the website ([constrev.law.fsu.edu](http://constrev.law.fsu.edu)), which is linked to the Constitution Revision Commission website (<http://www.law.fsu.edu/crc>). Patterson, who has been assisting students in access and use, says that most students are computer literate. "Most of my work for the course has been transferring weekly readings to the website and taking care of minor technical problems," she says. Patterson also maintains the Constitution Revision Commission website.

The Askew School Web Development Group (<http://fpac.fsu.edu/webwork>) of FSU's School of Public Administration assisted in the project, providing audio and video elements of the Constitution Revision home page.

### Fulbright study in Uruguay opens doors to new scholarship for Frank Garcia



FRANK GARCIA

Four months of study and reflection in Montevideo, Uruguay, may have changed Frank Garcia's life. The College of Law assistant professor, who spent the spring 1997 semester in the small South American country under a Fulbright grant, has a new perspective on his future, both personal and professional.

"I look at the experience almost in terms of a pilgrimage," says Garcia, who has taught international law at FSU since 1994. "It was a trip back to my roots and traditions, and, at the same time, it gave me the chance to chart my professional course."

Uruguay was the natural choice for Garcia. On a personal level, it represented an opportunity for Garcia, whose family came to the U.S. from Colombia in the 1950s, to live and work in the Latin American culture. With one of the most stable governments in South America, it has long been a center of hemispheric and international trade. The headquarters of MERCOSUR, the Latin American trade organization, Uruguay has played host to a number of high-stakes international trade meetings during the 20th century. More recently, it hosted the crucial launch of the 1986 General Agreement on Tariffs and Trade (GATT) meeting, commonly known as the Uruguay Round, that established the World Trade Organization.

"I was working and talking with people who hope to live in the center of a regional trade center in five or ten years," said Garcia, whose base was the Universidad de la Republica in Montevideo. "One thing that struck me was the keen interest of the general public in international trade. Trade is really the lifeblood for many of Uruguay's citizens." He adds, "I even had discussions with taxi drivers about trade issues."

Besides consulting with other academics studying these issues, Garcia met with diplomats, lawyers and government officials working on trade. "I feel as if I got a good idea what hemispheric trade might look like in five or ten years," he said, adding that seeing issues from a non-U.S.

Garcia sees the issue of justice largely ignored in international discussions. "The general argument for free trade is that it enhances the general welfare," he says. "But how does it change the analysis that it enhances the welfare of some but not others?"

For Garcia, the time is right for such inquiry. "We're in the process of establishing legal systems in the hemisphere to handle trade between very disparate nations. Things are happening rapidly." He suggests that concepts of justice deserve a place in this process. "I'm interested," he says, "in studying how different theories of justice might be applied to work out hemispheric integration issues such as human rights, development assistance and environmental protection."

Garcia, who has written extensively on the technical and strategic aspects of international trade agreements, particularly in the Americas, says he is already pursuing the new scholarship. "I feel, to some extent, as if I've been reawakened. I travelled to a place rich in the history of trade and economic integration and returned with new insights about the future of hemispheric trade." He adds, "Most important, I return with a renewed research agenda."

viewpoint provided new insight.

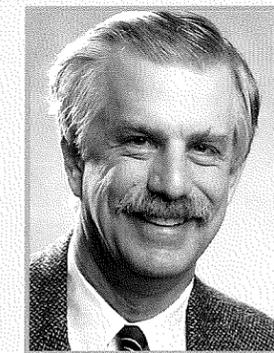
While he will continue to study international trade, trade alliances and agreements from a traditional perspective, his Uruguay experience may help launch Garcia in a new scholarly direction: "I would like to study the relationship between trade and traditional theories of justice. For example, how do trade agreements affect relations between the richer and poorer nations, and even between the rich and poor within nations? How can these agreements be evaluated using concepts of justice?" He explains, "It's customary to separate the idea of trade and economics from justice, but in reality, there is a fundamental relationship."

### EHRHARDT appointed ULC commissioner

FSU will continue to be well represented on the National Conference of Commissioners on Uniform State Laws (ULC). When College of Law professor Joshua Morse advanced to lifetime membership on the commission last spring, Gov. Lawton Chiles appointed fellow FSU law professor Charles Ehrhardt to replace him.

The ULC drafts laws for state legislatures to consider, and commission members work to get the drafts adopted in their home states. At a summer conference in Sarasota, the commission considered five new acts and several amendments. Ehrhardt's current committee assignment involves the drafting of a uniform sports agents act, to be presented to the commission next summer.

Since its inception in 1892, the ULC has promulgated more than 200 acts, including the Uniform Commercial Code, the Uniform Probate Code and the Uniform Controlled Substances Act. The group is currently composed of more than 300 lawyers, judges and law professors from each of the 50 states, the District of Columbia, Puerto Rico and the U.S. Virgin Islands.



## September workshop aims at increasing law student and lawyer involvement in domestic violence issues

By Tricia Curran

Educating the next generation of Florida lawyers about domestic violence was the subject of a symposium at the College of Law, September 11 and 12. Co-sponsored by the Governor's Task Force on Domestic Violence and the law school, "Domestic Violence and Law School Education in Florida" brought together law school faculty from all of the state's law schools and legal experts and practitioners concerned with the issue.

Funded by a grant from The Florida Bar Foundation, the conference focused on creating models for integrating domestic violence instruction into law school curricula and educating members of the legal profession. FSU law grad Robin Hassler '84, Executive Director of the Governor's Task Force, and College of Law professors Meg Baldwin and Ann McGinley were instrumental in organizing the conference and bringing it to FSU.

During two days of panels and workshops, the law professors and other participants focused on domestic violence from a variety of perspectives. They introduced model aspects of their schools' programs (including clinical, substantive law, seminars and specialty courses, externships, student activities, and research and writing); examined client perspectives (what can lawyers do for clients?); discussed bringing up personal issues in classroom exchanges; addressed ways to overcome institutional hostility and barriers to domestic violence programs; and looked at ways of working within their university communities (generating cooperation among schools of medicine, law and social work, women's programs and student services). During closing sessions, participants developed "plans of action" based on workshop proceedings.

Sarah Buel, of the University of Texas Law School, one of the country's foremost experts on domestic violence, stressed the importance of "personalizing" the issue for law students and recommended bringing students face-to-face with victims. Recall-

**University of Texas law professor and domestic violence expert Sarah Buel makes the case that law students should have more opportunities to work with victims.**



ing a victim who had been stalked, beaten, molested, dragged across state lines and forced to watch her children being molested, she asked, "What teaches a student better than going into a courtroom and seeing that woman crying in front of her three children?" Students will "rise to the occasion," said Buel. "The experience can be transforming," she said, "and it's our job to make the introductions."

A critical element of the experience that is often missing, says Buel, is law faculty involvement. Following a recent lecture at another law school, she learned that "more than 100 students there wanted to start a domestic violence advocacy project, but there were no professors or courses to match student interest."

Herself a victim of domestic violence, Buel's advocacy for victims began when she was a Harvard law student in the 1980s. Within weeks of addressing fellow students on the issue, she said, sixteen classmates came forward to tell her that they were either victims or offenders or knew someone who was. None of them, said Buel, knew where to turn for help. Getting that information out is "an obliga-

tion," she said. "I think we, in law schools, sometimes forget truly what a privilege it is to have the kind of legal knowledge we have access to." Faculty members, she said, need to teach law students that such knowledge is a gift, something they should take into their communities. She added: "Maybe I would not have had to stay with my abuser for six years if someone had told me that it's against the law for someone to beat you up."

Noting the shortage of males at the symposium's opening session, Chris Griffin, 1979 FSU law graduate and former co-chair of the ABA's Commission on Domestic Violence, made the point that domestic violence is not a women's-only issue. "This is an issue men need to address," he said. "It's a simple justice issue, one that all lawyers, law firms, law professors, and law students have an obligation to address."

In addition to McGinley and Baldwin, FSU law faculty participating in the workshops included Paolo Annino, April Cherry, Donna Christie, Ruth Ezell, Beth Gammie, Sylvia Lazos, Jean Sternlight, and Jeffrey Stempel. College of Law dean Paul LeBel gave opening remarks.

## Children's Advocacy Center receives grants for domestic violence and children's legal services

The College of Law has been awarded \$50,000 from the Florida Stop Violence Against Women Grant Program to fund a Domestic Violence Project. The funds will enable students enrolled for course credit at the law school's Children's Advocacy Center (CAC) to provide legal services to victims from Leon and Gadsden counties. The grant permits CAC professors to train future lawyers in domestic violence issues, and to create a model program for other law schools throughout the country.

Under the grant, FSU will work with Refuge House, a Tallahassee-based domestic violence and rape crisis center, and Florida Legal Services in providing a continuum of training and services in domestic violence.

According to Ann McGinley, assistant professor and director of skills training for the law school and author of the grant proposal, "One of the greatest needs of domestic violence victims is legal representation at permanent injunction hearings." Unless custody and support issues are settled then, she says, many victims return to their abuser in desperation.

With funds provided by the grant, CAC hopes to train future attorneys in the sociological aspects of domestic violence to enable them to provide more effective pro bono service in the area. "Domestic violence is so widespread, and the accompanying issues are so diverse," says McGinley, "there aren't enough legal-services attorneys or attorneys working pro bono to adequately represent all of the victims."

As part of the program, clinical law professors Ruth Ezell and Paolo Annino will teach substantive law and legal skills to CAC students while Refuge House personnel will address the dynamics of family violence and conduct group sessions to help the students understand the personal issues that may arise from their representation of victims.

### CAC also receives legal services grant

In addition to the domestic violence

## ASHLEY FROST BUEKER '94 appointed placement director



Ashley Frost Bueker has been appointed director of the College of Law's Office of Placement.

A 1994 graduate of the law school, Bueker replaces Barbara Robinson, who took an administrative position with the FSU College of Business earlier in the year. Prior to moving to Placement, Bueker served as assistant director of the law school's Office of Advancement and Alumni Affairs.

One of Bueker's main goals is to broaden the number of legal employers who look to FSU. "Often, employers just aren't aware of the high caliber of an FSU College of Law graduate," says Bueker, adding, "I'm hoping to change that."

According to Bueker, two years of alumni affairs experience provided good background training for a series of recruiting trips she has undertaken. Through the Alumni Association, many former graduates have been assisting Bueker by suggesting employers in their area to meet with.

Bueker also is looking for ways to involve more legal employers—particularly smaller and medium-size firms—in the College's interviewing process. "I want to make them aware that our students often can come to them for interviews through the same 'resume reviewing' techniques used for the traditional on-campus interview set-up," she says. "By taking our on-campus program off campus, we can increase opportunities for students, and at the same time expose more employers to our impressive graduates."

"I'm quite excited about the challenges ahead for me in this new position," Bueker admits. Her strong belief in the College and the desire to "get students out there" give her lots of incentive.

Finally, Bueker says she wants to increase the information available to students regarding nontraditional legal employment opportunities, "like being the director of a law college career placement office."

grant, Ann McGinley, Ruth Ezell and Paolo Annino, as Clinical Professors at the Children's Advocacy Center, have received a new contract from Florida Legal Services for \$70,000. The contract, funded by the Florida Bar Foundation, runs from October 1, 1997, through September 30, 1998. Under the contract professors and students at the CAC will advocate for the interests of Florida's children through litigation, education and lobbying efforts.

## Board of Visitors members honored

U.S. Eleventh Circuit Court of Appeals Judge Joseph Hatchett and Florida Supreme Court Justice Leander Shaw, both members of the College of Law's Board of Visitors, were honored by the Howard University School of Law in October. They were awarded Crystal Gavel Awards at a ceremony in Washington, D.C. The award is given annually recognizing outstanding service in the judiciary.

## COLLEGE NOTES

### Joint law and social work program is offered

The College of Law and the FSU School of Social Work have joined forces to offer a new joint degree. The Master of Social Work-Juris Doctor degree program will be one of only 10 in the country.

FSU Assistant Professor Ann McGinley, who coordinates the program for the law school, reports a high level of enthusiasm for the new program. "I've received numerous admission inquiries from current FSU students as well as from others across the state," she said. "This program will enhance our students' view of the social aspects of the law and the rights of victims."

Students, who must be admitted into both the law school and the School of Social Work independently, will graduate with both degrees in four years instead of the five required to complete the two program sequentially.

### FSU is tops in bar exam

College of Law graduates led the state's six law schools in the percentage of first-time test-takers passing the July bar exam.

One hundred twenty-eight of one hundred forty-two FSU graduates passed the exam for a passing percentage of 90.14.

### Administrative Procedure Database project continued

In August, the Administrative Law & Regulatory Practice Section of the ABA authorized continuation of the ABA Administrative Procedure Database as a cooperative project

with FSU College of Law. It is on the web at <http://www.law.fsu.edu/library/admin/>, and features links and original content, such as the 1947 Attorney General's Manual on the APA, the ABA's Model Act Creating a State Central Hearing Agency, and the complete recommendations approved by the Administrative Conference of the U.S. prior to its dissolution in 1995.

### Law students help migrant workers in pro bono project

A group of seventeen FSU law students are fulfilling the law school's pro bono requirement by helping migrant farm workers in nearby Gadsden County, the poorest county in Florida.

Clinical Professor Paulo Annino, Assistant Professor Sylvia Lazos, and Adjunct Professor Rob Williams have worked together to train students in handling cases relating to the termination of food stamp benefits that have arisen as a result of the recent welfare

reforms. Rob Williams, who directs the farm worker justice project headquartered in Tallahassee, is teaching a course in Farm Worker Law. The offering is a first for any Florida law school and was designed to provide students an opportunity to combine academics with the farm worker pro bono project. The pro bono project has coordinated its outreach efforts with Judy Muenster of the FSU Center for Civic Education.

Law students joined efforts with the Project Amistades volunteers who tutor farm workers in English speaking skills, and provided a legal clinic at Greensboro Methodist Church. Assistant Professor Ann McGinley, Emeritus Professor Bob Kennedy, and FSU alumnus Francisco Rivera also lent their support in this community outreach effort. Students are enthusiastic and plan to make this an ongoing project.

## Symposium looks at archeological resources

Protecting Florida's archeological resources was the focus of a September 5 symposium hosted by the College of Law.

Sponsored jointly by the Florida Department of State, the National Park Service, U.S. Department of the Interior, and the law school, the symposium featured panel discussions examining the reasons why archeological resources need protection and legal strategies for achieving such protection.

The symposium was coordinated by law professor Donna Christie, FSU's Elizabeth & Clyde Atkinson Professor of Law, who served as a moderator.

A panel discussion titled "What are Archeological Resources and Why Do They Need Protection?" was moderated by James J. Miller, Florida State Archeologist and Chief of the Bureau of Archeological Research, Florida Division of Historical Resources. Panelists included Veletta

Canouts, Departmental Consulting Archeologist and Chief of the National Park Service's Archeology and Ethnography Program; George Smith, Chief of the National Park Service's Investigation & Evaluation Section of the Southeast Archeological Center; and Michael Faught, Underwater Archeologist with the FSU Department of Anthropology.

A second panel discussion, "Legal Strategies for Protection of Archeological Resources," was moderated by Professor Christie. Panelists included Woody Jones, Senior Instructor at the Federal Law Enforcement Training Center; Caroline M. Zander of the Environment & Natural Resources Division of the U.S. Department of Justice; Eric J. Taylor, Florida Assistant Attorney General; and Randy Hopkins, Assistant Director of the Division of Law Enforcement, Florida Game and Fresh Water Fish Commission.

### Ball Chair Lecturer Dolzer discusses development and the environment

Edward Ball Chair Distinguished Lecturer Rudolf Dolzer spoke on "The World Bank and the Global Environment" at the College of Law October 31. Professor Dolzer is Director of the Institute for International Law at the University of Bonn, in Germany. His lunch-hour talk, presented in the Rotunda, was co-sponsored by the Law School, the *Journal of Transnational Law & Policy*, the *Journal of Land Use & Environmental Law*, the International Law Society, and the Environmental Law Society.

### Worth Reading: FSU Law Review

In their lists of ten articles or books deemed "worth reading," in the November 10 and November 17 issues of the *National Law Journal*, are three Fall 1997 *FSU Law Review* articles. On the first week's list are third-

year student Rachel Fugate's "The Florida Constitution: Still Champion of Citizen's Rights?" and John Doar's "The Work of the Civil Rights Division in Enforcing Voting Rights Under the Civil Rights Acts of 1957 and 1960." The following week's list includes "The Right of Privacy in Florida in the Age of Technology and the Twenty-First Century" by Justice Ben F. Overton and Katherine E. Giddings.

### Law school hosts mediation event

The College of Law hosted a day of food, fun and music, Saturday, Oct. 25, culminating Florida Mediation Week.

On Friday, Sharon Press, Director of the Florida Dispute Resolution Center, was a presenter in a session titled, "How to Become a Mediator," held at the law school. The Dispute Resolution Center is a joint project of the Florida Supreme Court and the College of Law.

### Law and sociology faculty share ideas

The FSU law library's recent "Law and Sociology Gathering" brought faculty together from both departments to explore common interests and possibilities for collaborative research. Law professor Jean Sternlight and Mary McCormick, head of public services at the law library, organized the program to share ideas and information in areas of labor and employment and critical theory.

Hosting this first interdisciplinary event were law library staff, including McCormick, Director Ed Schroeder, Associate Director Robin Gault, and Computer Specialist Jon Lutz. Participating law faculty included Sternlight, Dean Paul LeBel, Paolo Annino, Meg

## Oxford program prepares for 26th year

The College of Law begins the second quarter century of hosting its Law at Oxford Summer Program. It is the longest-running law program of its type sponsored by a U.S. law school.

The program again features a mixture of FSU law faculty—this year, Meg Baldwin and Jack VanDoren—and Oxford faculty, and, according to director Ed Schroeder, combines a serious offering of study in the birthplace of much of our legal tradition. Classes are held at St. Edmund's Hall, which traces its roots to the 13th century when it helped form the basis of the University of Oxford.

Jeffrey Hackney, an Oxford Fellow whose reputation has earned him a grotesque on the cornice-work of St. Edmund's Hall, will teach in the program for the 25th consecutive year. He is joined by Peter Mirfield and Peter Birks on the faculty.

Although there is no deadline for application to the program, Schroeder reports that a waiting list begins to develop by February of each year.



JEFFREY HACKNEY

Baldwin, Sylvia Lazos, Ann McGinley, Mark Seidenfeld, and Doug Litowitz.

Sociology faculty members who attended included Patricia Martin, Irene Padavic, Melissa Hardy, Bruce Bellingham, Monica Boyd, Harry Dahms, Larry Isaac, John Myles, and Jill Quadagno.

Since the meeting, the law library has created a discussion list and a web page for the group. Plans for future meetings are in the works.

### Eisenberg delivers Mason Ladd Lecture

The latest distinguished professor to deliver a talk at the College of Law in the Mason Ladd Lecture Series was Melvin A. Eisenberg, Koret Professor of Law at the University of California at Berkeley School of Law. An expanded version of Professor Eisenberg's talk, entitled "The Concept of National Law," presented on October 23, will be published in a forthcoming issue of the *FSU Law Review*.

### Writing competition winners announced

Winners have been announced in several recent com-

petitions. This past July, Jason Owsley was awarded first prize in the 1997 Ford Motor Company Writing Competition at the College of Law. Second prize recipient was Michael Bond, and third prize was presented to Terry M. Sanks.

Owsley and Bond also placed first and second, respectively, for their entries in the Nathan Burkan Memorial Competition at the College.

Owsley earned a \$500 stipend for his essay entitled, "The Future of Database Protection in the United States," while Bond received a \$200 prize for "Change Is Now: New Legislation to Protect Computer Software."

### Law school spellers raise funds for literacy projects

Dean Paul LeBel, *Law Review* editor-in-chief Cindy McNeely, and Student Bar Association president Krista Mooney competed against sixteen local teams to raise funds for literacy projects. The seventh annual Executive Spelling Bee, held in August in Tallahassee, was sponsored by the U.S. Project Literacy, Governor's Square, and the *Tallahassee Democrat*. The team was eliminated by the word "oppro-

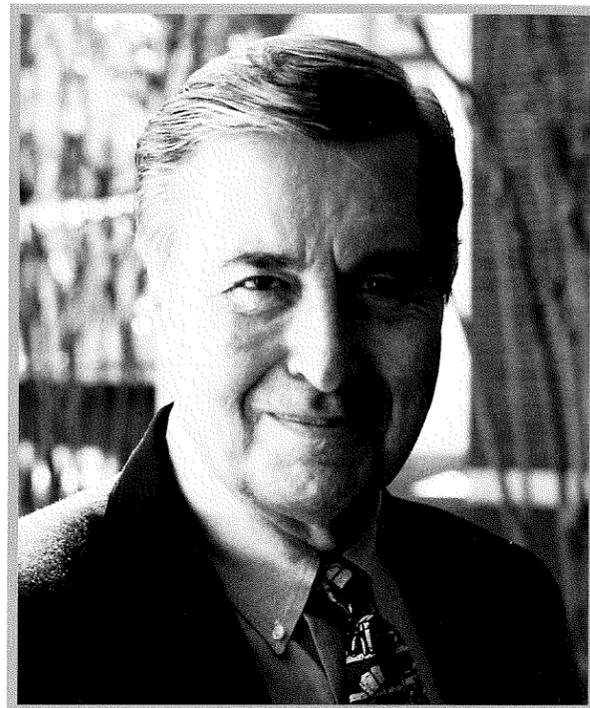
brium," a word, according to LeBel, "that lawyers wouldn't have had occasion to learn."

### College website ranked in top ten

The College of Law's website ranked 7th in the nation in a recent ranking of U.S. law school websites, based on content for web-based legal research. The All Rise! Network, a commercial website, analyzed 150 sites. The full report can be seen at <http://www.allrise.com/LAWSCHOOLS/index.html>

Dean Paul LeBel singled out Jon Lutz and Jim Rossi as major contributors to this achievement for the College of Law. Lutz, the College's computer support analyst, has helped develop several web projects, including the Constitutional Revision Commission site, that are providing valuable information services to important constituencies. Rossi, Patricia A. Dore Professor of State Administrative Law, manages a website for the ABA Administrative Law Section and has taken a leadership role in incorporating online possibilities into College of Law courses and programs.

# At 72, this law student plans for a new career



Joseph D'Annunzio Jr.

If Joseph D'Annunzio Jr.'s resume doesn't set him apart from most of his FSU law school classmates, his timing does. At 72, the former corporate manager is embarking on a new career as a lawyer.

Although he has spent most of the last 50 years in the corporate world, much of it handling acquisitions, mergers and joint ventures for the international conglomerate Teledyne, D'Annunzio has shifted his attention to the needs of small and medium-sized companies. "It's an area that matches my recent experience and my interests. When I combine that with a legal education, I believe I'll have something unique to offer."

D'Annunzio, who moved to Tallahassee in 1991 after leaving Teledyne to help manage a small Venezuelan-based company, says an area where his experience can be especially useful involves employee relations. "Businesses, especially small ones, get consumed with building and selling products and very often end up treating their own people badly. This sometimes gets them into legal trouble." He adds, "I hope I can enlighten them about how to treat their employees as well as help to explain the law."

D'Annunzio's interest in law school is an outgrowth, in part, of his volunteer work as a mediator in a Leon County alternative dispute resolution program aimed at businesses. "I got very interested in legal issues through that program and took a course at FSU in conflict resolution," D'Annunzio said. "When I wanted to take more courses, people at the law school said I should apply to go full time. I was amazed when they accepted me."

Now in his second year at FSU, D'Annunzio gets glowing reviews from law school faculty and fellow students. Don Weidner, dean of the College of Law

when D'Annunzio enrolled in the fall of 1996, says the admission of a 71-year-old student raised some eyebrows. "Some people thought we were crazy," says Weidner, "but it's turned out to be a wonderful experience, not just for Joe, but for all of our students and our faculty. He's able to take complicated legal concepts, combine them with his business experience, and provide a practical look at issues. He's a very different kind of student in terms of his motivation and dedication," Weidner said. "At his age and stage of life, he's chosen to be here. We have a lot of students who are here because they don't know what else they want to do."

Assistant Professor Jean Sternlight, who teaches dispute resolution at the law school, seconds Weidner's appraisal. She adds, "Joe is one of the most energetic and intellectually motivated students I have worked with at FSU."

D'Annunzio, who has been active in civic and social activities since coming to Tallahassee, has adapted well to life as a law student. "The kids are very bright and they like the fact that I can tell war stories about the business world that relate to what we're studying in class."

D'Annunzio's wife, Barbara, whom he credits with being a driving force behind his new ambitions, serves as president of the law school spouses' organization. "She has supported me all the way," he says.

The experiences of his corporate career eased the pressures of returning to school after an almost 50-year hiatus, D'Annunzio said. He received an electrical engineering degree at Columbia in 1943, courtesy of the U.S. Navy, and a bachelor of arts degree from Swarthmore in 1948. "I'm not

in the same position that the kids I'm in school with are in," he said. "They have to work extremely hard for high grades, because that's what's going to get them jobs when they graduate. Any firm that's interested in me is going to be looking at my business background and experience. That makes it a little easier."

D'Annunzio was more than satisfied with the Bs and Cs he received in his first year of law school. "Because I don't have to focus on being at the top of the class, I'm able to concentrate on trying to understand the concepts behind the law." He adds, "At this point, I'm not interested in depriving myself of sleep to make all As."

The hardest adjustment in returning to school after so many years, says D'Annunzio, is taking exams. "You forget after a while how tough exams can be. Taking three-hour essay exams after a 50-year break is difficult."

After graduating from Swarthmore, D'Annunzio went to work for the D & W Blueprint Co. in Ewing, New Jersey, an engineering supply firm founded by his father during the Depression. He was vice president in 1974, when he left to join corporate giant Teledyne in Chicago.

In addition to his accomplishments as a

corporate manager, D'Annunzio counts a notable achievement based in his training as an engineer. He holds the patent for a photocopy process he developed that turns out erasable copies.

During last summer, D'Annunzio worked as a law clerk at the Pellettier, Rabstein and Altman law firm in West Windsor, New Jersey, receiving strong praise from the partners. "He's got wisdom born of experience, and he's got people skills that most 22- or 23-year-old law students just don't have," said Anne McHugh, a partner in the firm. "Also, his business background gives him a perspective that no one here can match."

D'Annunzio's corporate background, in fact, played a role in his assignments at the firm. "We've had some product liability cases where the company that made a defective product has been sold to another firm," said managing partner Richard Altman. "We asked Joe to use his corporate experience to come up with a standard list of questions he would want to have a business answer. With that information we made some legal conclusions."

For those who might suggest that D'Annunzio's tenure as a lawyer may be a short one, the hereditary evidence suggests otherwise. A number of his relatives have lived well past 100, and his father, who lives with D'Annunzio and his wife, is 96. "I'm very serious about this and expect to be practicing law for a long time." ■

Some of the information in this article courtesy of The (Trenton) Times (Aug. 17, 1997).

In only its third year of competition as an independent organization, the College of Law's Mock Trial Team continues to make a name for itself. Head coach Ruth Ezell credits the financial support of alumni for contributing to the success.

(See the list of donors in the Annual Report, page 44)

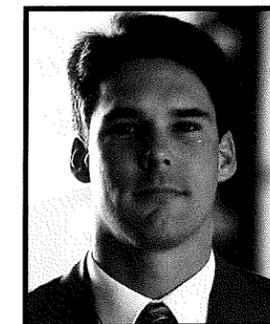
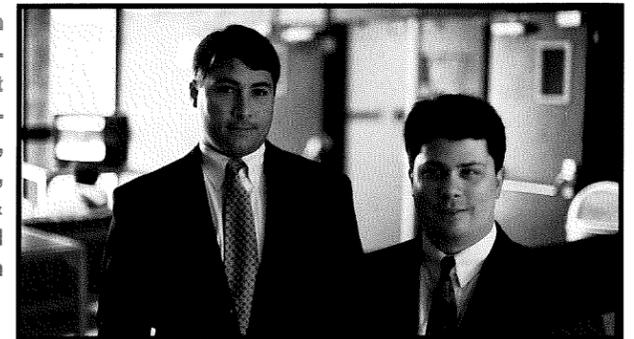
## Mock Trial Standouts

Matt Willard, Lisa Hurley, Jeff Moody and Bill Egge competed in the National Association of Criminal Defense Lawyers Mock Trial Competition in New York City



Byron Starcher, Jennifer Kolinski and Ray Ravis were the winning team in the Bobo, Spicer, Ciotoli, Fulford, Bocchino, DeBevoise & LaClainche Intramural competition

Eric Golden, Joseph Tamborello and Lindsay Oyewale (not pictured) also competed in the Bobo, Spicer, Ciotoli, Fulford, Bocchino, DeBevoise & LaClainche Intramural competition



Matt Willard was judged Best First Round Advocate in New York



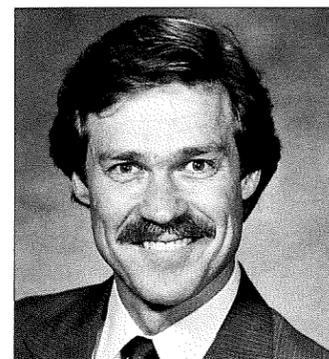
Scott Danahy was Best Advocate in Intramural competition

# ANNUAL REPORT

THE 1996-97 ANNUAL REPORT OF THE FLORIDA STATE UNIVERSITY COLLEGE OF LAW INCLUDES GIFTS RECEIVED DURING THE FISCAL YEAR THAT BEGAN JULY 1, 1996 AND ENDED JUNE 30, 1997.

## ANNUAL REPORT

### ANNUAL REPORT NEWS



WAYNE HOGAN '72

#### FSU COLLEGE OF LAW ALUMNUS WAYNE HOGAN MAKES \$250,000 GIFT

Jacksonville trial lawyer and 1972 graduate Wayne Hogan has made a \$250,000 gift to the FSU College of Law to promote civil trial justice. The gift is the largest by an alumnus in the law school's 30 year history. Following a 50% match of funds under the State of Florida Matching Gift Program, the Wayne Hogan Endowment in Civil Trial Justice will total \$375,000.

The endowment will bring nationally recognized speakers in the area of civil trial justice to FSU and support faculty research and professional involvement in civil trial justice issues. The endowment will also help support the FSU mock trial program, sponsoring the annual mock trial awards banquet, providing stipends for mock trial

officers to devote more time to the program as well as covering mock trial team travel and lodging expenses. The fund creates and sponsors the annual E. Earle Zehmer Memorial Trial Competition, in conjunction with the Academy of Florida Trial Lawyers Research and Education Foundation.

In announcing the gift, Hogan credited the law school with offering him the opportunity to practice law "with fine lawyers in excellent firms on behalf of deserving clients, before independent judges and dedicated jurors." He paid special tribute to the vision of FSU's first law dean, Mason Ladd, for putting emphasis on trial practice education during the law school's early years.

Hogan, a 1972 law school graduate, appealed to other alumni "to help the College of Law build students into lawyers who, through trial lawyering, can independently and effectively defend rights and demand responsibility in the courts of an enhanced civil society."

Hogan is a partner in the Jacksonville law firm of Brown, Terrell, Hogan, Ellis, McClamma & Yegelwel, P.A., where he specializes in the field of product liability and toxic torts. In recent years, his practice has emphasized representation of victims of asbestos diseases.

Hogan was one of the attorneys who worked on Florida's "Dream Team" that won an \$11-billion settlement with the tobacco industry earlier this year. He is a past president of the Academy of Florida Trial Lawyers and currently serves on the Civil Rules of Procedures Committee of the Florida Bar.



DON HINKLE '80 and DEAN DON WEIDNER unveil a portrait of DAVID FONVIELLE '72 and Hinkle at The Florida Bar meeting in June.

#### STEMPEL NAMED FIRST FONVIELLE AND HINKLE PROFESSOR

Jeffrey Stempel has been chosen as the College of Law's first Fonvielle and Hinkle Professor of Litigation. He will hold the position for a period of five years.

The Fonvielle and Hinkle Professorship was established in 1996 by David Fonvielle '72 and Don Hinkle '80, partners in a Tallahassee law firm.

#### THE COLLEGE OF LAW'S CURRENT FUND SCHOLARSHIP PROGRAM

As the Florida State College of Law enters its fourth decade of service, its rich tradition and record of accomplishment attract highly qualified applicants to its student body. A superb faculty and the unique educational opportunities presented by its location in Tallahassee combine to identify this law school as a gateway to a rewarding and satisfying professional career. The recruitment and retention of the finest students is hampered,

however, by the reduced ability of the College of Law to offer scholarship assistance that is competitive with other law schools. Competitive levels of scholarship funding will enable the law school to achieve the next level of excellence in the profile of its student body, leading to further recognition and opportunities for the graduates of the school.

In recognition of the immediate need to enhance the financial assistance available to our students, the College of Law is seeking gifts of \$25,000 from individuals or firms to fund three-year scholarships at the College. The non-endowed scholarships will be funded by annual payments to the College of Law Annual Fund campaign over a three year period.

We have set as our goal to fund ten of these scholarships each year for the next three academic years. Students selected from each entering class will receive a scholarship in the amount of \$7,500 per year for three years. The funds donated that are not included in the scholarship will be used to support research assistance stipends paid to College of Law students engaged in scholarly research at the direction of the faculty of the law school.

Continued on page 44

### SUMMARY OF CONTRIBUTIONS (Through 6/30/97)

<b>Annual Fund Gifts</b>	<b>\$ 162,258</b>
<b>Unrestricted</b>	<b>131,452</b>
<b>Restricted</b>	<b>30,806</b>
<b>Endowment Gifts</b>	<b>719,420</b>
<b>Other Grants and Gifts</b>	<b>220,392</b>
<b>TOTAL GIFTS AND GRANTS</b>	<b>\$1,102,070</b>

All gifts reported in this annual report were made between July 1, 1996 and June 30, 1997. Gifts made after this period will be reported next fall in the 1997-98 Annual Report.

## 1996-1997

BOOK AWARDS  
& SPONSORED  
COURSES

## Level One: \$5,000

Chris Cadenhead—Criminal Law and Procedure  
Foley & Lardner—Insurance Law  
Frost, O'Toole & Saunders, P.A.—Evidence  
Wayne Hogan—Trial Practice

## Level Two: \$3,000

BAR/BRI—Contracts  
Kerrigan, Estess, Rankin & McLeod—Criminal Law and Procedure  
McConnaughay, Roland, Maida & Cherr, P.A.—Workers' Compensation

## Level Three: \$2,000

Bush, Ross, Gardner, Warren & Rudy, P.A.—Securities Regulation  
Cobb Cole & Bell—State Constitutional Law  
Cummings, Nelson & Piccard, P.A.—Administrative Law  
Dominik & Stein—Intellectual Property  
Fixel & Maguire Book Award in Eminent Domain  
J. William Kirkland, P.A.—Torts  
Peggy Rolando—Real Estate Transactions  
Judge Hugh M. Taylor (Bryant, Miller & Olive)—State Constitutional Law  
Tom & Julie Thornton—Torts

Trenam, Kemker, Scharf, Barkin, Frye, O'Neill & Mullis, P.A.—Bankruptcy Policy  
Young, van Assenderp & Varnadoe, P.A.—Florida Administrative Practice  
Zimmerman, Shuffield, Kiser & Sutcliffe, P.A.—Legal Writing & Research

## Level Four: \$1,000

Alpert, Barker & Calcutt, P.A.—American Legal History  
Ausley & McMullen—Corporate Tax  
Ausley & McMullen and Macfarlane Ferguson & McMullen—Legal Writing & Research  
Billings, Cunningham, Morgan & Boatwright, P.A.—Trial Advocacy  
Terry Bowden—Constitutional Law  
Justice & Mrs. Joseph A. Boyd, Jr.—Real Estate Transactions  
George Cappy—Conflicts  
Mark S. Ellis & Molly Tasker—Comparative Constitutional Law  
Gray, Harris & Robinson—Securities Regulation  
Terence A. Gross—Litigation Seminar  
John M. & Sally D. M. Kest—Professional Responsibility  
Gretchen Klayman—Florida Dissolution of Marriage  
Lewis, Longman & Walker—Environmental Law  
Lilly, Kent—Employment Law  
Macfarlane Ferguson & McMullen—Environmental Litigation  
Martinez, Manglardi & Diez-Arguelles—Civil Procedure

Ruth E. Meyer (Memorial Book Award)—Commercial Law  
Moore, Hill, Westmoreland, Hook & Bolton, P.A.—Trial Practice  
Douglas & Margot G. Morford—Alternative Dispute Resolution  
Novvey, Mendelson & Adamson—Family Law  
Brian D. O'Neill—Administrative Law  
Gary C. Pajcic—Professional Responsibility  
Mary Jo Peed & Kevin Wood—Real Estate Development & Finance  
Shackleford, Farrior, Stallings & Evans, P.A.—Litigation Skills  
Douglas & Judy Spears—Trial Practice  
Stowell, Anton & Kraemer—Employment Law  
Vincent G. & Julie Torpy—Contracts I  
Buck Vocelle, Jr.—Torts  
Edwin Walborsky & Stephen Preisser—Ocean & Coastal Law  
Scheff Wright—Federal Jurisdiction

CONTRIBUTORS  
BY AMOUNT

## \$100,000 and up

Florida Bar Foundation  
Wayne Hogan  
State of Florida

## \$10,000 to \$99,999

C. David Fonvielle, III  
Donald M. Hinkle  
Ruden, McClosky, Smith, Schuster & Russell, P.A.

Eugene E. Stearns  
Stearns, Weaver, Miller, Weissler, Alhadeff & Sitterson, P.A.  
Steel, Hector & Davis, LLP

## \$5,000 to \$9,999

F. Philip Blank  
Bobo, Spicer, Ciotoli, Fulford, Bocchino, DeBevoise & LeClainche, P.A.  
Florida Chapter American Academy  
Foley & Lardner  
John Wesley Frost, II  
Judith McGunegle  
Gary C. Pajcic

## \$1,000 to \$4,999

Patrick B. Calcutt  
Gary John Anton  
Attorneys' Title Insurance Fund  
Larry Dale Beltz  
James O. Cunningham  
Terry W. Bowden  
Randall W. Hanna  
Dominic M. Caparello  
George B. Cappy  
Jonathan D. Kaney, Jr.  
William W. Corry  
Kathryn W. Cowdery  
F. Alan Cummings  
Lawrence N. Curtin  
Richard Dean Dixon  
Stephan Arthur Pendorf  
Robert M. Ervin, Jr.  
Joe Wedeles Fixel  
Florida Lawyers Legal Insurance, Inc.  
Donald A. Gifford  
Michael Leon Granger  
Terence Alan Gross  
Interfund Transfer  
John Marshall Kest  
J. William Kirkland  
Gretchen K. Klayman  
John W. Larson  
R. Kent Lilly  
Carlos Raul Diez-Arguelles  
Sheila Marie McDevitt  
Raymer Maguire, III  
James R. Meyer, Sr.

Brian D. O'Neill  
Jarret Oeltjen, (Bar/Bri)  
Thomas G. Pelham  
Jane Rigler  
Margaret Ann Rolando  
Robert L. Rothman  
Mark Seidenfeld  
Donald A. Gifford  
Sprint Foundation  
Stefan V. Steid  
Susan Stucker  
Bruce M. Stone  
Douglas Lee Stowell  
James C. Taylor  
The Florida Bar  
William L. Townsend, Jr.  
Robert Scheffel Wright  
Wendell J. Kiser

## \$500 to \$999

Gene Vernon Coker  
Margaret B. Ausley  
Joseph R. Boyd  
Charles E. Buker, III  
Carlton, Fields, Emmanuel, Smith & Cutler  
Meredith Charbula  
Ralph A. DeMeo  
Charles W. Ehrhardt  
James G. Feiber, Jr.  
L. Jack Gibney, Jr.  
Richard B. Hadlow  
James F. Heekin, Jr.  
James R. Jorgenson  
Nancy G. Linnan  
William Teel Lyons  
Kenneth R. Hart  
Sidney L. Matthew  
John Bruce Ostrow  
Thomas F. Panebianco  
Mary Jo Peed  
Mary M. Piccard  
Stephen P. Preisser  
Karen K. Specie  
Timothy W. Terry  
Daniel Hays Thompson  
Marie J. Bockwinkel  
Kevin W. Wood

## \$200 to 499

Howard Eugene Adams  
Francis H. Sheppard  
Apgar & Pelham  
Jeffrey C. Bassett  
James Beasley  
Betty Anne Beavers

Timothy Paul Beavers  
Samantha D. Boge  
James C. Brady  
Melville Brinson  
Kelly Overstreet Johnson  
Thomas Wayne Brooks  
Catherine M. Brunson  
Hester Cain Bryant  
Neil Howard Butler  
Michael J. Cherniga  
Donna Christie  
James D. Clark  
Kevin X. Crowley  
Terry Paul Cole  
Lynn Futch  
Edward W. Dougherty  
Peter M. Dunbar  
Janette C. Dunnigan  
Charles E. Dzedzic  
Gary Albert Esler  
Suzanne F. Farmer  
Margaret P. Feldman  
Florida Public Defenders  
Loula Fuller  
Larry Garvin  
Henry Peter Nowak  
David John Glatthorn  
Robert S. Goldman  
Rafael Gonzalez  
Paul Rufus Green  
Elwin W. Griffith  
Thomas J. Guilday  
Ronald Patrick Hanes  
David P. Heath  
Jon Marc Henning  
Robert King High, Jr.  
L. Kathleen Horton-Brown  
Rex Alan Hurley  
A. Woodson Isom, Jr.  
Claudia R. Isom  
Elise F. Judelle  
Dr. Daniel R. Kanell  
Deborah K. Kearney  
Margaret-Ray Kemper  
Peter M. Kramer  
Carrie Kathleen Kroll  
Thomas F. Lang  
Dean Robert LeBoeuf  
Terry E. Lewis  
Jaime Doyle Liang  
Anne Longman  
E. John Lopez  
Michael G. Maida  
Frank E. Maloney, Jr.  
John R. Marks, III  
D. Michael Mathes  
Stephen S. Mathues  
Sarah B. Mayer

Carl Presley McDonald  
Anne Lee McGihon  
Leslie B. McWilliams  
Stephen E. Mitchell  
Charles T. Moore  
Mary Ann Morgan  
Neal Osiason  
Raul C. Palomino, Jr.  
G. Russell Petersen  
David F. Powell  
David Scott Rogers  
F. Robert Santos  
Frank Joseph Santry, III  
Edwin M. Schroeder  
Charles A. Schuster  
Floyd R. Self  
Francis H. Sheppard  
Ella Kopp Solomons  
Margaret B. Ausley  
Betty J. Steffens  
Glenda Faye Swearingen-Cook  
Molly J. Tasker  
J. Farrest Taylor  
Terry David Terrell  
Nicholas D. Thomas  
Cass Dion Vickers  
L. Michael Wachtel, III  
Cheng-Shou Wang  
Ansley Watson, Jr.  
C. Gary Williams  
F. Palmer Williams  
Rosemary J. Zyne

## \$100 to 199

Andy William Acosta  
Amundsen & Moore, P. A.  
Charlotte W. Anderson  
Michael A. Bander  
J. William Bass, Sr.  
James D. Beasley  
George C. Bedell, III  
Stephen A. Bennett  
Richard E. Benton  
Mary-Anne Bestebreurtje  
Marie J. Bockwinkel  
Winston Kirk Borkowski  
Guy E. Burnette, Jr.  
Lawrence Lee Carnes  
William J. Carroll, Jr.  
Christine A. Clark  
Joan Gulick Cloonan  
David Keith Coburn  
Robert Allen Cole  
Albert T. Cooper, III  
William G. Cooper

Michael F. Coppins  
Arnold Corsmeier  
Robert C. Cowdery  
Robert Rader Cyrus  
Nancy Ann Daniels  
Kristen L. Davenport  
William H. Davis  
Ralph A. DeMeo  
Richard W. Dean  
Robert C. Dean  
Benjamin H. Dickens, Jr.  
Mike Martin Donovan  
Brian S. Duffy  
William S. Dufoe  
Cornelia Carefoot Durrence  
Joe Garrard Dykes, Jr.  
E. Gary Early  
William B. Eppley  
Pamela H. Espenshade  
Michael Ralph Fabec  
Joseph S. Farley, Jr.  
Dennis Rex Ferguson  
Janet E. Ferris  
Howard B. Fleet  
Jeffrey M. Fleming  
Walter Eugene Forehand  
Warren Locke Franz  
Ashley Frost Bueker  
Arthur C. Fulmer  
William M. Furlow, III  
Thomas B. Gaines, Jr.  
William A. Gillen, Jr.  
Steve Ginestra  
Stann W. Givens  
Jeffrey Alan Glass  
Julio M. Gomez  
Rhoda Bess Goodson  
Gorman & Matthew  
Clifford T. Gray  
Malcolm S. Greenfield  
Gretchen-Elizabeth  
Joe Griffin  
Judy Groover  
Raymond O. Gross  
Diane Grubbs  
Kelly David Hancock  
Edward R. Hanna  
Robin Sue Hassler  
Martin Bennis Heidgerd  
C. Earl Henderson  
Valeria Hendricks  
Paul Francis Hill  
Mark E. Holcomb  
J. David Holder  
Kimberly Holladay  
Mark E. Holcomb  
Angela L. Hughes  
Jennifer Hurst

A. George Iglar  
 Ralph R. Jaeger  
 David Michael Jeffries  
 Ronald E. Jolles  
 Bruce W. Jolly  
 E. Burke Jolly  
 Gerald W. Jones, Jr.  
 Randolph B. Jones, Jr.  
 Richard K. Jones  
 Deborah R. Jordan  
 Randolph S. Jordan  
 Robert W. Joyce  
 Robert L. Kilbride  
 Steven C. Koegler  
 Lawrence Michael Kosto  
 Kenneth L. Kuerzi  
 Guy Edward Labalme  
 Douglas P. Lawless  
 Carl William Laystrom, Jr.  
 John W. Lewis  
 Terry P. Lewis  
 David Moore Lindsey  
 William S. Lindsey  
 James W. Linn  
 Reginald Luster  
 Dennis E. Lyles  
 Jorge Saul Maldonado  
 Manasota Track Club, Inc.  
 Douglas Lee Mannheimer  
 Douglas Paul Manson  
 Michael Charles Markham  
 Robert C. Martin  
 Rafael E. Martinez  
 James C. Massie  
 Elizabeth S. McArthur  
 Guyte P. McCord, III  
 E. Owen McCuller, Jr.  
 Marilyn M. McFadden-Reiter  
 C. Edward McGee, Jr.  
 F. Shields McManus  
 Leenette W. McMillan  
 Michael Stephen McNally  
 Pablo Meles  
 Merchant Association, Inc.  
 David K. Miller  
 S. Kirby Moncrief  
 John Perry Moneyham  
 D. Lloyd Monroe, IV  
 Richard Walter Moore  
 Douglas H. Morford  
 Marilyn Kay Morris  
 Pablo Meles  
 Mark Hubert Muller  
 Gregory Paul Nelson  
 Louis K. Nicholas  
 Eucharía E. Nnadi-Okolo

James W. Nuebel  
 Norman F. O'Rourke  
 Karen Oehme  
 Jonathan M. Pavsner  
 Carl J. Peckinpugh  
 Robert Allan Pell  
 Nancy Perez  
 Carl Raymond Peterson  
 J. Patrick Peterson  
 Brian G. Pincket  
 Michael John Pitts  
 Thomas B. Putnam, Jr.  
 Frank P. Ranier  
 Stephanie L. Redfearn  
 William J. Reedy  
 George S. Reynolds, III  
 Peter D. Ringsmuth  
 Alan William Roddy  
 Ryan C. Rodems  
 Brett Allan Rogers  
 John Alden Rogers, Jr.  
 Scott R. Rost  
 Richard Gary Rumrell  
 C. Graham Carothers, Jr.  
 Francisco J. Sanchez  
 Bonnie S. Satterfield  
 Vicky A. Savage  
 Thomas P. Scarritt, Jr.  
 Larry E. Schner  
 Cathy Miller Sellers  
 Ronald Fred Shapiro  
 Frank S. Shaw, III  
 Michael Alan Shorstein  
 James M. Shuta  
 Janice M. Skievaski  
 John E. Slaughter, Jr.  
 William M. Smith  
 Richard H. Sollner  
 Bridget Louise Ryan  
 Steven L. Sparkman  
 Linda Rae Spaulding  
 Thomas John Spulak  
 Gregory P. Sreenan  
 Juan Carlos Martinez  
 Linda June Stalvey  
 Jennifer Diana Stearns  
 William L. Colbert  
 Douglas Lee Stowell  
 Marilyn Strauss  
 Jesse F. Suber  
 Herman Thomas  
 Donald E. Thompson, II  
 Emerson R. Thompson, Jr.  
 Thornton, Davis &  
 Murray, P.A.  
 Lucille E. Turner

Michael B. Twomey  
 Robert D. Vandiver  
 Thomas A. Warren  
 Michael T. Webster  
 Daniel Whitaker  
 Christopher White  
 Joshua A. Whitman  
 Jeffrey P. Whitton  
 John Gregg Wood, Jr.  
 Charles L. Woody  
 Robert S. Yerkes  
 Sheauching Yu  
 Victor John Zambetti

**up to \$99**

Howard M. Acosta  
 Adkins, Kise & Diaco, P.A.  
 Barbara E. Akers  
 Chad L. Aldis  
 Suzanne L. Aranda  
 V. Michael Arias  
 David Barberie  
 James M. Barclay  
 Robert A. Bass  
 Gary David Beatty  
 Jennifer Ruth Beltz  
 Robert B. Bennett, Jr.  
 Edward L. Birk  
 Donna E. Blanton  
 Steven M. Blount  
 Gene S. Boger  
 Stephen F. Bolton  
 George W. Boring, III  
 Robert J. Boyd  
 Richard L. Bradford  
 S. James Brainerd  
 Cynthia Jane Brennan  
 Kathleen Brennan  
 Joan E. Briggs  
 Sanford Brill  
 John Michael Bringardner  
 Brett Anthony Brosseit  
 Michael P. Bruyere  
 James H. Burke, Jr.  
 William S. Burns, Jr.  
 Bush, Ross, Gardner, Warren  
 & Rudy, P.A.  
 Kelly M. Buzzett  
 William A. Buzzett  
 Patrick B. Calcutt  
 William G. Capko  
 Ann Terry Carley  
 Tirso Carreja  
 Debra Carol Castellano  
 Kirk Steven Chaberski

Ronald A. Christaldi  
 Cory J. Ciklin  
 Robert Neil Clarke, Jr.  
 Joseph Clay Coates, III  
 Matthew Cohen  
 Donald D. Conn  
 Gerald B. Cope, Jr.  
 Robert C. Crabtree  
 Charles B. Curry  
 William H. Dane, Jr.  
 James Riley Davis  
 Mary Ellen Davis  
 Spencer E. Davis, Jr.  
 Ramon de la Cabada  
 Miguel Manuel de la O  
 John Robert Dixon  
 Yoniece Dixon  
 James W. Dodson  
 Peter D. Doragh  
 Anne Downing  
 Charles Law Early, Jr.  
 Susan Hugins Elsass  
 Alejandro Espino  
 Fagan & Douglas, P.A.  
 Rodney Glen Fair  
 Gary Martin Fernald  
 David Roy Fletcher  
 David M. Frank  
 Stephen C. Fredrickson  
 Carolyn K. Fulmer  
 Jody Blouch Gabel  
 Charles R. Gardner  
 Sally C. Gertz  
 Nancy T. Gilliam  
 Ben Edward Girtman  
 Rhoda P. Glasco-Foderingham  
 Kenneth Gluckman  
 Aaron R. Goldschmidt  
 Mitchell R. Golden  
 Owen Keith Goodwyne  
 Henry J. Graham, II  
 Andrew Lamar Granger  
 Brent P. Green  
 Joseph Griffin  
 Yvonne H. Gsteiger  
 Gulf Atlantic Insurance Co.  
 Harry T. Hackney  
 Lawrence Hadden  
 Kim C. Hammond  
 Hannah, Marsee & Voght, P.A.  
 Timothy D. Harley  
 Steven C. Hartsell  
 Herbert Dale Haughton  
 Thomas J. Haydon, Jr.  
 Lynn C. Hearn  
 Michelle L. Heldmyer

Carol Leigh Hendrix  
 Jane Heerema-Anhold  
 Alicia M. Hernandez  
 Mark Herron  
 Glenn Louis Hess  
 Steven P. Hester  
 T. Larry Hill  
 Holland & Knight  
 Michael D. Hook  
 P. Tim Howard  
 James William Humann  
 Michael Wayne Jackson  
 Janet Jacobowitz Ostroff  
 Clark R. Jennings  
 Wendy D. Jensen  
 Alejandro P. Joya  
 John M. Joyce  
 J. A. Jurgens  
 Jonathan Dennis Kaney, III  
 Chet Kaufman  
 Douglas C. Kearney  
 William Cochran Keating, IV  
 Frederick H. Kent, III  
 Sally Dee Kest  
 Paul F. King  
 Brian Heath Kirkland  
 Thomas F. Kirwin  
 Barry Kling  
 Kristine Knab  
 Frank J. Kohl  
 Thomas Lewis La Salle  
 Paul Watson Lambert  
 Harlow Henry Land, Jr.  
 Kenneth Webb Lark  
 Joseph Louis Larrinaga, Jr.  
 Mary A. Lau  
 Nancy Ann Lauten  
 John T. Lavia, III  
 Jason Dean Lazarus  
 William Alfred Leavell, III  
 Michele Danese Lellouche  
 Arthur Herbert Lester  
 William R. Lewis  
 Donna C. Lindamood  
 Marianne Lloyd  
 Laurie Ann Mack  
 Maguire, Voorhis & Wells  
 John W. Manuel  
 Susan Nicole Marks  
 Robert C. Shearman  
 John Marshall  
 Juan Carlos Martinez  
 Massie & Scott  
 Maria D. Hayes McAnulty  
 Francis X. McCullough  
 Susan C. McDonald  
 A. Edward McGinty

Mary M. McNerny  
 R. Bruce McKibben, Jr.  
 Mary Theresa Meek  
 Merkin, Levin & Iglesias  
 Claire Marie Merrigan  
 Mary Claire Meyer  
 Jeanne M. Miller  
 Michael Joseph Minerva, Jr.  
 Lisa S. Minshew  
 Stevan D. Mitchell  
 William Rodger Mitchell  
 Sylvia M. Monlyn  
 Marilyn Kay Morris  
 Harry Morrison, Jr.  
 William F. Murphy, III  
 Alexander Muszynski, III  
 Myers, Forehand & Fuller  
 Lorraine Nertney  
 Kara M. Tollett Oakley  
 Jane Nan Ohlin  
 Judson H. Orrick  
 Parrish, Bailey & Myers  
 Marvin Paul Pastel, II  
 Diliakumar Patel  
 Albert Craig Penson  
 Mark Frias Peres  
 Michael Andrew Perkins  
 A. Anderson Dogali  
 Richard C. Powers, Jr.  
 Lisa Pratt  
 Curt Puckett  
 Cynthia Puckett  
 Samuel Paul Queirolo  
 G. Keith Quinney, Jr.  
 Carolyn S. Raepple  
 Mary Lou Rajchel  
 Robert M. Rhodes  
 Scott Rhodes  
 Bradley D. Robbins  
 Roberts & Egan  
 Douglas Sadler Roberts  
 Susan Wadsworth Roberts  
 Tommy Edwin Roberts, Jr.  
 Mark Alan Roeder  
 Scott R. Rost  
 Robert A. Routa  
 Harold Adam Saul  
 Joseph Barry Schimmel  
 Stephen R. Senn  
 Robert C. Shearman  
 Lois Shepherd  
 Kim Anthony Skievaski  
 Linda C. Smith  
 William M. Smith  
 Smith, Thompson &  
 Shaw, P.A.

Kimberly B. Soubielle  
 A. J. Spalla  
 Susan Tassell Spradley  
 Wendy R. St. Charles  
 Susan Latham Steffey  
 Michael S. Stoddard  
 Kimberly Stott  
 Leslei G. Street  
 Strook, Strook & Lavan  
 Joy Adele Stubbs  
 Thomas J. Surgent  
 W. David Talbert, II  
 John Marc Tamayo  
 Michael A. Tartaglia  
 Stephanie Ann Taylor  
 Mark Stephen Thomas  
 Thomas Gwyn Thomas  
 Susan A. Tillotson Mills  
 Kim W. Torres  
 Meredith C. Trammell  
 Carol Ann Turner  
 Lyyli Van Whittle  
 Craig Deron Varn  
 Jessica M. Varn  
 Alan S. Wachs  
 Michael A. Wasylik  
 Perry D. West  
 Ashley L. Whitesides  
 Joe Allen Wild  
 Alaine S. Williams  
 Nelson G. Williams  
 Wendy Leigh Williams  
 William B. Willingham  
 Lori A. Willner  
 James David Wilson, III  
 Lori Wilson



Although every effort has been made to avoid mistakes in the Annual Report, due to changes to the computer system at the FSU Foundation, some errors may appear on these pages. To report problems, please contact the Office of Advancement and Alumni Affairs at (800) 788-7097. Our email address is [cburter@law.fsu.edu](mailto:cburter@law.fsu.edu).

# 1996-1997

## REGIONAL REPRESENTATIVES

### Ft. Lauderdale

James C. Brady - '73  
 Bruce W. Jolly - '75  
 Thomas L. LaSalle - '69  
 Linda Rae Spaulding - '85

### Jacksonville

Thomas M. Jenks - '81  
 Richard K. Jones - '82  
 Frederick J. Lotterhos, III - '79  
 Martin J. Mickler - '70  
 Douglas H. Morford - '69  
 John A. Sampson, III - '74

### Miami

Louise T. Jeroslow - '85  
 J. William Kirkland - '71  
 William F. Murphy, III - '80  
 John B. Ostrow - '70  
 J. Thompson Thornton - '82

### Orlando

Joseph R. Flood, Jr. - '82  
 John R. Gierach - '75  
 Rex A. Hurley - '84  
 Thomas F. Lang - '75  
 Francis H. Sheppard - '84  
 Donald N. Williams - '84

### Pensacola

Terence Gross - '79  
 Patricia D. Lott - '77  
 Stephen P. Preisser - '80  
 Edwin Walborsky - '79  
 E. Gary Work, Jr. - '75

### Tampa

George B. Cappy - '72  
 Stann V. Givens - '74  
 Bruce D. Lamb - '80  
 James M. Landis - '69  
 Robert S. Wise - '81

# 1996-1997

## TOTAL CONTRIBUTIONS BY CLASS

<b>1969</b> Total: \$1,695.00 Number in class: 87 Number of Donors: 11 Participation: 12.6% Average Gift: \$154.09	<b>1976</b> Total: \$11,020.75 Number in class: 133 Number of Donors: 26 Participation: 19.5% Average Gift: \$423.88	<b>1983</b> Total: \$1,900.00 Number in class: 197 Number of Donors: 19 Participation: 9.6% Average Gift: \$100.00	<b>1990</b> Total: \$1,232.50 Number in class: 171 Number of Donors: 16 Participation: 9.4% Average Gift: \$77.03
<b>1970</b> Total: \$5,612.50 Number in class: 90 Number of Donors: 20 Participation: 22.2% Average Gift: \$280.63	<b>1977</b> Total: \$2,388.50 Number in class: 156 Number of Donors: 17 Participation: 10.9% Average Gift: \$140.50	<b>1984</b> Total: \$3,413.50 Number in class: 193 Number of Donors: 19 Participation: 9.8% Average Gift: \$179.66	<b>1991</b> Total: \$1,245.50 Number in class: 247 Number of Donors: 19 Participation: 7.7% Average Gift: \$65.55
<b>1971</b> Total: \$7,292.50 Number in class: 80 Number of Donors: 13 Participation: 16.3% Average Gift: \$560.96	<b>1978</b> Total: \$5,046.00 Number in class: 153 Number of Donors: 16 Participation: 10.5% Average Gift: \$315.38	<b>1985</b> Total: \$6,811.50 Number in class: 195 Number of Donors: 30 Participation: 15.4% Average Gift: \$227.05	<b>1992</b> Total: \$1,717.00 Number in class: 160 Number of Donors: 11 Participation: 6.9% Average Gift: \$156.09
<b>1972</b> Total: \$278,141.50 Number in class: 139 Number of Donors: 22 Participation: 15.8% Average Gift: \$12,642.78	<b>1979</b> Total: \$4,227.50 Number in class: 170 Number of Donors: 26 Participation: 15.3% Average Gift: \$162.60	<b>1986</b> Total: \$3,100.00 Number in class: 210 Number of Donors: 32 Participation: 15.2% Average Gift: \$96.88	<b>1993</b> Total: \$1,144.00 Number in class: 209 Number of Donors: 16 Participation: 7.7% Average Gift: \$71.50
<b>1973</b> Total: \$6,699.75 Number in class: 151 Number of Donors: 19 Participation: 12.6% Average Gift: \$352.62	<b>1980</b> Total: \$23,008.00 Number in class: 173 Number of Donors: 18 Participation: 10.4% Average Gift: \$1,278.22	<b>1987</b> Total: \$1,425.00 Number in class: 170 Number of Donors: 13 Participation: 7.6% Average Gift: \$109.62	<b>1994</b> Total: \$986.50 Number in class: 168 Number of Donors: 15 Participation: 8.9% Average Gift: \$65.77
<b>1974</b> Total: \$6,859.54 Number in class: 170 Number of Donors: 28 Participation: 16.5% Average Gift: \$244.98	<b>1981</b> Total: \$5,142.00 Number in class: 187 Number of Donors: 28 Participation: 15.0% Average Gift: \$183.64	<b>1988</b> Total: \$1,331.50 Number in class: 166 Number of Donors: 15 Participation: 9.0% Average Gift: \$88.77	<b>1995</b> Total: \$5,720.00 Number in class: 221 Number of Donors: 16 Participation: 7.2% Average Gift: \$357.50
<b>1975</b> Total: \$20,825.17 Number in class: 165 Number of Donors: 36 Participation: 21.8% Average Gift: \$578.48	<b>1982</b> Total: \$5,268.50 Number in class: 156 Number of Donors: 20 Participation: 12.8% Average Gift: \$263.43	<b>1989</b> Total: \$2,296.50 Number in class: 163 Number of Donors: 17 Participation: 10.4% Average Gift: \$135.09	<b>1996</b> Total: \$455.00 Number in class: 150 Number of Donors: 13 Participation: 8.7% Average Gift: \$35.00

### GRAND TOTALS

Total Donations: \$416,005.46  
 Number of Alumni: 4,630  
 Number of Donors: 548  
 Overall Participation: 11.84%  
 Average Alumni Gift: \$759.13

## ANNUAL REPORT

## ANNUAL FUND CAMPAIGN BY CLASS

<b>Class of 1969</b> Class Representative: Douglas Morford	<i>Number in Class: 87</i> <i>Number of Donors: 11</i> <i>Class Participation Rate: 12.6%</i> <i>Total Gifts: \$1,395.00</i> <i>Average Gift: \$126.82</i>	<b>Class of 1976</b> Class Representative: Ralph Martinez	<i>Number in Class: 133</i> <i>Number of Donors: 24</i> <i>Class Participation Rate: 18.0%</i> <i>Total Gifts: \$4,270.00</i> <i>Average Gift: \$177.92</i>
<b>Class of 1970</b> Class Representative: J. Jerome Miller	<i>Number in Class: 90</i> <i>Number of Donors: 19</i> <i>Class Participation Rate: 21.1%</i> <i>Total Gifts: \$4,512.50</i> <i>Average Gift: \$237.50</i>	<b>Class of 1977</b> Class Representative: James Cunningham	<i>Number in Class: 156</i> <i>Number of Donors: 15</i> <i>Class Participation Rate: 9.6%</i> <i>Total Gifts: \$1,963.50</i> <i>Average Gift: \$130.90</i>
<b>Class of 1971</b> Class Representative: J. William Kirkland	<i>Number in Class: 80</i> <i>Number of Donors: 12</i> <i>Class Participation Rate: 15%</i> <i>Total Gifts: \$2,687.50</i> <i>Average Gift: \$223.96</i>	<b>Class of 1978</b> Class Representative: Paul Amundson	<i>Number in Class: 153</i> <i>Number of Donors: 16</i> <i>Class Participation Rate: 10.5%</i> <i>Total Gifts: \$3,046.00</i> <i>Average Gift: \$190.38</i>
<b>Class of 1972</b> Class Representative: George Cappy	<i>Number in Class: 139</i> <i>Number of Donors: 12</i> <i>Class Participation Rate: 8.6%</i> <i>Total Gifts: \$2,216.50</i> <i>Average Gift: \$184.71</i>	<b>Class of 1979</b>	<i>Number in Class: 170</i> <i>Number of Donors: 23</i> <i>Class Participation Rate: 13.5%</i> <i>Total Gifts: \$3,027.50</i> <i>Average Gift: \$131.63</i>
<b>Class of 1973</b> Class Representative: Michael L. Granger	<i>Number in Class: 151</i> <i>Number of Donors: 15</i> <i>Class Participation Rate: 9.9%</i> <i>Total Gifts: \$3,749.75</i> <i>Average Gift: \$249.98</i>	<b>Class of 1980</b> Class Representative: Robert Bethea	<i>Number in Class: 173</i> <i>Number of Donors: 16</i> <i>Class Participation Rate: 9.2%</i> <i>Total Gifts: \$2,383.00</i> <i>Average Gift: \$148.94</i>
<b>Class of 1974</b> Class Representative: Stann Givens	<i>Number in Class: 171</i> <i>Number of Donors: 27</i> <i>Class Participation Rate: 15.9%</i> <i>Total Gifts: \$5,934.54</i> <i>Average Gift: \$219.80</i>	<b>Class of 1981</b> Class Representatives: Michael Mattimore Mary Piccard	<i>Number in Class: 187</i> <i>Number of Donors: 26</i> <i>Class Participation Rate: 13.9%</i> <i>Total Gifts: \$4,242.00</i> <i>Average Gift: \$163.15</i>
<b>Class of 1975</b> Class Representative: Joe Fixel	<i>Number in Class: 165</i> <i>Number of Donors: 26</i> <i>Class Participation Rate: 15.8%</i> <i>Total Gifts: \$4,046.00</i> <i>Average Gift: \$155.62</i>	<b>Class of 1982</b> Class Representative: Ronald Shapiro	<i>Number in Class: 156</i> <i>Number of Donors: 18</i> <i>Class Participation Rate: 11.5%</i> <i>Total Gifts: \$2,306.00</i> <i>Average Gift: \$128.11</i>

ANNUAL REPORT

**Class of 1983**  
 Class Representative:  
 George C. Bedell, III  
*Number in Class: 197*  
*Number of Donors: 19*  
*Class Participation Rate: 9.6%*  
*Total Gifts: \$1,775.00*  
*Average Gift: \$93.42*

**Class of 1984**  
 Class Representative:  
 John Lopez  
*Number in Class: 193*  
*Number of Donors: 17*  
*Class Participation Rate: 8.8%*  
*Total Gifts: \$2,763.50*  
*Average Gift: \$162.56*

**Class of 1985**  
 Class Representative:  
 Loula Fuller  
*Number in Class: 195*  
*Number of Donors: 28*  
*Class Participation Rate: 14.4%*  
*Total Gifts: \$5,611.50*  
*Average Gift: \$200.41*

**Class of 1986**  
 Class Representative:  
 Andrew Dogali  
*Number in Class: 210*  
*Number of Donors: 31*  
*Class Participation Rate: 14.8%*  
*Total Gifts: \$2,625.00*  
*Average Gift: \$84.68*

**Class of 1987**  
 Class Representatives:  
 Craig A. Meyer  
 Gina G. Smith  
*Number in Class: 170*  
*Number of Donors: 19*  
*Class Participation Rate: 11.2%*  
*Total Gifts: \$2,253.00*  
*Average Gift: \$118.58*

**Class of 1988**  
 Class Representative:  
 Joseph Coates  
*Number in Class: 166*  
*Number of Donors: 15*  
*Class Participation Rate: 9.0%*  
*Total Gifts: \$1,331.50*  
*Average Gift: \$88.77*

**Class of 1989**  
*Number in Class: 163*  
*Number of Donors: 16*  
*Class Participation Rate: 9.8%*  
*Total Gifts: \$1,296.50*  
*Average Gift: \$81.03*

**Class of 1990**  
 Class Representative:  
 Ralph Gonzales  
*Number in Class: 171*  
*Number of Donors: 15*  
*Class Participation Rate: 8.8%*  
*Total Gifts: \$982.50*  
*Average Gift: \$65.50*

**Class of 1991**  
 Class Representative:  
 Victor Zambetti  
*Number in Class: 247*  
*Number of Donors: 19*  
*Class Participation Rate: 7.7%*  
*Total Gifts: \$1,245.50*  
*Average Gift: \$65.55*

**Class of 1992**  
 Class Representative:  
 Robert S. Right  
*Number in Class: 160*  
*Number of Donors: 11*  
*Class Participation Rate: 6.9%*  
*Total Gifts: \$579.50*  
*Average Gift: \$52.68*

**Class of 1993**  
 Class Representative:  
 Constance Durrence  
*Number in Class: 209*  
*Number of Donors: 15*  
*Class Participation Rate: 7.2%*  
*Total Gifts: \$1,044.00*  
*Average Gift: \$69.60*

**Class of 1994**  
 Class Representative:  
 John Marc Tamayo  
*Number in Class: 168*  
*Number of Donors: 15*  
*Class Participation Rate: 8.9%*  
*Total Gifts: \$986.50*  
*Average Gift: \$65.77*

**Class of 1995**  
 Class Representative:  
 Ed Birk  
*Number in Class: 221*  
*Number of Donors: 15*  
*Class Participation Rate: 6.8%*  
*Total Gifts: \$720.00*  
*Average Gift: \$48.00*

**Class of 1996**  
 Class Representative:  
 Tirso Carreja, Jr.  
*Number in Class: 150*  
*Number of Donors: 13*  
*Class Participation Rate: 8.7%*  
*Total Gifts: \$455.00*  
*Average Gift: \$35.00*

GRAND TOTALS

*Number of Alumni: 4,630*  
*Number of Alumni Donors: 499*  
*Overall Class Participation Rate: 10.78%*  
*Average Alumni Donation: \$137.47*  
*Total Annual Fund Donations for Alumni: \$68,595.79*

ANNUAL REPORT

DESIGNATED GIFTS

PATRICIA A. DORE  
 PROFESSORSHIP IN  
 ADMINISTRATIVE LAW

Gary C. Pajcic  
 Betty J. Steffens

BLANK/MILLER  
 SCHOLARSHIP FUND

F. Philip Blank

EARMARKED  
 SCHOLARSHIP FUND

Florida Lawyers' Legal  
 Insurance Corp.  
 Rafael Gonzalez  
 Claudia Isom  
 Woodson A. Isom

FONVIELLE & HINKLE  
 PROFESSORSHIP IN  
 LITIGATION

C. David Fonvielle, III  
 Donald Mark Hinkle

GOLDSTEIN MEMORIAL  
 FUND

Florida Public Defenders  
 Elwin Griffith  
 Ronald Jolles  
 State of Florida

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