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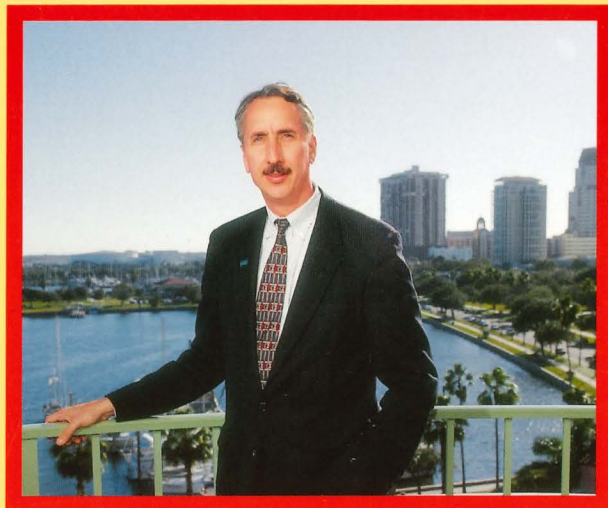
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FLYING HIGH IN ST. PETE

*Rick Baker takes a break from legal practice to serve as mayor of the city he loves, **PAGE 10***



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THE MAGAZINE OF THE FLORIDA STATE UNIVERSITY COLLEGE OF LAW

FSU LAW

SPRING/2002

BIFF MARSHALL
GRAY, HARRIS & ROBINSON
MANAGING PARTNER

**BUILDING A
LEGAL POWERHOUSE
ON THE I-4 CORRIDOR**

PLUS: Looking at the reasons behind the Enron collapse, **page 15**

Great news and a challenge from our students!



Our law school continues on a roll! To mention a few specifics:

- We have hit another new high in our applications for admission. This year, there are over 2,700 applications for the 215 spots in our first-year class. This is the second year in a row in which our applications are up by over 20%.
- Our students are in great demand in the marketplace and have great success passing the Bar exam. The February 2002 Florida Bar Exam results are just out: FSU graduates had the top Bar passage rate of any school in the state!
- Our environmental law program has once again been ranked by *U.S. News & World Report* as one of the top 20 in the nation!
- Our faculty are nationally and internationally recognized. One indication: this year, our faculty are serving as visiting professors at such prestigious law schools as Berkeley (Ed Ball Eminent Scholar Fred Abbott), Cornell (Ruden McClosky Smith Schuster & Russell Professor Rob Atkinson), and the University of Texas at Austin (Professor Stephanie Gore).
- Our faculty continue to innovate in their use of technology to help make our students among the most technologically sophisticated in the country. For example, this spring, Professor Tahirih Lee unveiled a new course, Internet Trade Simulation, in which our students conducted trade negotiations on-line with Chinese students at the Shanghai Institute for Foreign Trade. The students from both countries loved it! I do not know of a similar course at any other law school in the country.
- Our alumni continue to hit new highs. For example, as this issue of *FSULaw* goes to press, we are preparing to host alum Mel Martinez ('73), Secretary of the Department of Housing and Urban Development, as our Spring 2002 Commencement speaker. For further example, this issue tells the story of how alum Biff Marshall ('78), managing partner of Gray, Harris & Robinson, helped make his firm one of the great success stories of the I-4 corridor.

We now need your help to keep the ball rolling! Please contribute to our Annual Fund.

Last year, our alumni increased contributions to our Annual Fund from 10% to 14%. We were all delighted by

the improvement, which was enough for us to beat the University of Florida law school's giving rate. In response, this year they sent their alumni a "Calling All Gators" postcard (Sandy D'Alemberte sent me the copy he received) in which they indicated that they were behind us in their annual fund giving rate and needed to catch up. Which means that we, in turn, need to do better. Right now, our contribution rate is up to 15.5%. Please help us to increase our rate before the fiscal year closes on June 30!

Our improvement again this year is remarkable in light of the fact that our Assistant Director of Development position, which is in charge of the Annual Fund, has been vacant for almost six months. It has been filled by Tim Kelly, who is now hard at work. How have we managed to improve despite a vacancy at the helm of this staff-driven process? *Because of our students.* Our students ran a phone-a-thon and called many of our alumni. And our students initiated our first-ever student-body-wide solicitation for our Annual Fund. *Over 25% of our students have contributed to our Annual Fund.* Now is the time for our alumni to catch up with the giving rate of our students! Please make your check out to FSU College of Law and send it either to me or to Tim Kelly. All of us here at the school, especially the students, will appreciate any contribution you make. We'll send those of you who have not yet contributed a reminder before the end of June.

Please remember! The alumni contribution rate is one of the most significant statements about this or any other law school. Contributing to the annual fund is one of the easiest and least expensive ways to help the reputation of the school and the quality of its programs.

Thank you.

DONALD J. WEIDNER, DEAN, COLLEGE OF LAW



About the Cover: Biff Marshall has guided Orlando-based Gray, Harris & Robinson to new heights.

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SPRING / 2002
FSU LAW

THE MAGAZINE OF
THE FLORIDA STATE
UNIVERSITY COLLEGE
OF LAW

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BUILDING THE Law Firm OF THE 21st Century

o lawyers and law firms along the east-west swath of central Florida known as the I-4 corridor, Gray, Harris & Robinson is the legal profession's version of Pack Man. Like the voracious 1980s video game predator, it has been on a veritable tear, gobbling up high profile partners and entire firms as it builds a reputation as a legal powerhouse.

Although he doesn't deny his firm has pursued growth with a passion, Biff Marshall, a 1978 graduate of the College of Law, and Gray Harris's managing partner and chief architect of the expansion, maintains that there is a method to the madness. The Orlando-based firm, which has offices in six Florida cit-

ies, is following a carefully considered strategy.

"The plan is not based on what's happening today," says Marshall, who was dubbed "the empire builder" in a *Miami Daily Business Review* article about Florida's major law firms last summer. "We're focusing on the market five years from now. We're trying to position ourselves for the future."

The growth has, in fact, been breathtaking. In late 1999, the firm counted 70 attorneys. A year later the number stood at 130 on the way to the current total of 150.

The foundation of Gray Harris's growth was laid in the early 1990s when the firm—then consisting of 30 lawyers—decided to make management changes following a consultant's evaluation. "They told us we should consider merging with a larger firm," Marshall says, "but we liked our firm culture and didn't want to give that up. We weren't willing to let lawyers in Ohio or Pennsylvania tell us what to do."

One of the first things Gray Harris did was to examine the firm's governance structure. "We decided to break from the traditional model of management," says Marshall. "Most firms with 30 to 35 lawyers are managed by a board of directors of 10 to 15 partners who make decisions on all the major issues. We decided to go to a strong managing partner model." Marshall, who earned an MBA degree as well as a J.D. from FSU, was chosen by the named partners, to fill the post.

Ten years later, founding partner Robbie Robinson, says that Marshall was the right man for the job. "He has vision and other lawyers like him."

According to Marshall, management is a weak point for many firms. "Lawyers only want other lawyers to manage them and a lot of them are not even happy about that," he says. "They don't trust businessmen or professional managers. Because of this, I think a lot of firms are rudderless. They don't know quite what they're doing or where they're going. For these firms, merging with larger firms is very attractive."

Simplifying Gray Harris's management, Marshall says, has created a more dynamic atmosphere. "We have become less seniority-based and more of a meritocracy. This means we can bring in highly productive 40-year-olds and fairly compensate them for their work. We've seen a dramatic increase in productivity."

Another element of Gray Harris's plans was the development of a market strategy. "We decided we wanted to be a major player in the central Florida area, from the Atlantic Ocean to the Gulf of Mexico," says Marshall.

Although the pace of growth has been fast, Marshall says it has followed a blueprint. "We have grown by adding 15 very experienced partners, but also by incorporating successful law firms in areas that will help us. We merged with a 16-lawyer firm in Tampa [Shackleford, Farrow, Stallings & Evans]. We've brought in about 20 lawyers from a Polk County firm. We've taken over an office in Tallahassee so we can handle government work for our clients."

There are other advantages to the firm's growth, Marshall says. "Ten years ago when we lost a corporate client and asked them why, they said they needed to work with a bigger firm. The firm

they ended up hiring had 500 lawyers. This sounds silly. You don't need 500 lawyers to handle an account. But there is an issue of sophistication involved with size. The larger firms get the more complex work that major clients tend to generate."

Size is also important for name recognition, Marshall says. "Our objective is to be on the short list when any large organization is looking for legal services in central Florida."

Marshall says the growth will continue in the short term. "We're trying to build depth in a number of areas. We're missing a patent lawyer, for instance. I'd love to develop a little more depth in our intellectual property practice. We have 35 lawyers now in Tampa. I'd like to see that number around 50."

But there are limits to the growth, Marshall says. "We have



GRAY, HARRIS & ROBINSON'S
MANAGING PARTNER,

BIFF MARSHALL IS THE

ARCHITECT BEHIND THE
FIRM'S BOLD EXPANSION
STRATEGY



FSU-trained lawyers at Gray, Harris & Robinson's

Orlando Office: (from left) Jack McMullen, Biff

Marshall, Susan Tassell Spradley, Kurt Bauerle,

Scott W. Spradley, Tony Giovanoli, James

Balletta, Tracy Marshall and Tom Cloud

about 75 lawyers in our Orlando office. Once we get to 80 or 85, I think we will have an optimum number for a community this size. When you go beyond that, you have lawyers within the firm competing for the same work."

One of the firm's guiding principles, says Marshall, is that Gray Harris is a small firm with a lot of lawyers. "Not only do we want to be a place where lawyers feel comfortable, we believe in leaving them alone to manage their own practice."

An overbearing bureaucracy restricts lawyers' productivity, Marshall says. "There are law firms in this area with 100 lawyers that have 50 committees. I don't think we have five. I consider it my job to keep distractions from interfering with our attorneys' work."

Another approach the firm takes to keep lawyers productive is to match each attorney with his or her own secretary. Again, Marshall points out that the practice runs against the grain of typical practice. "Because of computerization, the trend is to let lawyers do more of their own clerical work. We don't do that. I don't think it's right for a client to pay \$200 to \$300 an hour for an attorney to type documents. We have high overhead but we also have high production."

Gray Harris attorney Scott Spradley '88 appreciates the firm's efforts to keep a focus on productivity and client service. A top-flight support staff, he says, helps eliminate the paperwork burden that, traditionally, has bedeviled lawyers. "We're able to focus on representation of clients without the constraints you would normally find in firms of comparable size."

Spradley is also an enthusiastic supporter of the firm's growth. "It not only translates into increased horse-power in existing practice areas but means we're adding altogether new practice areas. We're enhancing our reputation as a full-service business

*The Gray Harris motto:
'We're a small firm with
a lot of lawyers'*

firm." He adds, "It's very satisfying that Gray Harris can provide counseling and representation on virtually any issue and that we can provide these services in virtually any part of the state."

Despite the emphasis on productivity, Spradley says, Gray Harris does not forget life outside the firm. "Although the lawyers here are dedicated to assisting one another to achieve maximum quality results for clients, we're also encouraged by the firm to maintain an energized presence within the community. A high value is placed on quality family and personal time."

Gray Harris's firm philosophy differs in other regards as well. Where many firms discourage spouses from working in the same office, Marshall, who is married to another Gray Harris attorney and FSU law graduate, Tracy Ann Marshall '90, says he has found no problems in the practice. "As a matter of fact, I think it's had a positive influence," he says.

Spradley agrees. He and Susan Tassell Spradley '89 are the other FSU law couple at Gray Harris. There are some definite conveniences to the arrangement, he says. "Because we both know what's going on at the firm, Susan and I are able, for the most part, to leave work-related stress at the office rather than rehashing things at dinner." He adds, "It also helps that we have separate practice areas and don't work on each other's files."

Although Gray Harris is committed to growing into a major legal player in central Florida, Marshall is not interested in following the trend toward multi-disciplinary practice. "An important part of our approach is to stick with the practice of law," he says. "You hear a lot about mixing law with accounting, with IT, engineering, or whatever. I don't believe that is the future of successful law firms. Law firms have enough trouble managing their legal practices. Why do they think they can do a good job running an accounting practice?"

Marshall adds, "If there is, in fact, real growth toward multi-disciplinary practices, I predict it will reverse and law firms will return to practicing law."

Where does Gray Harris Robinson go from here?

At some point, Marshall says, the firm may decide to set up shop in Jacksonville and Sarasota, but that day hasn't arrived. "We're sticking to the territory we've indentified for ourselves for now," says Marshall. "We've got plenty of work to do before we start looking for more." ■

FSU Law alumni at Gray, Harris & Robinson

Orlando

- James Balletta '84
- Kurtis Bauerle '98
- Thomas Cloud '79
- Tony Giovanoli '01
- Byrd "Biff" Marshall '78
- Tracy Ann Marshall '90
- Jack McMullen '88
- Scott Spradley '88
- Susan Tassell Spradley '89

Tallahassee

- Peter Antonacci '79
- Chanta Combs '98
- Lori Sellers Rowe '97

Lakeland

- David Hallock, Jr. '88

Tampa

- Thomas Danaher '73
- William Gillen, Jr. '69
- Tionis Dawes '01



Kevin Snyder, foreground, is pictured with fellow heroes in a feature article in the January 2002 Reader's Digest

A Real Action HERO

FOR KEVIN SNYDER, A ROUTINE COMMUTE HOME TURNS INTO A LIFE-SAVING DRAMA TOLD AROUND THE COUNTRY

"Hero" is a label Kevin Snyder '97 wears reluctantly. As he sees it, it is one bestowed upon him by circumstances and fate. "A situation presented itself, and I did the only thing I knew how to do," he says.

The situation that came to define Snyder's life over the past year, and that received added attention following the events of September 11, unfolded on February 22, 2001, as he was heading home

from his job at Atlanta's Parker, Hudson, Rainer & Dobbs law firm. Traveling south on Interstate 85, he watched in disbelief as a Nissan Stanza slammed into the rear of a Honda Accord that had come to a stop in the center lane after losing a tire.

As the Honda's ruptured gas tank burst into flames, Snyder pulled his car into the median and jumped out to help. What happened over the next few minutes, according to bystanders and a number of publications, including the *Reader's Digest*, defined Snyder as a hero and sent his

story around the country.

While other motorists watched a safe distance from the accident, Snyder quickly determined that the occupants of the Honda, the car that had lost a tire, were in greater peril than the single driver in the Nissan. As flames engulfed the back of the Honda, Snyder saw a hand banging on the window, and heard a passenger yelling for help.

Unable to open the jammed doors or kick out the windows, he grabbed a steel bar from the owner of a van stalled in traffic and broke out one of the Honda's passenger windows. Snyder and another man, Chris Womack, who had joined the rescue, pulled an injured man and woman from the front seat of the smoke-filled car. The man told Snyder that there were three children in the back seat. The woman yelled, "My baby, my baby."

Snyder and Womack, a Georgia Power winch truck operator, pulled two of the three children from the car after struggling to unjam the back seat. The smoke in the car was so thick the two could not see the children or each other. Both were forced to repeatedly pull back from the car, gasping for air and gagging from the smoke and fumes that seared their lungs. As he worked, Snyder was forced to stamp out flames on his shoes and trousers.

When Snyder crawled through the rear window to find the baby, he knew the car was on the verge of exploding. Flaming rivulets of gasoline were burning under the gas tank, which was still leaking fuel.

Coughing violently from the smoke and fumes and nearing unconsciousness, Snyder groped for the seatbelt release behind the baby seat. Driven by the notion that he could not fail, Snyder, with Womack's help, finally freed the baby seat and the toddler. Seconds later, Snyder collapsed on the pavement, still holding the baby. Womack dragged them both to safety just as the car was engulfed in fire.

After graduating from law school in 1997, Snyder clerked for Dudley Bowen, Jr., Chief Judge for the U.S. District Court for the Southern District of Georgia until 1999, and later joined Lord, Bissell & Brook as a litigation associate. In 2000, he moved to Parker, Hudson, Rainer & Dobbs where he works in the commercial bankruptcy de-



Kevin Snyder (center) receives the Georgia State Patrol's Citizen's Valor Award at a June 2001 presentation.

partment, concentrating on representing secured lenders in bankruptcy, non-bankruptcy workouts and creditor rights matters.

Although most aspects of his life have long ago returned to normal, Snyder says

the experience has left him a changed man. "I try to savor every moment in life and appreciate the little things I used to take for granted." He adds, "Life and death situations have a way of making you wake up to what's important."

YES, VIRGINIA, THERE ARE HEROES

Editorial reprinted from *The Atlanta Journal Constitution*, December 25, 2001

Heroes are made, not born. A hero is forged in a single, searing moment when another life becomes more important than his or her own.

Though the attention of the nation has been riveted on the heroes produced by the terrorist atrocities of September 11, inspiring stories of heroism can be found much closer to home. Christmas is an ideal time to salute the ordinary people who risk their own lives to save others.

Superhero is not typically in the job description of a bankruptcy attorney or a Georgia Power winch truck operator, but 33-year-old Kevin Snyder and 29-year-old Chris Womack added it to their resumes in February when they pulled a family out of a burning car on I-85 in Union City.

While the fiery crash drew an immediate crowd, only those two men, both parents of young children, rushed to free the father, mother and three young children from the car. Seconds later, they were joined by Kenneth Lanham, who drives a tractor-trailer for Allied Systems in Hapeville.

The three good Samaritans immediately freed all the victims except a 2-year-old girl trapped in her car seat. Then Snyder and Womack climbed inside the car, ignoring the flames lapping at their feet. The smoke in the car grew so intense they couldn't even see one another, but they refused to give up.

"We both said we felt the same thing — if she doesn't get out, we won't get out," said Womack. With the desperate mother screaming "My baby, my baby," the heroes raced against time to save the child. Finally, Snyder found the belt release, pulled out the baby and lurched out of the car onto the pavement. Womack dragged them to safety and, seconds later, the car erupted in flames.

In explaining their heroic deeds, the men said they had no choice but to act. "Somebody would have had to have grabbed my feet and pulled me out of there. I wasn't going to leave her in there to burn to death," Snyder said. "How could I have lived with myself if I had failed?"



COLLEGE OF LAW PROFESSOR
AND NATIONALLY RECOGNIZED
TAX EXPERT **JOSEPH DODGE**
PURSUES HIS SCHOLARSHIP
WITH THE SAME PASSION HE
DEVOTES TO HIS SCULPTURE.

MAN OF STEEL

Joseph Dodge sits at his computer in an office that is quiet and unassuming—it matches his soft-spoken personality. He finishes an e-mail from a student about a tax law question, his two index fingers adeptly rove the keyboard, hunting and pecking out an authoritative response. "I never did learn how to type conventionally," he says. Behind him, books line shelves from floor to ceiling. Near the top are several old volumes that include Jay Cooke's *Financier of the Civil War* and

Beveridge's *Life of John Marshall*. In addition, there is an extensive library of law books, many dealing with tax law and several that Dodge wrote himself. He has authored approximately fifteen books and manuals and more than twice that many articles, monographs and miscellaneous publications. When Dodge joined the College of Law faculty in the fall of 2001, he had already established a national reputation as an expert at the University of Texas in Austin.

Around the walls that aren't lined with books are several of Dodge's photographs of rock formations and sandscapes that have a beautiful natural symmetry with obvious attention to composition. The dominant pieces of art in his office, however, are four large acrylic abstract paintings that hang over his desk and which he painted. Dodge says, "The painting is just incidental. My main interest in art is in the area of welded metal sculpture that I began in the early 1990s."

Dodge's father was a professional artist and museum director and his godfather was a well-known commercial artist, so his interest in art comes naturally. "David

By Phillip M. Pollock

Smith, a family friend, and who many think is perhaps the best sculptor America has produced, was an inspiration to me," said Dodge. Dodge works on his sculpture at home, where his work is scattered throughout his northwest Tallahassee yard. Most of it is figural, loosely realistic, or in some cases, completely abstract. The heavy components—stray bits and pieces of scrap metal—are welded together into whimsical shapes with industrial-looking foundations.

A large orange sculpture that Dodge titled, "Tree," stands about seven feet high and rests at the back of Dodge's property, fronting a small lake. Lots of two-foot metal sections are bent and welded together to create the shape. "This was created from scrap railroad tie spacers that I salvaged," Dodge said. "I find miscellaneous materials that are abandoned and well-used, and it all ends up having a second life." One of Dodge's favorite works in front of his home is reminiscent of the stilt-like root system of a mangrove plant. It was sculpted from rusted automotive tail pipes.

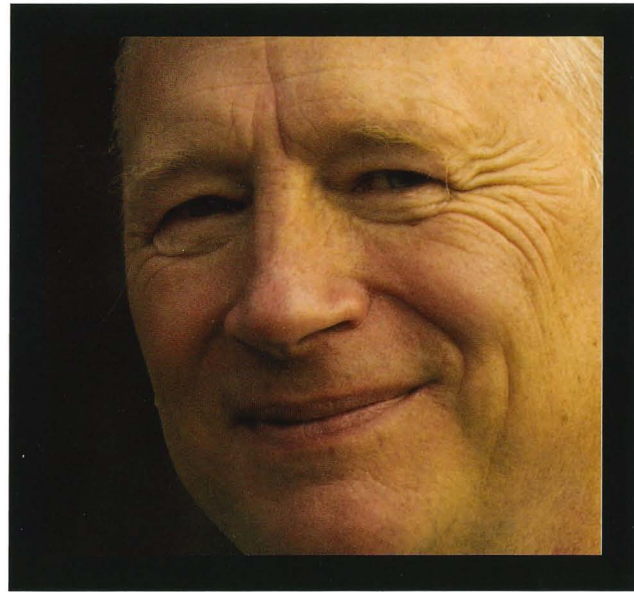
"Art is a bit like scholarship," Dodge said. "You decide on a project, say a thesis, and you work on it, making endless decisions—each one being contingent on the one before that. You can go back and make corrections, of course, but you can't agonize over everything. At some point you make a decision and move on."

That is how Dodge began his career in tax law; it was a step-by-step, make-some-corrections-and-move-on process. "When I was in law school at Harvard, if you were at the top of your class, you were more or less anointed and would go into a Supreme Court clerkship and then into teaching. Since I wasn't quite that high up, it wasn't ordained that I go into teaching, and I didn't even think that much about it, until a few years later."

After Dodge left Harvard in 1967, he spent two years in Tokyo, working in contract law. He realized during this period that if he ever wanted to teach, publishing was critical. This realization was the catalyst for "The Free Exercise of Religion: A Sociological Approach" that Dodge published in the *Michigan Law Review* in 1969. The combination of that article, a few years of work at a Washington, D.C. law

firm, in the area of Estate and Income Tax law, and completion of his LL.M. at NYU paved the way for a teaching career.

Dodge had been on the faculty of the University of Texas, with intermittent visiting professor roles at three different law schools, including FSU in 1999, from 1978 to the fall of 2001. "I may have been getting stale at Texas," he said regarding his decision to come to FSU. "The Texas faculty was very large, and there wasn't any re-examination of curriculum there. The FSU College of Law is considerably smaller, though very ambitious." Dodge continued, "Some small law schools are driven by factions and animosities, but the law school here seems to be free of that." He added



that, unlike the University of Texas, the College of Law is far more accessible to students. "At Texas, it took an effort to find faculty because they were so spread out, and in fact, the building was set up in a way that more or less separated the students from the faculty. Here, the students are just kind of around."

Whereas the College of Law offers Dodge a new challenge, he, in turn, brings a high level of notoriety to FSU. Tax professors from around the country e-mail him with questions relating to his field. Dodge is just old enough that he feels he can offer sound advice to those who lack his professional maturity. "I can read and interpret the work of other colleagues and then give them encouragement," Dodge says. "These relationships, along with my

experience, allow me to bring some prestige to Tallahassee and the students here."

The distinction Dodge brings to the law school comes after many years of teaching and writing. "Once I did go into teaching, it was just a question of grinding away at my research and making connections between things that don't always seem to be connected," he said. Dodge noted that once some faculty members get tenured, they often stop writing, though he has continued to publish.

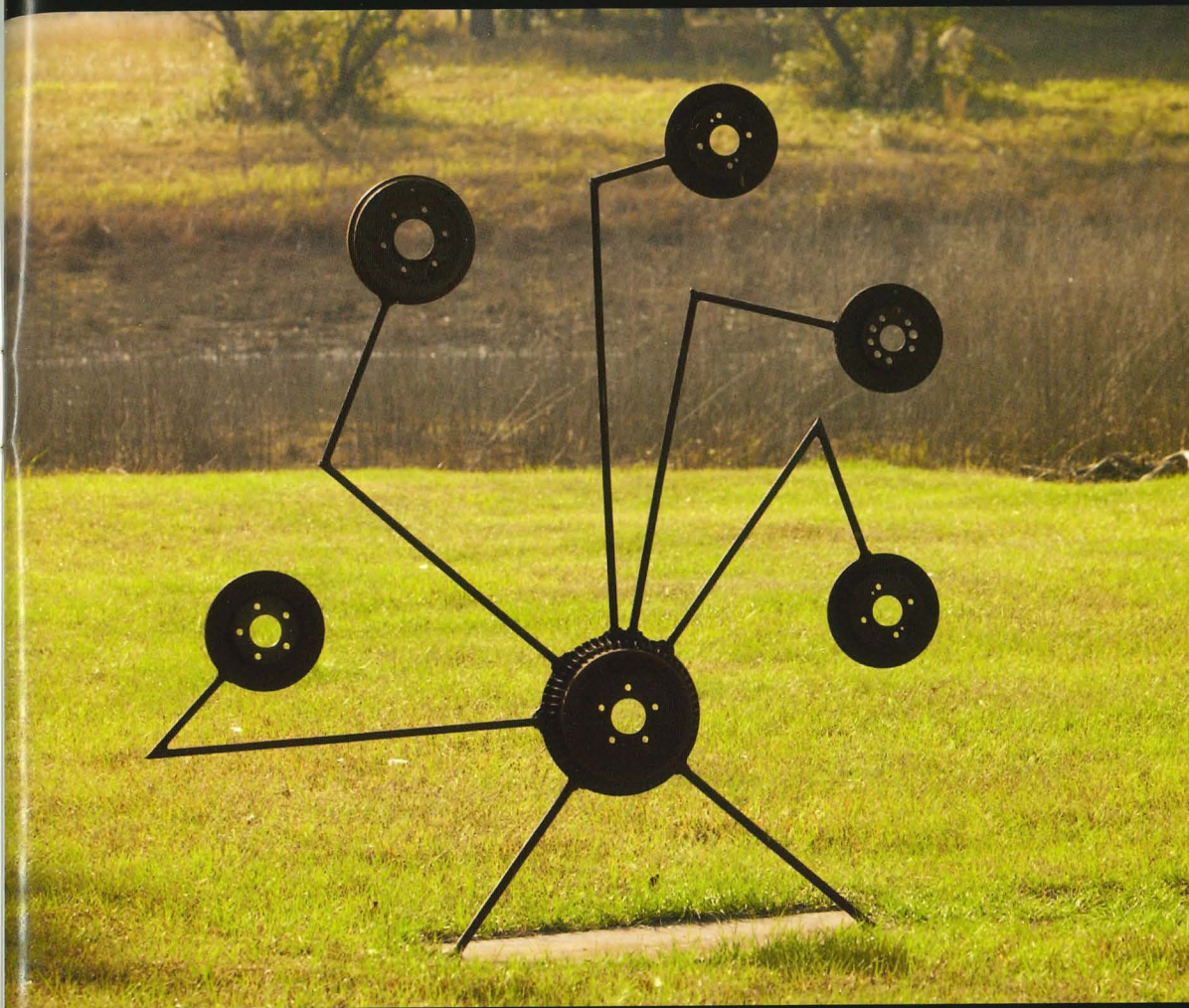
Students appreciate Dodge's openness. Martha Perkins, a student in Dodge's fall Taxation I class, says "Professor Dodge is very approachable. He posts a sign-up sheet on his office door so that students can meet

with him at almost any time, and in class he's always very willing to answer questions or clarify a point." Dodge likes the questions—it's all part of the instructor-to-student, give and take. "You need the communication from the students so you have a clue as to where they are. It's hard to teach tax if they don't have any understanding of the transactions. Most importantly, their questions are often rather insightful, and they cause me to think of something I hadn't thought of before," he said.

When Dodge teaches, he tries to do more than simply convey information. He says students can get that directly from books. In his text, *Federal Income Tax: Doctrine, Structure and Policy—Text, Cases, Problems*, he chooses cases that

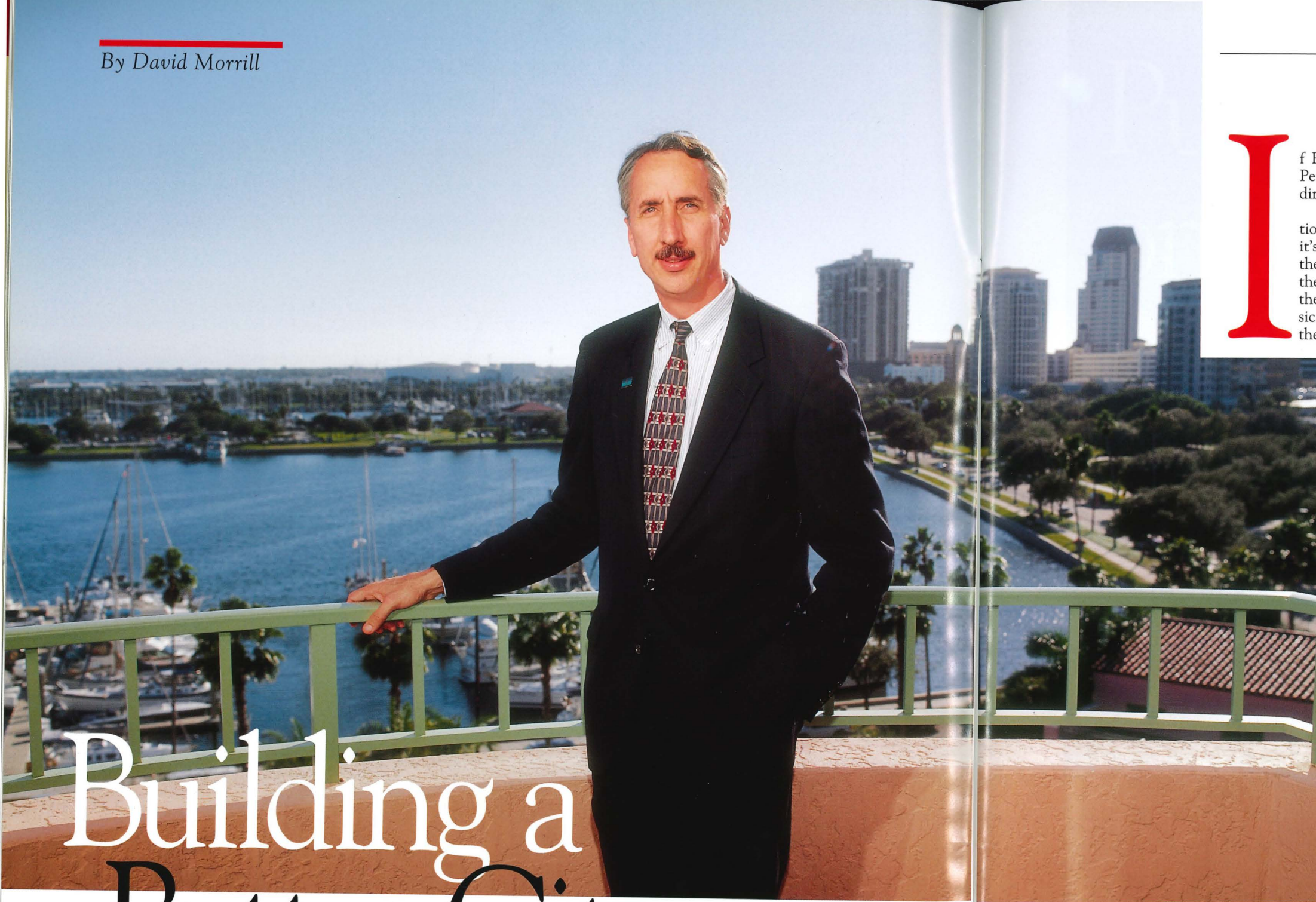
appeal to law students. "The goal isn't to use complicated cases that students would have a difficult time reading. It's more to get them to use relevant information to solve problems," he said.

Whether teaching basic income tax law (his favorite course), learning something or doing almost anything new, Dodge thinks about problem-solving. "First of all, you have to have a clear idea of the problem itself," he says contemplatively. "And, once you've identified it, then it's just a matter of plodding along until you get the answer. It's a lot like life. So many individuals think they have to find themselves before they can do anything, when it's the other way around. People make themselves by what they do!" ■



"I find miscellaneous materials that are abandoned and well-used, and it all ends up having a second life," said Dodge. One of his favorite works in front of his home is reminiscent of the stilt-like root system of a mangrove plant. It was sculpted from rusted automotive tail pipes.





Building a Better City

RICK BAKER was convinced he was elected mayor of the best city in Florida.

Now he's trying to make **St. Petersburg's government** the **best in the state** as well.

If Rick Baker had not been elected mayor, St. Petersburg should have hired him as its marketing director.

A veritable P.T. Barnum of municipal promotion, Baker loves to brag about his town. Whether it's about the multitude of projects transforming the downtown and Bayfront areas, the success of the BayWalk retail, restaurant and movie center, the city's impressive array of museums, parks, music, arts and sports festivals, or efforts to revitalize the low income mid-town district, Baker delivers the story with expansive detail and enthusiasm. "I believe we have a great story to tell. This is an exciting place to live."

Elected mayor in January 2001, Baker presides over a city not just of a changing sky- and coastline, but of rapidly changing demographics. Once known as a retirement mecca, the average age in St. Petersburg has dropped dramatically in recent years and is, at 39, in line with cities such as Ft. Lauderdale. It is closing in on the statewide average.

"The people coming here today are not coming to retire. They come to work for Raymond James, Home Shopping Network and [the St. Petersburg] Times Publishing," Baker, a 1981 graduate of the College of Law, says. "The retirees are going to other places and the younger folks are moving in." And why shouldn't they,

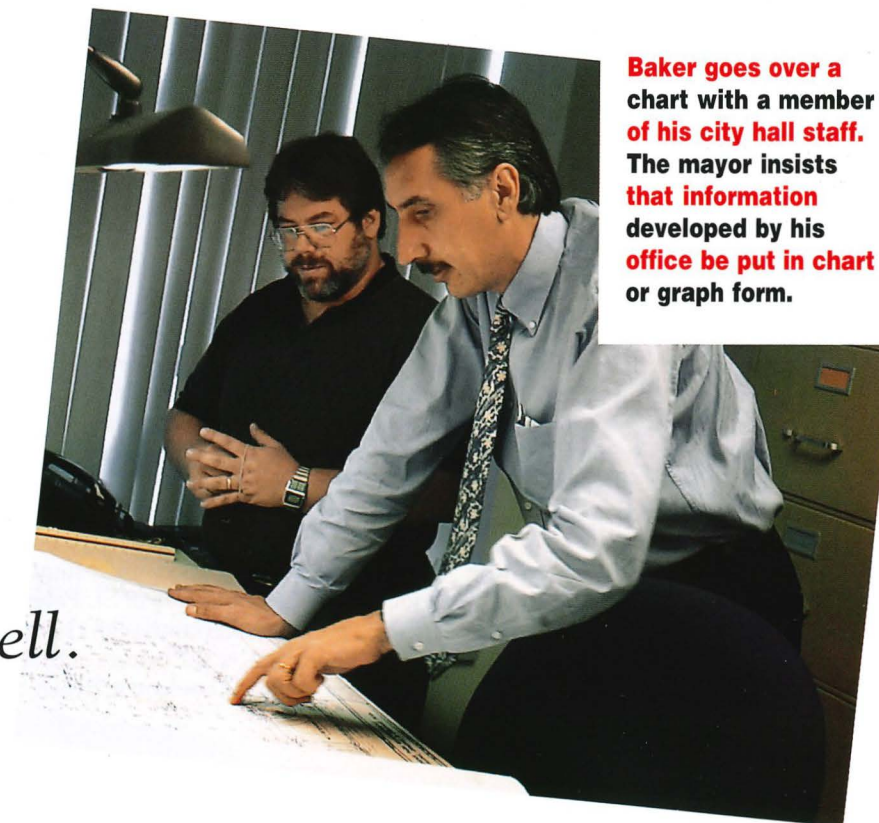
he asks? "We have a strong job base, good quality of life and access to water."

Despite his considerable talent for rendering the big picture, it is Baker's knack for taking care of details that has earned him the highest marks as mayor. "My experience has always been that city governments spend far too much time and money on the big, headline-grabbing projects and not nearly enough on the small, local concerns of average citizens," he says.

A story Baker tells about his efforts to get a sidewalk repaired in front of his house resonated with voters. "When I called to report the problem I was told it might be two years before repairs were made," he says. "When I did some checking I found that 65 percent of the calls to city hall concerned sidewalks. My question was, if fixing sidewalks is that important to the citizens why does it take so long to happen? Why aren't folks at city hall paying attention?" Since he was elected, Baker has reduced the average time from the reporting of sidewalk problems to their repair from two years to two weeks.

Improving response time for sidewalk repairs is a theme Baker has carried over to all aspects of city government. His most visible success has been reducing in the wait for building permits.

When he took office the average permit was issued nearly six weeks after an



Baker goes over a chart with a member of his city hall staff. The mayor insists that information developed by his office be put in chart or graph form.



Meetings in the mayor's office often begin before 8:00 a.m. and often end after 6:00 p.m. Baker says he wants to keep the focus on improving city services and responding to citizen concerns.

application was made. Working with the permitting department staff, Baker established a series of goals for improvement that he announced at a press conference. By December of last year, the average wait for a residential permit had been reduced to five days.

The *St. Petersburg Times*, widely regarded as one of the country's best investigative newspapers, noted the mayor's accomplishment. "Baker deserves credit for fixing a nagging problem that sooner or later frustrates nearly every property owner in the city," it said in an editorial. "He did it by improving management practices and with little drama, except for his promise to personally resolve future permit problems."

Baker, who has applied the same method of goal-setting and accountability to all departments of St. Petersburg government, credits employees for most of the improvements. "I don't know how to fix problems in city services. What I can do is help establish a process for developing and achieving goals that responds to the needs of our citizens."

Intensely disposed toward the visual, Baker requires his departments to provide data on the effectiveness of services in the form of charts, maps and graphs. "I like documents that give me a lot information

quickly and that tell a story," he says.

Baker's office, where he holds frequent meetings with his department managers to gauge progress toward improving services—some beginning early in the morning and others ending well past six at night—is crowded with large visual aids mounted on easels. "These help me to get a point across quickly," says Baker, who is frequently out of his chair to make a point at one of the displays.

"What this is all about," says Baker, "is making sure the people of St. Petersburg are getting the most responsive government that we can provide."

Baker's election followed years of involvement in the life of the community. Although he grew up in Chicago, Indianapolis and Miami, he fell in love with St. Petersburg when he came here 20 years ago, shortly after graduating from law school. Practicing business law, specializing in mergers and acquisitions, he took an increasingly personal interest in city government. He served on a variety of boards and committees and volunteered in the mayoral campaigns of his predecessor who did not seek reelection in 2001. "When I decided to run for mayor, I felt I had a pretty good understanding of the politics and history of St. Petersburg."

No one, certainly, can claim that Baker doesn't know the history of St. Petersburg. He wrote the book on it, in fact. *Mangroves*

Major League (Southern Heritage Press, 2002) presents a 330-page time-line of city history, richly detailed in pictures.

The book chronicles the development of St. Petersburg from Spanish exploration of the area in the early 1500s to the present, providing rich details of the personalities and events that helped shape the city. In addition to hard news history, the book offers entertaining glimpses into a colorful past. Baker quotes former Florida governor Fuller Warren on the so-called "tin can tourists" who set up tent camps when they visited the city in the 1920s and 1930s. "They came to Florida with one suit of underwear and one twenty dollar bill and changed neither," the governor said.

Baker's tenure at city hall has not been without its share of controversy. In December he fired a newly hired police chief for a racial remark that upset many in the African American community. Although the police chief claimed the comment, made in connection with the arrest of a black man, was inadvertent, Baker said he had to put interests of the city first. "[The police chief's comments] reopened old divisions and a renewed feeling of distrust of our department by many in our community, and therefore, they cannot be excused."

Baker was also tested last summer when a group of Washington, D.C., investors showed an interest in buying the Tampa Bay Devil Rays baseball team. The mayor moved quickly to point out to the potential owners that the team and city have an agreement that runs until 2027 for the team to play baseball at Tropicana Field. "Getting into the major leagues was very important to this city," he said. "I have no intention of giving that up."

According to Baker, controversy comes with the territory. "On the other side of the coin, I'm the first to admit that I inherited a very good situation. Traditionally, this has been a very well run city. It has a history of progressive government and farsighted planning." He adds, "I'm very honored to have the opportunity to continue the tradition." ■

Putting a Priority on Education

RICH HADLOW,
COLLEGE OF LAW
ALUMNI
ASSOCIATION
PRESIDENT,
SPENDS HIS FREE
TIME HELPING THE
SCHOOL THAT
EDUCATED HIS
CHILDREN



If there has been anything more important to Rich Hadlow over the years than his legal practice, it's been making sure his children are well educated. It is so important to Hadlow, in fact, it was one of the reasons he stepped down as managing partner of Tampa's Bush Ross Gardner Warren & Rudy. "It's been an honor serving the firm this way, and I've enjoyed it. I've been doing it for six or seven years and felt it was time I shifted gears a little," he says.

He explains: "When you stand back and look at what's important in life and the things that have helped make you successful, you realize that education is the key. I feel very fortunate in the education I received, especially my legal training at Florida State, and I wanted my children to have the best education possible too." He adds, "I think they're getting that."

The reason Hadlow feels that way, is, in large part, because of the training they've received at Tampa's Berkeley Preparatory School. "It's a great school," he says. "When they leave Berkeley Prep, I know they're ready for the world." His sense of gratitude toward the school has landed him in the position of Berkeley's Chairman of the Board, a job that he says requires many of the hours he once devoted to managing Bush Ross. "It's worth it, though," he says.

All three of Hadlow's children have attended Berkeley, an Episcopal school. Two have graduated, his older son who graduated last year from Duke, and his daughter, who is currently enrolled at Duke. His younger son still attends Berkeley. Hadlow's involvement with the board involves policy, financial issues, drafting personnel contracts, and, as he puts it, "anything else that needs a lawyer."

"What I like about Berkeley is the fact that, besides providing great academics, it emphasizes non-traditional activities that give students a broad perspective on life," he says. "Chorus and drama are big at Berkeley. You have athletes in the Berkeley Singers and plays. This is something pretty rare in education today." He adds, "They break down some of the stereotypes you see in other schools and offer the kids a richer view of life."

Involvement in causes outside his legal career has always been a mainstay in Hadlow's life, who is currently President of the College of Law Alumni Association. He has served on countless civic boards of directors, many as chairman. Special interests have included working to support the private University of Tampa and a local charity that provides food and shelter for Tampa Bay's homeless.

As president of the board of the Metropolitan Ministries of Tampa in the mid-1990s, Hadlow oversaw the Tampa Bay area's largest social service project. The Ministries served 800,000 meals a year and provided shelter for 500 families. In addition to administrative duties, Hadlow

'When you stand back and look at what's important in life and the things that have helped make you successful, you realize that education is the key.'

worked the food lines. "That was truly rewarding work," he says. "The spirit of that place was what I enjoyed most. There was a large group of volunteers, people from all religions, from Baptists to Jews, who spent their time making a difference in the lives of people who need help. It was a ministry where the rubber truly meets the road. We were doing what the church should be doing."

Beyond his involvement in his children's education, Hadlow says he gave up his managerial duties at Bush Ross for another reason: to devote more time to practicing law. "Professionally, this is what I truly enjoy doing. This is what I was trained to do."

Following graduation from FSU, Hadlow earned an LL.M. in tax law at the University of Florida. Although he has worked in some tax cases over the years, he found his real niche in corporate law. Much of his work these days is centered on corporate finance and governance issues, including working with shareholder agreements and public stock offerings.

According to Hadlow, the success of Bush Ross is the result of the firm's philosophy that legal practice should share time with family and community interests. "One of the ways to know how healthy a law firm is and whether or not it's a good place to work is by the amount of turnover there is," he says. "We have very little here and I think that fact can be attributed to our belief that there is more to life than practicing law. We work hard, but we know that family and community responsibilities are just as important as our legal practice."

The close-knit nature of the firm is one of the reasons it has remained intact, Hadlow says. "We've talked to other firms about merging. I think all firms our size have. But we've always backed away from

it because we weren't willing to give up our culture. Everybody knows everybody here and we don't want to lose that close-knit feeling."

In maintaining its 40-attorney size, Bush Ross runs against the conventional wisdom that mid-size firms must merge with larger firms to survive. "The word on the street is that firms our size are dinosaurs," he says. Although Hadlow says a firm Bush Ross's size will seldom represent large corporations, reputation more than makes up the difference. "There are synergies created by our size that a lot of clients appreciate. We depend to a great extent on loyalty." The majority of the firm's clients are in the Tampa Bay area.

Hadlow adds, "I don't buy the idea that you have to be either a big firm or a boutique firm. Clients like working with a firm our size because they know they'll have a partner or senior associate working on their case, not someone a year or two out of law school. Sometimes a client will call in with a problem that might take two or three hours for a young associate to find the answer to. Because I've handled the issue for years I might be able to give them an answer off the top of my head."

The firm's size also provides stability in unsettled economic times, like the present. "At a lot of big firms, the headline *du jour* is about lawyers being laid off. We're able to shift our resources to meet the need and to keep our lawyers busy."

Hadlow sees no slackening of his legal or his volunteer work. Retirement plans? They're on the distant horizon. "I'll be here for a while," he says of his work at Bush Ross. "A lot of my retirement money has been reallocated to the Richard Hadlow Children's Scholarship Fund." He adds, "I don't complain, though. It's gone for a good cause. And I'm still enjoying being a lawyer."

The media calls on the **law school dean** to help explain the Enron debacle

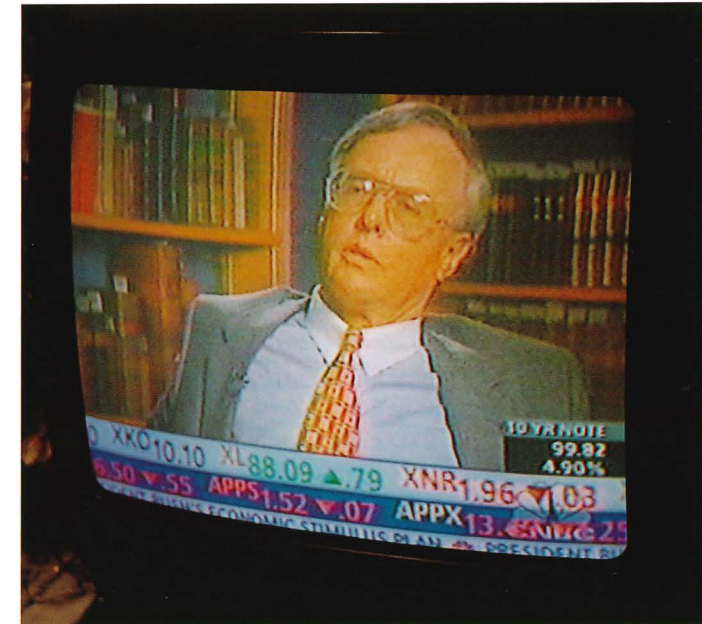
While the news media has focused on lost retirement funds and personal intrigue surrounding the collapse of the Enron Corporation, Congressional investigators have turned their attention to the methods that the bankrupt energy company used to keep mounting debt off its balance sheet.

When cable television network CNBC needed an expert to help explain the special partnerships commonly used by corporations to keep the bottom line looking rosy, they turned to College of Law Dean Don Weidner. Co-author of *The Revised Uniform Partnership Act* (West Group, 2001), Weidner is one of the country's foremost authorities on partnerships, real estate finance and complex business transactions. The dean has also been interviewed by the Florida News Network and WFSU-FM on the subject.

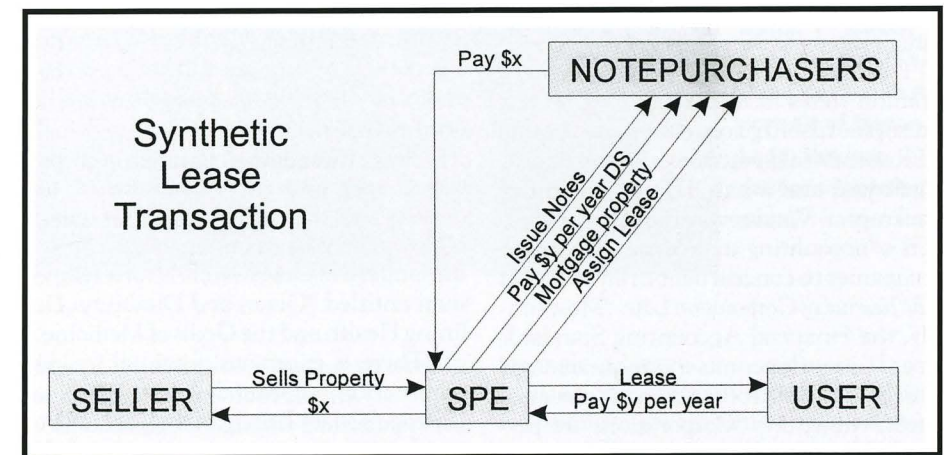
The focus of CNBC's reporter Scott Cohn's February 6 report that quoted Weidner was special purpose entities – SPEs for short.

According to Weidner, special purpose entities are established by companies who, for a number of reasons, don't want to show additional debt on their balance sheet. "For example, companies may have made an agreement with creditors that they won't borrow more money without getting approval. Or they may also want to avoid showing debt to stockholders." He added that such arrangements can be perfectly legal.

Weidner offers the example of a so-called synthetic lease transaction, one of the subjects of his recent scholarship. In a typical deal, he says, an SPE will purchase property that the corporation needs. The SPE issues the debt and leases the property to the corporation while the SPE's notes are secured by the corporation's promise to pay rent. "The beauty of this from the corporation's point of view," Weidner says, "is that the deal is treated differently for accounting purposes than for tax purposes." The transaction is structured to "flunk," as Weidner puts it, financial accounting standards so that the debt does not appear on



Dean Don Weidner discussing special purpose entities during a CNBC interview February 6. Below, a diagram of a synthetic lease, a common SPE transaction.



the corporation's books but on the SPE's instead. On the other hand, for federal income (and other) tax purposes, the corporation claims that it owns the property as well as the debt. The corporation can then take depreciation and mortgage interest deductions on the property.

One of the reasons SPEs have flourished, Weidner says, is that they have become highly lucrative for many profes-

sionals. "Everybody wants to be in on the action—the accountants, bankers, rating agencies, brokers and lawyers." He adds, "SPE transactions are often marvelously complex. The documentation can be a thing of beauty." About the complexity of SPE leases, Weidner says, "The deals are so complicated that people need a diagram to understand them."

A key element in the Congressional in-

vestigation of Enron is the involvement of so many professionals, including many on Wall Street. Among the allegations made during hearings is that Wall Street firms helped bring on Enron's collapse by investing in special partnerships.

'The deals are so complicated that people need a diagram to understand them.'

Several brokers contended that Enron threatened to withdraw underwriting business from Wall Street firms that refused to invest in the company's SPEs.

The Enron bankruptcy, according to Weidner, should force an examination of standard accounting practices as well as the relationship between lawyers, accountants and other financial professionals involved in complex transactions. "One of the trends we hear a lot about is the growing closeness of lawyers and accountants. I think this will force a reexamination of the role played by lawyers. The legal profession has a different voice and a different perspective. Lawyers must be able to look broadly at the facts and be able to articulate problems if they see them."

Part of the media's interest in Weidner's opinion stems from the fact that he was one of the first to go on record questioning SPE accounting practices.

A year-and-a-half before the Enron bankruptcy Weidner warned of the dangers of accounting standards that allowed companies to conceal debt in an article in *The Journal of Corporation Law*. "Most simply, the Financial Accounting Standards Board currently permits enormous amounts of debt to vanish from a company's balance sheet," he wrote. "Corporations are permitted to appear far less leveraged than they are by recasting mortgages and leases. In a system that prides itself on transparency, this transactional sleight-of-hand should not be permitted."

Weidner says that legal academics need to become more active in exposing abuses. "Legal scholars are supposed to be watchdogs of government and business," he says. "They are supposed to speak with a disinterested voice. I don't think they have fully served that role in this case."



University of Utah Professor Jeffrey Botkin offers a physician's view of genetic testing during the March 1 'Genes and Disability' symposium

Who decides if a genetic difference is undesirable?

When and why are certain genes considered 'undesirable' and who decides? When does that 'undesirability' constitute a 'disability' for the person who carries that gene and what are the implications of deeming a genetic condition a disability? When does a genetic condition mean that a person's potential offspring are unhealthy and in need of medical attention?

These were some of the questions discussed and debated when many of the country's top experts in the fields of bioethics, genetics and disability gathered at the College of Law, March 1, for a symposium entitled "Genes and Disability: Defining Health and the Goals of Medicine."

"There is enormous potential for discrimination," contended University of Chicago's Mary Briody Mahowald, due to rapid advances in genetic research and the ability to detect the possibility for diseases and abnormalities. "How we manage the information that is now available to us will be very important to us as a society."

According to one of the event's organizers, FSU law professor Lois Shepherd, the symposium challenged preconceived ideas of what constitutes good health. "Do we equate overall well-being and happiness with being free of disabilities? Unfortunately, I think, this will increasingly be the message counselors deliver to parents

when prenatal tests indicate that their unborn child has a condition that doesn't conform to normal standards. And this message is surely too simplistic and full of cultural bias." Shepherd worked with Professor Mary Crossley, the Florida Bar Health Law Section Professor, to organize the symposium.

Paul Lombardo traced the history of genetic inquiry and said the original notion of improving the human condition through genetics was based on noble principles. "There were serious scientists involved in the area," he said. "Much of the motivation was to confront and conquer the diseases and limitations that plagued the human race."

Among the scientists involved in the early work on human genetics, he said, was Alexander Graham Bell.

Lombardo also discussed the now infamous Carrie Buck U.S. Supreme Court case in which a young woman was forced to undergo sterilization based on the belief she was mentally retarded and should not bear more children. Justice Oliver Wendell Holmes issued his famous "Three generations of imbeciles is enough," remark in the opinion. Subsequent investigation showed Buck had no mental disability.

Symposium panels included "Viewing Genetic 'Improvement' Efforts Through an Historical Lens;" "Disability Law and

Tort Law Implications for Prenatal Testing;" and "Genetic Neutrality in Government Policy and Regulation."

Presenters and Commenters included, in addition to Crossley and Shepherd, Adrienne Asch, Jeffrey R. Botkin, Janet Dolgin, Martha A. Field, Suzanne Holland, John V. Jacobi, Aline Kalbian, Paul A. Lombardo, Mary Briody Mahowald, Michael J. Malinowski, Paul Steven Miller, Larry I. Palmer, Barbara Katz Rothman and David Wasserman.

Video of the symposium is available on the law school's website at www.law.fsu.edu/events/symposia/bioethics.



FSU law professors Mary Crossley (left) and Lois Shepherd organized the 'Genes and Disabilities' symposium

Ladd lecturer questions the bar's authority

According to one of the nation's leading legal ethics and professionalism scholars, it's time to scuttle the system of bar self-regulation. "It's monopolistic and self-serving," said Stanford law professor William Simon, delivering the College of Law's annual Mason Ladd Lecture, March 19.

Bar associations have a strong conflict of interest, Simon said, and the rationale for their regulation of lawyers often does not pass muster when challenged in court. "Although the bar says it is dedicated to serving the public interest, privately, its interests are often selfish. One of its primary concerns, obviously, is the economic success of its members." He added, "If the bar were forced to operate under the rules of business, its practices would be found in violation of anti-trust laws."

Among the bar rules that Simon said does not pass the "rationality test" is the prohibition against lawyers crossing jurisdictional lines to practice.

"The bar says the reason it won't allow a lawyer from one state to practice in another is to protect the client," he said. "In reality it's to protect lawyers and is a burden to clients." The argument that an out-of-state lawyer is unfamiliar with local laws and rules does not justify the rule, he said. "The differences in laws from one state to another are relatively minor and can be picked up quickly by any attorney."

Simon claimed that such exclusionary rules are violated every day when corporate attorneys cross state lines. "Here's the



William Simon (left) with Professors Rob Atkinson and Chuck Ehrhardt, challenged bar authority in his March 19 Mason Ladd Lecture. The three pose with a portrait of Mason Ladd, the law school's founding dean.

evidence that the bar is more interested in protecting lawyers than clients."

Simon added that state bar exams place little importance on local issues. "The trend is toward testing general principles and practices, not local rules and laws."

Among the alternatives to the current system, Simon suggested an arrangement in which lawyers would be free to pick from among a number of legal associations. The associations could cross geographic and practice boundaries and offer lawyers a variety of regulatory and disciplinary codes that they would agree to abide by. According to Simon, the marketplace would reward or punish lawyers

for their choices.

A second alternative, said Simon, was to establish governmental regulation of lawyers. "This is common with other professions."

Simon, William W. and Gertrude H. Saunders Professor at Stanford Law School, and currently Friedman Visiting Professor at Columbia Law School, has devoted much of his career to examining ethical issues surrounding regulation of the legal profession and the bar's self-regulatory authority. He is the recipient of a Guggenheim Fellowship and the author of *The Practice of Justice: A Theory of Lawyers' Ethics*.

Law school center helps reduce the pain of domestic violence

By Phillip M. Pollock

Under the pressure of learning how to be lawyers, most law students are never confronted with the painful reality of domestic violence and its devastating effect on lives, according to FSU Clinical Law Professor Ruth S. Penney. As a supervising attorney for the Children's Advocacy Center, Penney wants as many future lawyers as possible to not only understand it but be trained to help its victims.

The Center offers students a holistic approach to legal representation, while assisting abuse victims with a multi-faceted support network needed to recover. Penney's course provides students information on law office management, interviewing techniques, and pleading and negotiation skills often necessary in marriage dissolutions.

The Center is one of the few settings in the law school where students can actually practice law without a law degree. Because Penney's students are required to have accrued at least 48 hours of study before being certified by the Florida Supreme Court, the program involves third year students who become eligible to practice under the supervision of a licensed Florida attorney. In this situation, the "licensed attorney" happens to be the Center's two faculty members—Professors Penney and Paolo Annino.

Approximately sixteen students participate in the Center's program each semester, managing an average of 35 clients. "Some of the students at the Center say this is the best experience they have had in law school," said Penney. She tells students at the beginning of each semester that her course is very practical and hands-on. "I tell them up front to try to distance themselves from the clients," she continued. "Some simply can't, however, and they find out that family law is just too

emotional and that they don't want to get that close to the client's problems."

A number of Penney's students plan to practice family law after graduation and elect to take her course for a second semester. Beth Papir is an example. She worked as a clerk for a family judge in Miami before enrolling in Penney's class last fall.

"My clerkship in Miami was a sobering introduction

to family law and domestic violence. It provided me with some clarity on the whole problem. Later, the Children's Advocacy Center class helped bring it all into focus," Papir said. She indicated that the program brought her face-to-face with many unusual situations. "It can sometimes be very sad," she said. "In my first semester, I was scheduled to meet with five clients, and only one of them ever showed up for the appointment."

Missed appointments are not that unusual, says Penney. "We're representing victims of domestic violence who are primarily women," she said. "Most students are shocked to learn that, statistically, a woman attempts to leave a violent family relationship seven times before leaving for good."

The Center is not bound by the same client referral regulations that apply to other agencies. Legal Services of North Florida, for example, looks at combined family income regarding client eligibility. If a husband's income drastically outweighs his spouse's income, it may lock her out of assistance from that agency because it appears that she has exceeded the financial cutoff. Ironically, if she were single, she would be eligible. Needless to say, she would also be financially incapable of hiring independent counsel. "The Center picks up many of the cases that fall through



Clinical professor and co-director of FSU's Children's Advocacy Center, Ruth Penney is the supervising attorney for students

the cracks," said Penney. "Legal Services can issue injunctions, which we cannot do, but then we are called upon to do the cleanup. We get referrals from the Refuge House in Tallahassee which sends us indigent clients trying to resolve property disputes, divorces and custody issues," Penney said.

The Refuge House plays an integral role in the Center's curriculum. Penney schedules Pat Ortega, Refuge House trainer and Courthouse Coordinator, to meet with her students during one of her classes each week during the semester.

Although Ortega personally presents students with various dimensions of domestic violence, she also brings law office management professionals, domestic violence hotline interviewers, social workers, police officers and survivors of domestic violence to speak to the class. Ortega says that she tries to give an overview of how power, control and economic pressures can cloud the issue. "I try to get students to look at the problem with an open mind. For bright, confident third-year students in the College of Law, self-esteem is gener-

ally not a shortcoming, and so it is often challenging to get them to understand why it's so difficult for a woman to leave a violent relationship." She continued, "On the other hand, self-esteem for an abused woman may be non-existent. For her, the idea of leaving seems impossible."

The Center's work against domestic violence is augmented by the law school's Women's Law Symposium (WLS). WLS activities chair, Karen

Smith, said, "On a smaller scale, we attempt to mirror the support that Tallahassee Women Lawyers have given the Refuge House. This has been one of their projects locally, and we have taken it on as well. We conducted a supplies drive and a silent auction on the campus this past year, and it's a way for us to help solve the domestic violence problem in Tallahassee." The supplies drive provided the shelter with food and household goods, while the silent auction raised over \$5,000 by auctioning a wide range of goods and services including lunch with Lt. Governor Brogan and Senate Minority Leader Tom Rossin.

In October, WLS sponsored a panel discussion as part of Domestic Violence Awareness Month in the D'Alemberte Rotunda. The consensus of the four panelists was that progress has been made in the fight against domestic violence, but that formidable roadblocks remain.

Panelist Robin Hassler '84, former Director of the Governor's Task Force on Domestic Violence and member of the Refuge House Board of Directors, handed out copies of an *Orlando Sentinel* article that chronicled events leading to the murder of a woman by her boyfriend. "This tells the story about how the justice system fails women in abusive relationships. Unfortunately, it is a story told over and over because abusers are not prosecuted." Hassler was recently instrumental in the Center's grant award of \$234,000 from the U.S. Department of Justice to aid victims of abuse.

Another panelist, Jennifer Dritt, Director of the Governor's Task Force on Domestic Violence said that stopping domestic violence can begin close to home. "Almost all of us have some experience with it, either in our own homes or in the homes of friends and relatives," she said. "This is a logical starting point in combating domestic violence."

Center's law office management software introduces law students to the business side of the law

When the College of Law was ranked thirteenth nationally in its use of technology last spring by the *National Jurist* magazine, one of the reasons was the innovative office management software used by the Children's Advocacy Center (CAC). Professors Paolo Annino and Ruth

Penney, clinical professors and supervising attorneys, direct the activities of the Center, offering students a holistic approach to family dispute litigation. As students take on clients at the Center, one of the few settings at the law school where students can actually practice law, the software helps them with office management procedures that they will need to know when they start their own practices.

"I had approached the Law Office Management Assistance Services (LOMAS) section of The Florida Bar about software that could help me monitor students' case loads and, at the same time, make the students aware of the importance of client record-keeping and billing practices," said Penney. "The goal here is simply to help prevent malpractice." The two software programs that the school chose are Amicus and PCLAW. The latter is primarily used for accounting practices, while Amicus allows a student to maintain client files, document time, store documents, schedule appointments, as well as many other functions.

Amicus has the appearance of a virtual filing folder. The first window that the student comes to has basic client address and contact information, dates, and notes relating to most recent client/student activities. The page is a buff color, like a manila folder, and has tabbed edges, allowing access to other, more in-depth, information. Christine Maintin 2L, a student at the Center, works with Amicus regarding

the clients she sees. "Amicus takes a little bit of practice to feel comfortable with it, and at first you are keeping hard file copies of your activity, along with the computer entries. It's time consuming, but I think as I begin feeling more and more at ease with the program, the whole process will become simpler," she said.



Representatives from The Florida Bar's LOMAS program discuss law office software with CAC students

College of Law Systems Administrator, Donald Miller, agrees that the software necessitates learning and practice. "It does require familiarity. But, the great part about it is that it prepares a student for the real world of business practice. Also, since many clients' cases may last longer than one semester, another student coming into the Center could conceivably pick up right where another student left off," he said.

The software at CAC helps students understand that being a lawyer involves performing competently, while delivering services in a cost-effective manner. LOMAS director, J. R. Phelps emphasizes that point. He said that client complaints are generally not about technical mistakes. "Complaints range from 'My lawyer missed a hearing' to 'My lawyer never really did anything,'" he said.

Because most law students are not taught law practice management, FSU's Children's Advocacy Center students will enter the profession with a definite advantage, Phelps added.

—Phillip M. Pollock

On-campus interviewers: What they look for from tomorrow's lawyers

By Phillip M. Pollock

When a law firm, corporation or government agency sends representatives to the College of Law during the on-campus interviewing (OCI) period, good things are bound to happen. For the interviewer, many of whom are FSU law alumni themselves, it's an opportunity to tap into some of the finest legal talent in the country. For a quarter of FSU law students, it's the entrée into their first job in the legal profession.

The interviewing process occurs over a two month period in the fall and spring of every academic year. The size of the participating firms, their needs and their expectations are as varied as the legal profession itself. Recruiters have their own style and methodology and interviews are often a mix of a few tough questions combined with more relaxed, get-to-know-the-person, conversation.

Nancy Benavides, Assistant Dean for Student Affairs and former Director of Placement at the law school, is thrilled with the number of firms who come to Tallahassee. "The entire OCI process is a win-win arrangement," she said. "Firms can come to the College of Law with the prospect of filling a vital niche in their company. Students, on the other hand, can begin their law career right after graduation if they are able to strike a favorable accord with a firm." Benavides added that the large and diverse number of firms that attend fall and spring OCI is a testament to the law school's prestige. "We are very proud of this program," she said.

The following recruiters talked to FSU Law about the recruiting process and what they look for in their search for new associates.

Robin Arnold

Robin Arnold is Assistant State Attorney for the Fifth Judicial Circuit in Ocala. Her office has been involved in OCI for the past several years, since the Ocala office has 75 attorneys scattered over five



Robin Arnold, from the Fifth Judicial Circuit in Ocala (left), and Matthew Buttrick, of Stearns, Weaver, Miller, Weissler, Alhadeff & Sitterson in Miami scout the FSU talent

counties. Arnold indicated that the office's needs vary from year to year as people leave or as the Legislature provides funding for new positions. On average, there are several vacancies each year, she says.

Arnold said she couldn't make many generalizations about the level of preparedness that students exhibit from one school to another. "I will say that students who have participated in criminal clinical pro-

"I rarely ask the painful questions like, 'what is the relationship between utopia and the law.'"

grams tend to be better informed about what our office does, and so those individuals who have had that clinical experience in interning, for example, often seem to be good prospects."

She said that OCI served a dual function for the State Attorney's office. "Because we often don't have immediate needs, we come to give students information about us and what we do. At the same time, we need to get enough background on a student to know if they've had that clinical experience, to know if they would be a good fit for us and be a good trial lawyer."

Arnold thinks of the interviewing process in much the same way a jury is chosen.

There isn't just one question that you can ask a juror to know what's in their heart. "It's kind of an unreal situation that you're in, because both parties are putting on their best face. You end up having to go with a gut reaction, and after a whole series of questions you form an idea about whether the individual will or won't be a good candidate." She also said that, though other State Attorney offices have a much more

formal approach to interviewing, a less structured meeting with students seems to have worked well for her situation.

Mathew Buttrick

Mathew Buttrick, a University of Chicago Law School graduate and an associate with the Miami firm of Stearns, Weaver, Miller, Weissler, Alhadeff & Sitterson, has a strong Tallahassee connection: his father-in-law, Eugene Stearns '72, and his wife, Jennifer Stearns Buttrick '94, are both partners and FSU graduates.

Buttrick said his firm is looking for good people regardless of where they come from, though he added that "Gene Stearns would



Recruiters Jason Mosley of Shell, Fleming, Davis & Menge, Pensacola (left); Michael Pennekamp of Fowler, White, Burnett, Hurley, Banick & Strickroot, Miami; and Captain Mark Visger of the U.S. Army Judge Advocate General's Corps, Arlington, Virginia

love to see a bunch of people coming from FSU each year." According to Buttrick, most lawyers want to see good people come from their alma mater, but they also want to be able to make choices from a broad spectrum of schools.

Because Buttrick's firm is large, he said, Stearns and Weaver is always on the lookout for new talent. "You never know when one of your attorneys might move along, and that's just reality. We like to stay fresh, and coming to fall OCI is a very exciting time to be on campus."

Buttrick said he conducts interviews conversationally, because it provides him with a better sense of how interviewees will respond in a work, social or personal situation. "I rarely ask the painful questions like what is the relationship between utopia and the law," he said.

Jason Mosley

Because all four named partners in the Pensacola firm of Shell, Fleming, Davis & Menge will be leaving during the next fourteen months, Jason Mosley '00 says recruiting will play a major role in determining the firm's future. "The firm had not participated in OCI before, so when I brought up the idea, I was also delegated with the responsibility," Mosley says with a smile. He indicated that Shell and Fleming want to hire three to five new attorneys over the next few years.

"In our office, there is a friendly preference toward University of Florida graduates over those coming from FSU. The fact that all four named partners graduated from the University of Florida in the late 1950s probably plays a role in that," Mosley said. He added, however, that he was hired over a Florida graduate when he joined the law firm, so selections are made with an

open mind. The recommendations that Mosley takes back to Pensacola will be regarded carefully.

"There is no one question that we are trying to get answered," said Mosley. "Pensacola is not Tampa or Orlando, so a candidate really has to want to be here. I think by the time we interview someone a second time, we'll know if they have a comfort level with our city and our firm."

Michael Pennekamp

Michael Pennekamp '93 joined Fowler, White, Burnett, Hurley, Banick & Strickroot law firm in Miami in 1994 after having served as a law clerk with the firm during his years as a law student. He recruited at FSU in October, after another OCI experience several years earlier. "We only recruit at Florida schools," Pennekamp says. "We restrict our attention to those schools' students because we're interested in finding lawyers who will stay in Miami."

Pennekamp said that Fowler White employs about 60 to 70 attorneys, which makes it a fairly large firm by Florida standards. Regardless of its size, Fowler White continues to recruit every year. The size of the firm does not seem to intimidate the students, he said. "I think that when students sign up to interview with us, they already know that they want to be part of a large network of attorneys."

Placement interviews typically last about twenty minutes and Pennekamp asks a range of questions. "Mostly I want to hear why a student has chosen to go to law school and secondly, why they want to join a law firm." Pennekamp smiled when he was asked what answers he wanted to hear for these two questions and said, "Now that would be giving away our secrets."

Captain Mark Visger

Captain Mark Visger, attorney in the U.S. Army Judge Advocate General's (JAG) Corps from Arlington, Virginia, emphasizes the impressive variety of work that a military lawyer experiences. In the JAG Corps, an attorney can begin work in areas that include international, contract and family law. Regardless of whether a law student is accepted as an intern or is offered a position in active duty, the Army placement office considers where they want to be located, given the openings that are available.

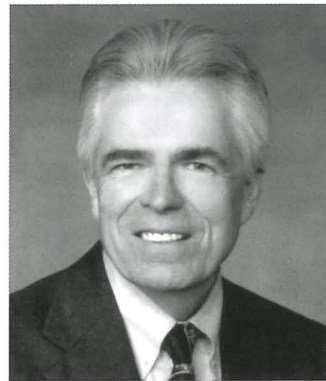
Visger, who only interviews at FSU and the University of Florida, is impressed with the law students he meets. "All the students that I have talked to have been well-prepared. Several have submitted writing samples which I've had a chance to review, and they offer good solid legal and analytical skills. There is some very good writing here that has impressed me." Visger said that when he screens for the Army, he is looking at the whole person. Recruits must have both strong abilities as attorneys as well as motivation to provide a public service. "In addition," he says, "the person needs to have the flexibility and the personality to adjust to the Army. This service sometimes requires that an officer deploy to a location like Bosnia or Kosovo. You need to adjust to practicing law in those regions of the world."

After recent terrorist activities in the U.S., Visger indicates that there is a heightened interest in military service. From the point of view of the JAG Corps, however, requirements remain the same. He said, "Whether there is a pending difficult situation or not, either way, we need to be prepared."

CLASS NOTES

'70 **George Wass**, Florida Assistant Attorney General, is a contributing editor of *Mapping Florida's Political Landscape: The Changing Art and Politics of Reapportionment and Redistricting*. He wrote a chapter entitled "The Process and Politics of Legislative Reapportionment and Redistricting Under the Florida Constitution."

'71 **Peter Antonacci** has been appointed by Governor Jeb Bush to the Florida Commission on Ethics. The Commission oversees the conduct of all Florida public officers and public employees. Antonacci is a shareholder with Gray, Harris & Robinson in Tallahassee. Prior to joining the firm, he was Florida Statewide Prosecutor and Deputy Attorney General of Florida.



Thomas G. Pelham was awarded The Florida Bar Environmental and Land Use Law Section's 2001 Bill Sadowski Memorial Public Service Award in recognition of his outstanding public service. He was cited for his service as Secretary of the Florida Department of Community Affairs,

member of the Tallahassee-Leon County Planning Commission, Chair of the Environmental and Land Use Law Section, President of the American Planning Association, Florida Chapter, and for his publications in the area of environmental and land use law.

'72 **J. Lester Kaney** has been board-certified as a trial advocate by the National Board of Trial Advocacy. NBTA is the only national board certification for trial attorneys. Requirements for certification involve extensive documentation, including independent peer review from judges

and attorneys, as well as successful completion of a day-long examination.

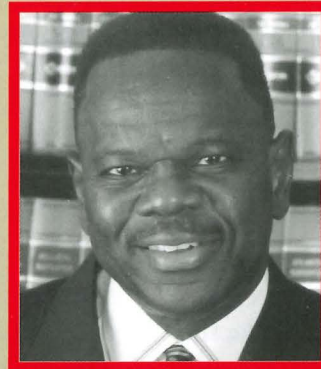
Steven A. Rissman of Rissman, Weisberg, Barrett, Hurt, Donahue & McLain in Orlando, was included in the July issue of *Orlando* magazine as one the best attorneys in the city.

'73 **William Corry** has been elected vice president of the Tallahassee Chapter of the American Board of Trial Advocates, a trial lawyers organization dedicated to the preservation of the American jury trial system.



John M. Kest of Wooten, Honeywell & Kest in Orlando, was included in the July issue of *Orlando* magazine as one the best attorneys in the city. He was also re-certified as a trial advocate by the National Board of Trial Advocacy. Re-

Michael Rosier '76, National Bar Association president, urges protection of justice, civil liberty and due process



Reprinted from the *St. Petersburg Times*

The president of the largest predominantly African-American legal organization in the nation told members of the Tampa Bay area legal community that they must help protect the ideals of justice, civil liberty and due process.

"We can't allow liberty to be eroded to the point where we live in a police state," Michael Rosier, president of the National Bar Association, told a luncheon group of about 80 at the Mirror Lake Lyceum. "We have to apply common sense.

"We cannot [let] our thirst for revenge . . . allow us to ignore the principles on which America was founded," he added. "If we do that, the terrorists win."

Rosier, a Florida A&M University graduate who earned his law degree at FSU, heads the 17,000-member organization that formed more than 75 years ago when the American Bar Association closed its doors to African-Americans.

Now a trial lawyer in Washington, D.C., where he viewed a devastated Pentagon from his office window September 11, Rosier also is a former assistant state attorney for Florida's 9th Judicial Circuit.

Noting that the legal community's next agenda item will likely center on insurance companies seeking relief and requesting caps on attack claims, Rosier acknowledged he did not have an answer in dealing with the changing nation and the complex problems that have arisen. Nor will the death of Osama bin Laden provide the answer, he said, as the true challenge lies in "attacking the disease" and not its symptoms.

In the meantime, quoting Muhammad Ali, Rosier said although the nation was knocked down, "the ground is no place for a champion."

quirements for certification involve extensive documentation, including independent peer review from judges and attorneys as well as successful completion of a day-long examination.

'75 **Susan Potter Norton** has been appointed co-chair of the American Bar Association Section of Litigation's Employment and Labor Relations Law Committee for 2001-2002. She is a partner with the firm of Allen, Norton & Blue, P.A., in Miami.

'78 **Randall O. Reder** has been appointed Secretary of the Board of Directors of the Carrollwood Community Bar Association.

Vicki Weber has joined the law firm of Hopping, Green & Sams in Tallahassee.

'79 **Randi F. Fitzgerald** of Lowndes, Drosdick, Doster, Kantor & Reed in Orlando was included in the July issue of *Orlando* magazine as one the best attorneys in the city.

'82 **Louis B. (Buck) Vocelle, Jr.** has been re-certified as a board-certified specialist in business litigation or trial law by The Florida Bar. He was originally board-certified as a business litigation specialist in 1996. He is also board-certified as a civil trial law specialist and as a civil law mediator. Vocelle is a lifelong resident of Vero Beach and third-generation lawyer. He is a partner with Clem, Polackwich, Vocelle & Berg, L.L.P. in Vero Beach.

'83 **Robert L. Kilbride** has been appointed vice president and

associate general counsel of the Wackenhut Corporation, an international provider of business and security-related services to government and commercial customers.



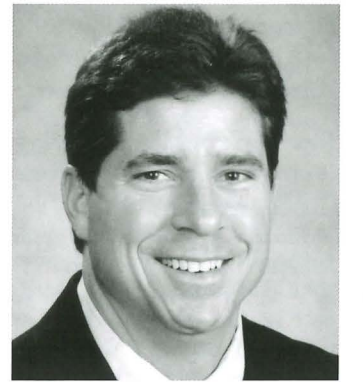
Thomas P. Scarritt, Jr. has been board-certified as trial advocate by the National Board of Trial Advocacy. NBTA is the only national board certification for trial attorneys. Requirements for certification in-

volve extensive documentation, including independent peer review from judges and attorneys as well as successful completion of a day-long examination. He recently argued before the Florida Supreme Court representing the 6,000 trial lawyers of The Florida Bar Trial Lawyers Section, critiquing 48 proposed changes to the jury trial system. He serves as chair of The Florida Bar's Trial Lawyers Section for 2001-2002.

'84 **James J. Dean** of Tallahassee has been named to a four-year term representing the Northern District on the U.S. 11th Circuit Judicial Conference. The appointment was made by The Florida Bar's Board of Governors.

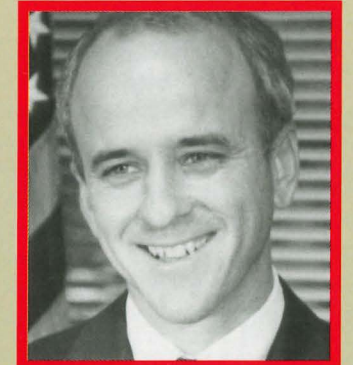
F. Shields McManus of Stuart has been named to a three-year

term on the Florida Rural Legal Service, Inc. Board of Directors. The appointment was made by The Florida Bar's Board of Governors.



Thomas Ramsberger has joined the firm of Trenam, Kemker, Scharf, Barkin, Frye, O'Neill & Mullis in Tampa. His practice areas include real estate lending and transactions, real estate development and finance, business law and trans-

Jim Towey '81 picked by President to head Office of Faith-Based and Community Initiatives



Jim Towey '81 has been picked by President George Bush to head the White House Office of Faith-Based and Community Initiatives.

Towey, who was director of Florida's massive but now defunct social service agency, Health and Rehabilitative Services (HRS), from 1993 until 1995, is a devout Catholic who has devoted much of his life to working for religious causes.

In 1988, he sold his belongings to help Mother Teresa open missions, homeless shelters and soup kitchens in such places as Calcutta and Tijuana. After his three years at HRS, again inspired by Mother Teresa's work, he founded Aging with Dignity, a nonprofit organization to help families plan for end-of-life decisions and medical care. In 2000, Towey moved the organization from Florida to Washington.

President Bush selected Towey despite the fact that it was the Republican-controlled Florida Legislature that forced him from the HRS directorship in 1995 when it refused to confirm him. It was the first gubernatorial nomination in 20 years not approved by the Legislature.

Reporting to the president, Towey, who is 45, will oversee Bush's initiative to give religious groups providing social services greater access to federal funds. "He understands there are things more important than political parties, and one of those things is helping to heal the nation's soul," said Bush. "There is nothing more important than helping the hopeless see hope, helping the addicted see a better life."

actions and sports law. Prior to joining the firm, he was counsel for the Tampa Bay Devil Rays and in-house counsel for a national insurance company in St. Petersburg. He is an adjunct professor at Stetson University College of Law where he teaches sports law.

Rex Ware has joined the law firm of Hopping, Green & Sams in Tallahassee.

Joshua A. Witman announces that Milton, Leach, D'Andrea & Ritter, P.A., and the Law Offices of Joshua A. Whitman, P.A. have merged their firms. The new firm, Milton, Leach,

Whitman, D'Andrea, Ritter & Charek, P.A., will continue its practice in the areas of FELA, Admiralty, Medical Malpractice, Product Liability, Insurance, Personal Injury and Wrongful Death, General Civil Trial and Appellate Practice in State and Federal courts. He is a Board-Certified Civil Trial Lawyer and will coordinate the firm's Personal Injury Practice Group concentrating on Medical Malpractice, Product Liability, Insurance, Personal Injury and Wrongful Death cases. The firm's office is located at 815 S. Main Street, Suite 200, Jacksonville, FL 32207, phone (904) 346-3800.

'85

Jeff Fleming has been appointed circuit judge in the 9th Judicial Circuit. Prior to the appointment, he was the managing partner of Rogers, Dowling, Fleming & Coleman in Orange County.

Debra Roberts has been appointed circuit judge in the 6th Judicial Circuit. The circuit serves Pasco and Pinellas Counties. She assumed her new duties in January. Her office is located at 315 Court St., Rm. 401, Clearwater, FL 33756.



Cynthia Rupert has been named associate director of publications for Stetson University College of Law in St. Petersburg. In addition to her new position, she serves as an adjunct instructor of commu-

For Michael Andrews '91, judgment turns on a keen eye for details

Reprinted from the *St. Petersburg Times*, Nov 27, 2001

By Elijah Gosier

The weight of an experience is measured years later, not by its story line but in the details that remain.

Stories are merely retold. Details, you relive.

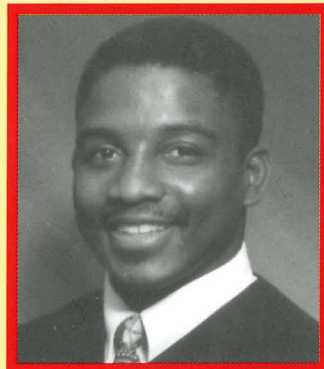
Michael Andrews was not telling stories, he was reliving details.

He and his brother were 11 and 12 years old in Florida City - not Homestead, the town across the road, which he usually gives as his hometown because the name is recognizable and doesn't need the explanation that saying Florida City begs. But he was reliving, not retelling, and Florida City is a detail.

They stopped at Bogart's. They didn't just stop at a store, they stopped at Bogart's. Not just to buy snacks, not even to buy just potato chips. They stopped at Bogart's to buy Pringles.

They had barely walked a couple of blocks when the cop who pulled up beside them wanted to see a receipt.

"Of course, we didn't have a receipt. You don't keep receipts when you're 12 years old," Andrews said, still, after 25 years, offering



an explanation to that cop. No one else needs to hear that boys don't hang on to their potato chips receipts. But in the details, that 12-year-old boy is still trying to convince that big, armed, immovable symbol of the law that he didn't steal those Pringles.

Words normally tumble so quickly out of Andrews' mouth that a listener sometimes has to separate them. But these words maintain a reverent interval.

Then they stop altogether. "He fingerprinted us on the side of the car," he says when he is able to continue.

After 25 years, reliving the details still makes Andrews break down as he tries to tell the story.

When you're 12 years old and the arm of authority is flexed around your neck, abusing you mainly because it can and because it doesn't see you as a 12-year-old child, you remember the details. And you relive them. Andrews has remembered many such details of growing up in Florida City.

"One officer, Officer Terry, stopped me a dozen times on my bike and asked if it was stolen. He never realized I was the same one he had just stopped the day before," Andrews said, charitably offering Officer Terry a benign motive.

In Florida City, he knew the place behind West Homestead Elementary School where police officers often took his neighbors and acquaintances before they took them to jail. He saw officers converge there a couple of times for their own version of pretrial intervention.

"I'm not angry," says Andrews, now 38, but often mistaken for a man in his 20s. Rather than inciting his anger, his life in Florida City made him want to be a judge. The bench appealed to him as the place from which he could sort through the deceit and incompetence from any quarter, police, prosecutor or defense, thrown in the path of justice.

Four years ago, at the age of 33, he became a judge, the state's youngest at the time.

nication and criminology at the University of Tampa, and is a certified family law mediator. She formerly worked as a reporter for the *Tampa Tribune* and WFLA-TV.

'87

Alan Lawson has been appointed circuit judge in the 9th Judicial Circuit. Prior to his appointment by Governor Jeb Bush, he had served as Assistant County Attorney for Orange County.

'88

Michael W. Jackson was elected Vice-Chair of the Board of Directors of the Selma (Ala-



Michael W. Jackson

bama) Youth Development Center. The organization sponsors arts, crafts, dance, tutoring and boxing for troubled youth.

"I didn't expect to get the job," said Andrews, whose experience was 6 1/2 years in the state attorney's office. His cousin Darnell probably didn't expect him to get it either. Cousin Darnell is another one of those details from Florida City. Darnell predicted that when he returned to the town years later, Andrews would be a bum hanging out on the street corner. "I went on a six-year quest to prove Darnell wrong." Darnell's challenge, along with a transfer to a new school, converted Andrews from a "D-F student to an A-B student," he says.

After he was handed his diploma, he muttered the words "You were wrong, Darnell." That is another detail delivered in a cadence slowed by emotion.

Undergraduate and law degrees from FSU followed. He decided to work with the state attorney's office because prosecutorial discretion offered the prospect of stopping some undeserving cases from being tried.

But a judgeship was where the opportunity for his insights seemed greatest. One of his earliest cases was an auto theft charge that tradition and appearances would have deemed cut and dried. But the details told a different story.

A man had sold or rented his car in exchange for three rocks of crack. "He charged theft when he came off his high." Andrews refused to try half the case, the auto theft, without the other half, the drug buy that started the whole thing. Investigators never returned with the rest of the case.

Andrews drew a few minutes of national attention after he told defendants that getting haircuts would work in their favor at sentencing. He says he will not repeat those offers because of the attention they garnered.

He is not, however, backing away from the judicial philosophy from which the haircut suggestion sprang. That philosophy is essentially that there are too many people in jails and prisons who shouldn't be there and that given sufficient incentive, direction

'89

Rosetta Shelley Bodewes has joined the Law Office of Lori Re at 2105 Park Avenue, Suite 15, Orange Park, FL 32073.

Sonya K. Daws, formerly with Skelding, Labasky, Corry, Hauser, Jolly, Metz & Daws, has opened her own practice at 3116 Capital Circle, N.E., Suite 5, Tallahassee, FL 32308.

Reginald Luster is a partner in the new firm of Gibbs, Luster & Davis at 1200 Riverplace Blvd., Suite 810, Jacksonville, FL 32207.

Sheila McDevitt has been named vice chair of the Saint Leo University Board of Trustees. A graduate of Saint Leo's preparatory school for girls, McDevitt is Senior Vice President and General Counsel of TECO, a Tampa Bay area energy corporation. She has been a member of the Saint Leo Board of Trustees since 1999.

Joe Richardson served as chairman for a Florida Chamber committee that recommended drastic improvement of Florida's education system. The committee's study called the state's educational program among the worst in the country

and opportunity - the same thing the details of growing up in Florida City give him - they wouldn't be.

"I would much prefer someone go to counseling than to jail," he says. But, he says, someone who is unemployable is likely to come before him again. He said he respects the rights of individuals to express themselves through their appearance, but he also recognizes the reality that people who come before him with hair more colorful than the rainbow, rings dangling from their noses and eyelids, their pants hanging off their butts or obscene lettering on their clothing probably go before potential employers the same way.

"From time to time, they come in and say 'I can't pay my fine because I can't find a job.'" Andrews, who often speaks with young people and is involved in a number of youth mentoring efforts, is convinced that there is an appropriate dress and demeanor for everything, including court appearances.

"Kids who can hire a lawyer are told to cut their hair, pull their pants up," he said. "But many of the people who come before me are represented by public defenders who sometimes are meeting them for the first time."

"When they're wearing all the earrings and the pants hanging off, the cap turned backwards, I recognize it doesn't mean they're in a gang. But some people don't understand that."

Andrews said he respects appearances that are based on religion or strongly held conviction, but most he encounters are not. He gave the example of one young man with some unnatural hair color who "pimp-walked" to the bench and slouched on the lectern, dripping a don't-care attitude some teens deem to be cool.

"All of a sudden he knew how to act after I told him he was facing 120 days in jail. He came back (to court) acting appropriate." Andrews says his ambition is to sit on the Florida Supreme Court, a place where the details of Florida City seem alien and needed.

Let's hope Cousin Darnell doesn't think he'll make it.

and said Florida would have increasing difficulty attracting high-paying jobs until an overhaul of the system was made.

Jonathon Sjostrom has been appointed circuit judge in the 2nd Judicial Circuit. Prior to his appointment, he was a partner with Steel Hector & Davis in Tallahassee.

Arthur Teele, Miami City commissioner, was elected to serve on the Miami Sports and Exhibition Authority Board. The Sports and Exhibition Authority Board is an independent organization that pro-

motes activities, improvements and infrastructure to attract conventions, exhibitions, tourism-related activities, professional and international sporting events, as well as other programs that contribute to the economic and social growth of the Miami area.

'91

Flavia Elisa Logie has published the second volume of poems titled *Love Potion: A Collection of Poetry About Love*. Her work, also including fiction and drama, has been published and performed widely in St. Croix,

U.S. Virgin Islands. Her address is P.O. Box 962, Christiansted, St. Croix, U.S. Virgin Islands 00821-0962.

Sally Sill has been named senior associate with Christine D. Hanley & Associates, P.A. in West Palm Beach. She practices employment and labor law, representing employers. Offices are at 1000 Southern Blvd., Second Floor, West Palm Beach, FL 33405.

'92

Donna E. Blanton has joined the Tallahassee firm of Katz, Kutter, Haigler, Alderman, Bryant & Yon, P.A. as a shareholder. She was formerly with Steel, Hector and Davis. Her address is 106 E. College Avenue, 12th floor, Tallahassee, FL 32301.

'93

Michael W. LeRoy has been named managing partner of George, Hartz, Lundeen and Fulmer's Orlando office. He has been with the firm since 1996. His practice specializes in medical malpractice and personal injury defense. Offices are located at 201 S. Orange Ave., Suite 925, Orlando, FL 32801; phone (407) 843-4646.

Carlos A. Rodriguez has been Board-Certified by The Florida Bar as a specialist in Wills, Trusts & Estates. He is vice president and trust officer with SunTrust Bank in Tampa where he works with bank customers and their attorneys on estate planning matters and serves as in-house counsel to the bank's Tampa, St. Petersburg and Dunedin offices. Prior to joining SunTrust, he practiced law for six years with two law firms.

'95

Marlon Hill has been appointed to Florida International University's Arts and Sciences Board of Advisors by FIU Dean for Arts and Sciences Arthur Herriott.

'96

Ronald Christaldi has been named a partner in the firm of de la Parte & Gilbert, P.A., in Tampa. He practices in the areas of business law and transactions, concentrating in health care, corporate and real estate matters. His offices are located at 101 E. Kennedy Blvd., Suite 3400, Tampa, FL 33602; phone (813) 229-2775.

Klayton Fennell has been named Director of Government Affairs for Comcast Cable Communications.

Patrick McGinley has opened the Law Office of Patrick John McGinley, P.A., in Winter Park. Offices are located at 2431 Aloma Ave., Suite 251, Winter Park, FL 32792; phone (407) 681-2700.

Emilia Quesada has joined the law firm of Hunton & Williams, LLP in Miami. Her husband, **Pablo Quesada '96**, has joined the firm of Kirkpatrick & Lockhart, LLP in Miami. In addition to their legal careers, they are busy raising their new daughter, Katherine Grace Quesada. Emilia can be reached at equesada@hunton.com or (305) 810-2556. Pablo can be reached at pquesada@kl.com or (305) 539-3327.

'97

Craig S. Roser has been named president of Hydro Air LLC, a distributor of fluid power components and systems in a territory in the northeast from Pennsylvania to Maine.



Elizabeth C. Williamson has been transferred from the Atlanta office of Kirkpatrick Stockton LLP to the firm's Ra-

leigh, NC office. She is an associate in the firm's Environmental Group.

'98

Capt. Karen Carlisle has joined the U.S. Army Special Operations Command in Fort Bragg, NC, as Chief of Operational and International Law. She advises commanders on domestic and foreign laws and policies concerning troop deployments in furtherance of national policy goals. Prior to coming to Fort Bragg, she was a

trial counsel with the U.S. Army in Alaska.

Capt. Yalonda Monroe (Jameson) serves in multiple legal capacities in the Judge Advocate General's Office at Fort Sill, Oklahoma.

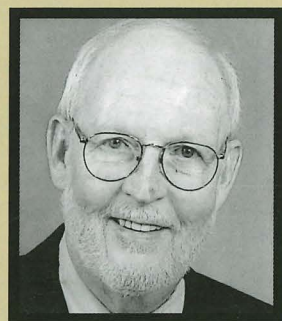
Terry M. Sanks, a registered patent attorney, is a founding shareholder and partner of the newly formed law firm of Beusse, Brownlee, Bowdoin & Wolter, P.A. that limits its practice to the full spectrum of intellectual property law. The firm is lo-

cated at 390 North Orange Avenue, Suite 2500, Orlando, FL 32801, phone (407) 926-7700. He concentrates in all aspects of intellectual property law, including patents, trademarks, copyrights, unfair competition, and related litigation.

'99

Capt. John Kiel graduated from the U.S. Army's Criminal Law Advocacy Course (CLAC) in April, 2000, and became Trial Counsel for 20th Engineer Brigade and 44th Medical Com-

FSU and the state of Florida lose a legal genius



Alan Sundberg

Alan Sundberg, one of Florida's most distinguished jurists and a man with strong family ties to the College of Law, died January 26. He is survived by three FSU law alumni, his wife, Betty Steffens '75 of Tallahassee, a daughter, Allison Lane '83 of La Jolla, California and a son William Sundberg '94 of Tallahassee.

Sundberg, who was an FSU Board of Trustees member and former chief justice of the Florida Supreme Court had been undergoing treatment for lung cancer at the Mayo Clinic in Jacksonville. He was 68.

Sundberg served as FSU general counsel from 1997 until 2000 when he returned to private practice at the Smith, Ballard & Logan law firm in Tallahassee.

Gov. Jeb Bush appointed Sundberg as a member of the FSU Board of Trustees in summer 2001.

Known as a brilliant Harvard-educated attorney with a down-to-earth manner, Sundberg, who received his undergraduate degree from FSU in 1955, was a champion of cameras in the courtroom and was credited with improving the integrity of the Supreme Court in the 1970s. He was the first Florida State University graduate to be on the Supreme Court and the first to serve as chief justice.

Environmental lawyer Richard Grosso '86 is no stranger to controversy

Reprinted From *Florida Trend* magazine, July 2001

Richard Grosso has known what his career path would be ever since junior high. Roaming around Miami as a kid in the 1970s during the high-rise boom, he'd ask his mother: "Who got to decide they could put a condo there, right where we used to go to the beach?"

"I always wanted to know who got to decide," he says. "And I always wanted to be one of the ones who got to decide."

As founder and director of the Environmental & Land Use Law Center at Nova Southeastern University in Fort Lauderdale, Grosso has held sway in some significant land-use decisions, though he laments that overall the environment is poorly represented in most such decisions in Florida. Of the 2,000 environmental and land-use lawyers in the Florida Bar, Grosso is one of about two dozen who practice public-interest law full time. "Each and every time a land-use decision is made, the developer is represented by an attorney," Grosso says. "Only about 3% of the time is the other side represented, so it's hardly a fair fight."

Indeed, Grosso spends a lot of his time turning down citizens and groups seeking his help to fight developments in their neighborhoods or atop environmentally sensitive ecosystems. But when he does agree to take a case, developers and their lawyers gnash their teeth. One of his biggest coups: convincing a circuit court judge that five Jensen Beach apartment buildings—which cost a total of \$3 million and are home to 24 families—be torn down because the developers violated Martin County's growth-management plans. The case is currently on appeal.

Grosso has been working on efforts to limit environmental destruction in the Florida Keys throughout his career—first as

a lawyer for the Department of Environmental Regulation, later for 1000 Friends of Florida when it sought to strictly limit development until major protections such as wastewater treatment are in place, and now for Keys citizen and environmental groups.

He's made some particular enemies in Collier County, where the developers of a golf and country club called Twin Eagles charge that he has caused their company to go bankrupt with his environmental lawsuits to stop the project.

"People like him don't want sound growth—they want no growth, and they'll accept nothing less," says former Collier County Commissioner Barbara Berry, who chose not to run for reelection because of the acrimonious environmental battles in the county.

Grosso agrees the acrimony in Collier County is the worst he's seen. It has been one of the most difficult points in his career, he says. But he blanches at politicians, developers and lawyers who use no-growth rhetoric to stifle citizens. His other pet peeves: developers' complaints that Florida's growth-management process is too restrictive, and land-use lawyers who lie to judges who aren't familiar with the complicated laws.

In the land-use law clinic he runs at Nova, Grosso teaches his students that the best lawyers don't demonize and that the best developers and their land-use lawyers work well with the environmental community. He tells them: "You get to decide how you're going to behave. You get to decide."



Kenneth Lawson '91 nominated for U.S. Treasury Department post

President George Bush has nominated Kenneth Lawson as U.S. Treasury Department's Assistant Secretary for Enforcement. Lawson, appeared before the Senate Finance Committee for his confirmation hearing in November.

If confirmed, Lawson's portfolio will include overseeing Treasury's Office of Foreign Assets Control, the implementation of all Treasury-related provisions in the 2001 Patriot Act, and the execution of the Bush Administration's Money Laundering Strategy. Lawson will also assist the Treasury Under Secretary for Enforcement with oversight of the Treasury law enforcement bureaus.

Lawson would join the Treasury Department team from the U.S. Attorney's Office in the Middle District of Florida where he has prosecuted white collar, tax, and violent crime cases since 1994. While at the U.S. Attorney's Office, he was awarded the Department of Justice Director's Award for his prosecution of *United States v. Henry J. Lyons*. Prior to joining the U.S. Attorney's Office, Lawson was a military prosecutor in the United States Marine Corps where he served as a Special Assistant United States Attorney for the Eastern District of North Carolina.

Lawson earned his B.A. and law degree from FSU. While in law school, Mr. Lawson clerked for the Florida Supreme Court's Racial Bias Commission where he researched issues relating to racial bias in the Florida judicial system.

mand. In this role, he prosecutes violations of the Uniform Code of Military Justice, and he represents the federal Government in Courts-martial. He also provides operational law advice to commanders. As an airborne attorney, he continues to jump out of military aircraft on a routine basis in order to remain prepared to deploy anywhere in the world. To those considering a career in the military, John would highly recommend it for the opportunity to gain unmatched courtroom exposure and experience. Working with the best and brightest Americans and the best of the Army's airborne units, John is emphatic that the JAG experience is unlike any other. He is former associate editor of the *FSU Land Use and Environmental Law Journal*.

Mark LaPointe has published an article, "Bush v. Gore: Equal Protection Turned on Its Head: Perhaps for a Good Though Unintended Reason," in the January 2002 *Wyoming Law Review*.

'01



A. Yvonne Sanford has joined First National Bank & Trust of Fort Walton Beach as in-house counsel. The bank has 12 offices from Navarre to Panama City.

Capt. Josh Toman is working with the XVIII Airborne Corps

Administrative Law Division following completion of the JAG Officer's Basic Course at Charlottesville, Virginia. He was recently admitted to The Florida Bar.

In Memoriam

Bruce Walkley '79 died in October in Tampa. He practiced law in Tampa for 22 years and was a partner in the firm Walkley and Walkley with his brother Robert Wayne Walkley '72. He is survived by his parents, Ann and Warren Walkley of Sarasota, his brother, and sister-in-law Janelle Buck Walkley. Contributions in his behalf can be made to the Humane Society of Tampa Bay.

William F. Gunn '74, of St. Petersburg, died January 2. A retired United States Air Force Lt. Col., Gunn was a native of Norfolk, Virginia. He flew combat missions during three wars, World War II, Korea and Vietnam. He is survived by two daughters, Christina Chamberlain of California and Nancy Sparks of Virginia Beach; three sons, John Gunn of Dallas, Texas, William Gunn Jr., of Reston, Virginia, and David Gunn of Tampa; and two sisters, Jean O'Berry of Humble, Texas and Harriet Smith of Virginia Beach. Burial was in Norfolk.

Richard D. Hamrick '74 of Rutland, Vermont, died in October, 2001. Born in Gainesville, he was a lifelong resident of the Bradenton and Tampa area until moving to Vermont in 1999. He was an attorney and a certified public accountant. He is survived by

two sons, David and Richard of Orlando, his parents, David and Betty Hamrick of Bradenton, a sister, Cynthia Hamrick of Bradenton, and a brother, Michael Hamrick of Bradenton. Memorial donations in Richard Hamrick's behalf can be made to Duvall Home, P.O. Box 36, Glenwood, FL 32722.

Gregory Thomas Mouw '79, of Dunedin died in July, 2001. He was born on July 4, 1954 in West Palm Beach and spent his first 20 years in Delray Beach. He graduated from Atlantic High School in 1972, from the University of Florida in 1976 with honors, and from the College of Law in 1979 with honors. He worked for Ameri-Life Health and was an avid golfer, cyclist and sports enthusiast. A memorial service was held in July, 2001, at Bayside Community Church in Dunedin.

2001-2002 FSU College of Law Alumni Board

- Rich Hadlow '77, President
- Robert N. Clarke Jr., '86, Past President
- Robert A. Bass '95, Incoming President
- Rafael Gonzalez '90, Secretary-Treasurer
- Marianne Aho '90
- Michael A. Atter '79
- Charles E. Buker, III '95
- Kerey M. Carpenter '92
- Clark J. Cochran, Jr. '74
- David M. Corry '90
- Robert R. Jacobs, II '73
- Deborah K. Kearney '81
- Sally D. Kest '73
- Lawrence A. Kellogg '81
- Edwin P. Krieger, Jr. '77
- Jacinta M. Mathis '89
- Thomas P. Scarritt '83
- Shawn D. Smith '97
- Linda Spaulding White '85
- Meredith C. Trammell '95
- L. Buck Vocelle, Jr. '82
- Edwin Walborsky '79

Life can be hectic for Florida Bar section chairs

Why are Florida's workers' compensation insurance premiums among the highest in the nation while its benefits are among the lowest?

That was a question posed last fall by state senator Bill Posey during Senate Banking and Insurance Committee meeting. It was also a question that Rafael Gonzalez '91, Florida Bar Workers' Compensation section chair, knew the answer to and was in Tallahassee to address.

"The problem, very simply, is fraud," Gonzalez says. "Unfortunately Florida has one of the highest rates of workers' comp fraud in the country."

Both employers and workers have a stake in solving the problem, says Gonzalez, a plaintiff's lawyer. "Fraud means that honest employers are



Rafael Gonzalez

forced to pay higher rates. It also means injured workers get reduced benefits."

Gonzalez, one of six FSU law graduates who serve as Florida Bar section chairs, says one of his biggest jobs, and one that confronts section chairs each year, is educating state legislators on the issues impor-

tant to lawyers and clients in their areas of law. "Workers' compensation is an extremely complex area and the better I do at helping lawmakers understand the issues the more chance we have of seeing some meaningful legislation."

Gonzalez, who says he may run for the state legislature sometime in the future, says serving as a bar section chair is often hectic but worth the effort. "You get to have an impact on improving the system. That's why I do it."

Sandy Selvey '78 is Montana Lawyer of the Year

From the *Billings (Montana) Gazette*

By Tom Howard

Sandy Selvey says you don't necessarily measure the success of a defense attorney by tallying acquittals.

A better measuring stick for a defense attorney is whether he follows the appropriate defense strategies before and after trial. Those are things that the general public rarely sees, according to Selvey, Yellowstone County's chief public defender and recipient of the 2001 Lawyer of the Year award from the Montana Association of Criminal Defense Lawyers.

"A lot of times you're doing the most service for your client by getting a reduced sentence or by filing the appropriate motions," Selvey said.

Selvey, who has been the county's chief public defender for 10 years, shares the defense attorney group's Lawyer of the Year award with Great Falls attorney Ken Olson. The two were honored in February at the organization's annual meeting.

Alumni Bar Sections Chairs

- William Watkins '84
Administrative Law
- Hala Sandridge '84
Appellate Practice
- Stephanie Daniel '81
Government Lawyer
- Anthony Dogali '86
Practice Management & Development
- Thomas Scarritt, Jr. '83
Trial Lawyers
- Rafael Gonzalez '90
Workers' Compensation

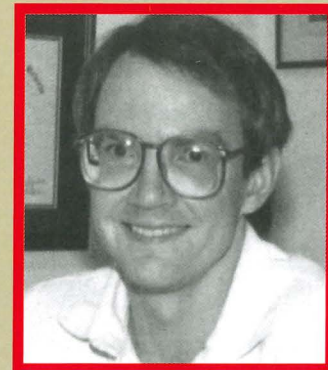
Chuck Watson, a defense attorney in private practice in Bozeman, said Selvey's recognition is long overdue. "He's one of the most outstanding public defenders in the state, and has revolutionized criminal defense," Watson said.

Jim Taylor, a tribal public defender in Pablo and vice president of the defense attorney group, said managing a public defender's office is a difficult job, but Yellowstone County has a statewide reputation for doing quality work.

"Any time you have a department receive statewide recognition, whether it's individual or department recognition, it's a good sign for this county and the people we are serving," said Jim Reno, chairman of Yellowstone County commissioners.

Selvey, 48, was hired in 1992 as Yellowstone County's first chief public defender. He oversees a staff of 15 attorneys, investigators, legal assistants and secretaries in an office that represents indigent defendants in state District and Justice courts.

Paul Lund '85 named interim dean of Appalachian School of Law following January killings



Paul E. Lund has been named Interim Dean of the Appalachian School of Law in Grundy, Virginia, in the wake of the tragic killings of Dean L. Anthony Sutin, Professor Thomas Blackwell, and law student Angela Dales on January 16, 2002. Mr. Lund joined ASL as an Associate Professor in 1998, and served as the school's Associate Dean. He previously served as a visiting professor or instructor at Syracuse University, the University of Oklahoma, the University of Chicago, and Florida State University. He also has served as a law clerk to the Honorable Paul H. Roney of the United States Court of Appeals for the Eleventh Circuit in St. Petersburg, and as an Associate at Carlton Fields in Tampa. He received an LL.M. degree from Yale Law School in 1991.

FSU launches a \$600 million capital campaign; the law school sets a goal of \$17 million

FSU announced the beginning of a \$600 million capital fund-raising drive October 26. Named "FSU: Connect," the campaign has already taken in over \$309 million toward its goal, and, according to campaign leaders, aims to build the university's endowment to rank among the country's top 100.

"This is simply the most important undertaking this university has made," said Tallahassee banker Bill Smith, campaign co-chair. "It will provide the margin of difference between a great university and a world-class university." Also serving in a co-chair capacity is Wayne Hogan '72 from Jacksonville. Robert Kerrigan '71 also serves on the campaign's Executive Committee.

The College of Law has set a goal of \$17 million as its share of the campaign, of which over \$4.7 million has already been raised in endowment and annual fund gifts. The law school has identified five major areas of need: student scholarships, faculty support, technology, library acquisitions, and student organization support.

The campaign intends to fund 54 merit scholarships of \$5,000 each. Other much needed endowments are for co-curricular programs such as Moot Court, Mock Trial, Law Review and the Dispute Resolution Society as well as special student organizations such as the Woman's Law Society, PILSA. Faculty support will provide funding to attract and retain outstanding professors and money to endow four eminent scholar chairs and seven professorships. In addition, the campaign hopes to build a \$1

million endowment for technological and library needs.

Besides funding immediate needs, the campaign gives the law school an opportunity to encourage alumni and friends to make provisions in their estates for the school. To date, \$1.6 million has been raised in deferred gifts, above and beyond the amount already secured.

A number of law graduates have committed to assisting in the school's efforts, for which the law school is very grateful.

- Larry D. Beltz '70
- Philip Blank '75
- Bill Corry '73
- Carlos Diez-Arguelles '85
- Loula M. Fuller '85
- Thomas M. Gonzalez '75
- Richard B. Hadlow '77
- Jonathan D. Kaney, Jr. '69
- Roy M. Kinsey, Jr. '72
- Ed Krieger '77
- Sheila M. McDevitt '78
- Gary Pajcic '72
- Cynthia Tunnicliff '71
- Buck Vocelle, Jr. '82

There is no question that private funding will make a difference for the school. It has already created dramatic changes. In 1992, the school's endowment was \$5,529,776 with two eminent scholar chairs, 3 professorships, and 15 student scholarships.

Today the endowment stands at \$16,954,840 representing 3 eminent scholar chairs, 15 named professorships, 25 student scholarships, and 8 funds providing support for programs like Moot Court and Mock Trial. For the first time ever the school is enjoying national ratings for its faculty output and productivity, as well as achieving success in student place-

ment, co-curricular competitions, and across the board technological advancements.

When the school achieves its campaign goal of \$17,000,000, the endowment will be double what it is today. This significant increase will make sure the College of Law

keeps and continues its growth in national stature and rankings.

The campaign continues through December 31, 2005. For questions or comments contact Mark Pankey, Director of Development, 644-5160, or mpankey@law.fsu.edu.

Mid-Year Annual Fund Report

Class Year	'00-'01 Gifts & pledges	'01-'02 Gifts & Pledges	'00-'01 % of Giving	'01-'02 % of Giving
'69	\$ 2,150.00	\$ 2,450.00	10.00	14.44
'70	29,160.00	7,736.50	13.04	15.22
'71	5,515.96	6,444.88	10.98	19.51
'72	2,458.33	14,586.50	5.59	11.19
'73	5,336.50	10,539.50	6.41	14.74
'74	3,955.08	6,548.00	9.66	11.93
'75	19,934.50	21,294.50	13.61	21.89
'76	3,405.19	6,398.90	6.82	19.70
'77	6,156.50	5,058.00	15.69	20.26
'78	31,144.50	12,039.00	12.82	18.59
'79	9,930.00	17,556.00	20.00	16.47
'80	1,448.00	3,693.00	5.17	12.07
'81	15,413.50	7,284.00	10.16	15.43
'82	3,553.00	6,026.00	4.52	18.06
'83	11,625.00	6,375.00	4.02	12.06
'84	2,873.00	3,261.50	8.81	8.29
'85	4,786.50	9,076.50	4.62	11.79
'86	3,445.00	15,398.00	6.60	12.74
'87	1,000.00	15,436.00	2.34	14.62
'88	350.00	2,045.00	1.19	10.71
'89	1,594.50	2,188.00	4.29	9.20
'90	610.50	1,542.50	4.76	11.31
'91	1,800.00	3,395.00	4.51	8.61
'92	836.50	3,241.50	4.85	10.30
'93	400.00	1,766.50	2.14	9.63
'94	786.50	1,376.50	3.66	9.76
'95	596.50	1,620.00	3.30	9.43
'96	515.00	2,030.00	2.75	13.74
'97	186.50	918.25	1.04	7.77
'98	86.50	721.50	0.91	5.00
'99	300.00	440.00	1.95	3.90
'00	660.00	1,101.50	1.86	4.65
'01	NA	853.00	0.00	3.14
'02	NA	301.00	0.00	12.13
'03	NA	397.00	0.00	35.80
'04	NA	372.00	0.00	30.69
	\$171,916.06	\$200,851.56	5.62	11.69



Larry and Joyce Beltz



Gary and Sallyn Pajcic



Robin and Tom Gonzalez

Alumni establish professorships, scholarships

Larry and Joyce Beltz Professorship of Torts

A gift of \$150,000 has established the Larry and Joyce Beltz Professorship of Torts. The professorship, which recognizes Larry Beltz '70 and his daughter, Jennifer Beltz-McCamey '96, will receive a \$75,000 match from the Florida Matching Funds program bringing the total endowment to \$225,000.

Larry and Jennifer are partners with Beltz, Ruth, Magazine & Newman, P.A., in St. Petersburg. The firm concentrates in personal injury and medical malpractice. Larry Beltz serves on the College of Law's Board of Visitors and is a board member of the FSU Connect National Campaign.

The Gary and Sallyn Pajcic Professorship

Gary and Sallyn Pajcic have established an unrestricted professorship at the College of Law with a gift of \$150,000. The professorship will be filled by the dean. The gift will receive a \$75,000 match from the Florida Matching Funds program bringing the total endowment to \$225,000.

A 1972 graduate of the law school, Gary Pajcic practices personal injury law with Pajcic

and Pajcic in Jacksonville. Pajcic has been active in the law school over the years, providing \$25,000 to help the Patricia Dore Professorship in 1995. He serves on the Board of Directors of the FSU Connect capital campaign.

The Tom and Robin Gonzalez Scholarship Fund

Tom and Robin Gonzalez have made a gift of \$100,000 to

establish an endowed scholarship fund for FSU law students.

Tom Gonzalez, a 1975 graduate of the College of Law, practices labor and employment law with Sizemore, Thompson & Gonzalez, P.A., in Tampa. He serves on the law school's Board of Visitors and on the board of the FSU Connect National Campaign. Robin Gonzalez earned her undergraduate degree from FSU.

The Sheila McDevitt Endowment

Sheila McDevitt has increased her \$25,000 gift, made in 2001, to \$100,000. Funds in the endowment can be used at the dean's discretion.

McDevitt is general counsel for TECO Electric in Tampa and serves on the law school's Board of Visitors and the FSU Connect National Campaign committee.

National Notary Foundation awards its first FSU scholarship

Second-year Florida State University College of Law student Jami Balkom has been named the first National Notary Scholar. The award was made by National Notary Association president Milton Valera and executive director Debbie Thaw in a ceremony at the law school November.

The Foundation's scholarship was created through a \$100,000 gift to the College of Law made earlier this year. FSU will seek matching funds from Florida's Matching Funds Trust to boost the endowment to \$150,000.

The gift agreement between the law school and the Foundation stipulates that the law

school administration will select a qualified law student, preferably one with an interest in entering government service. The scholarship, to be funded by the National Notary Endowed Scholarship Fund, will cover all tuition costs each year.

Balkom, a native of Bonifay, Florida, plans to enter the field of civil rights law or plaintiff's tort law after graduation. "I'm attracted to those areas because of the public service nature of the work," she says. Balkom serves as communications' chairman for the law school's Student Bar Association.

Kerey Carpenter, a 1992 Graduate of the College of Law, was instrumental in establishing the endowment.

Carpenter's interest in notary public laws began after graduation from law school when she established a statewide educational program for notaries public through the Florida Governor's Office. "In working to educate notaries and to improve the notary public laws," Carpenter said. "I was always confident in relying upon the advice and assistance of the National Notary Association. The association approaches issues with professionalism and integrity. It is my hope that this scholarship will help law students and attorneys have a better appreciation of the importance of understanding the laws governing notaries."



From left: FSU law student Chris Thielemann, Broad and Cassell Managing partner Steve Turner and Moot Court sponsor Nat Stern at a law school reception recognizing the firm's gift



Rob Atkinson is named first Ruden, McClosky, Smith, Schuster & Russell Professor

Rob Atkinson has been named the College of Law's first Ruden, McClosky, Smith, Schuster & Russell Professor of Law.

Atkinson is a nationally recognized scholar in professional responsibility, professionalism and tax-exempt organizations. His work in the area of legal professionalism was recognized in June when the Florida Supreme Court Commission on Professionalism presented him the Academic Professionalism Award. He is active on a number of professionalism committees and commissions in Florida.

Atkinson, whose published work is known for its use of literature, history, religion and philosophy to illustrate lawyer responsibility, teaches Property, Professional Responsibility, Legal Ethics and Law and Literature. A graduate of Washington & Lee University and Yale Law School, he joined the FSU law faculty in 1987.

In announcing the appointment, Dean Don Weidner said

Rob Atkinson, a scholar in the area of legal professionalism, was named the first Ruden, McClosky, Smith, Schuster & Russell Professor

Atkinson has become a significant commentator nationally and in Florida on issues of professional responsibility. "He has stressed the importance of law as a learned profession that has much to learn and much to teach."

Ruden, McClosky, Smith, Schuster & Russell managing director Carl Schuster expressed pleasure at the Atkinson appointment to the professorship established by his law firm. "I'm delighted with the choice Dean Weidner has made in filling the position. Professor Atkinson has shown great dedication to extremely important issues."

At a January reception in Ft. Lauderdale, at which Atkinson was introduced to Ruden, McClosky firm members, Schuster indicated the firm's pleasure with the appointment. Weidner thanked the firm for allowing Atkinson and the law school to carry the Ruden McClosky name in such a prestigious way. Also invited to the reception were FSU grads in the Ft. Lauderdale area.

College of Law 1969 charter class member and current Florida Bar president, Terry Russell, is a named member of Ruden, McClosky, Smith, Schuster & Russell. The firm has offices in Miami, Ft. Lauderdale, Naples, Port St. Lucie, Sarasota, St. Petersburg, Tallahassee, Tampa and West Palm Beach.

Law firms and an alum bolster the law school's Moot Court program

The College of Law's Moot Court program has received three gifts to support its work.

The Tallahassee office of Broad and Cassell has pledged a gift of \$60,000 over a six year period to support Moot Court.

The gift is the second largest made to the law school by a Tallahassee law firm.

The gift creates the Broad and Cassell Final Four Moot Court Competition and the Broad and Cassell Outstanding Brief and Advocacy Awards as well as providing funds to cover Moot Court expenses.

Broad and Cassell managing partner Steve Turner was the driving force behind the gift according to Assistant Dean Debra Hulse. "What is impressive is that Steve is not one our alums yet he thought it was important to support the law school in his hometown."

Orlando-based Gray Harris and Robinson has pledged

\$25,000 to Moot Court. The gift will provide \$5,000 of funds annually.

The gift will sponsor annual Moot Court tryouts as well as provide unrestricted funds to support team expenses.

In addition to a desire to assist the Moot Court program, Gray Harris managing partner Byrd "Biff" Marshall hopes the gift will provide greater visibility for his firm's recruiting purposes. Marshall is a 1978 graduate of the College of Law.

Mike Coleman, a 1986 graduate of the law school, has made a gift of \$12,000 to Moot Court. The gift is unrestricted and will be used for general team expenses.

Coleman, who was a member of Moot Court, is a named partner with Asbill, Coleman, Ho & Hazzard, P.A., in Naples. He practices in the areas of civil, commercial and personal injury.

Changing of the guard in the Alumni Office

Dean Donald Weidner has announced the appointments of Mark Pankey as Director of Development and Timothy Kelly as Assistant Director of Development and Alumni Affairs. Pankey replaces Debra Hulse while Kelly replaces Alicia Bookout.

Since 1998, Pankey has been Director of Development for the College of Communication and the School of Information Studies where he was responsible for securing over \$3.7 million in outright, pledged and deferred gifts, increasing overall giving for those schools by 700 percent. He has also reconfigured, implemented and managed collegiate volunteer efforts involving corporate and alumni boards and committees.

Pankey says he will focus on three areas in his new position: the financial needs of the law school; strengthening relationships between alumni, students, faculty, and staff; and connecting these relationships with the needs of the school to make a lasting impact on the legal profession.

According to Pankey, following Hulse will make his job easier. "Debra's created a framework for giving, and she will make my transition pretty painless. Plus, I've always been interested in law, and my grandfather was an attorney, so aside from my fundraising background, I have an affinity for this work," he said. "Most of all, I want to realize the vision of the Dean. I think it's important to continue seeking top faculty through professorships. Better faculty produce better students who become great alums. It's a circle of greatness."

Kelly has served as Coordinator of Special Projects and Finance for the Tallahassee Community College (TCC)



Tim Kelly, left, and Mark Pankey join the College of Law's alumni and major gifts office. (Above) Assistant Dean Debra Hulse departs after 3 1/2 years as Major Gifts Director to become Vice President of Major Gifts with the American Heart Association in St. Petersburg.

Foundation since 1999. His recent work at TCC has been focused on planning and coordinating the school's United Way Campaign and the Annual Fund Drive. He has also cultivated donors through special projects, solicited scholarships and developed a capital campaign feasibility study.

At the College of Law, Kelly will be involved with alumni relations and managing the Annual Fund. He will also be working closely with the Director, Mark Pankey, to develop, implement and coordinate campaigns that promote public and private support and interest in the advancement of the College of Law.

Kelly says he is enthusiastic about his new role, noting that

he wanted to continue the momentum already established. "I will obviously want to see us further the growth of the Annual Fund," he said, "and at the same time build on the base of alumni that already take such great pride in belonging to the College of Law community."

Hulse leaves the law school after three-and-a half years as Assistant Dean of Alumni Affairs to become Vice President of Major Gifts at the Florida/Puerto Rico Affiliate of the American Heart Association in St. Petersburg.

According to Weidner, Hulse has been an important force in the success of the Office of Development and Alumni Relations. She has accounted for \$6.5 million to-

ward the Annual Fund and outright and deferred gifts.

Weidner said that Hulse has helped the College of Law reach many of its financial goals in a very short time span, and she has laid a great foundation for future giving. "Debra has been so committed to this position. She has a wonderful talent for nurturing alumni and leading them to an understanding of how important their gifts are to the basic foundation of the law school. She will be missed very much," Weidner said.

Hulse says she leaves FSU with mixed feelings. "I look forward to this new adventure," she said. "My work at the College of Law has made this opportunity possible. I've learned so much about fundraising, and I've met terrific people in the relationships I've made with donors. This work has enriched my life and my career."

FACULTY NOTES



Frederick Abbott, Edward Ball Eminent Scholar Professor, is visiting Boalt Hall, University of California at Berkeley School of Law this spring and will return to FSU in the fall. On September 6-8, he participated in meetings in Geneva and Jongny-sur-vevey, Switzerland, organized by the Quaker United Nations on a "A Development Agenda for Implementing TRIPS: Addressing Biodiversity, Food and Health Needs." The meetings were attended by developing country delegations in Geneva, non-governmental organizations and representatives from the private sector. He presented a paper at the meetings entitled "The TRIPS Agreement, Access to Medicines and the WTO Doha Ministerial Conference" that is published and distributed as QUNO Occasional Paper No. 7. On September 27-29, he was in Warsaw, Poland as technical consultant for the World Health Organization participating in a meeting on "The TRIPS Agreement and Its Impact on Access and Prices of Pharmaceuticals in Eastern Europe." The meeting considered ways to develop and implement health care and intellectual property laws that assure access and affordability. He continues to serve as technical consultant to the WHO Essen-

RECOGNITIONS

tial Drugs and Medicines program. On November 1, Professor Abbott spoke on a panel addressing the International Protection of Intellectual Property Rights at the International Bar Association meeting in Cancun, Mexico. On November 20, Professor Abbott was in London to present his Report (preliminary) to the British Commission on Intellectual Property Rights on the WTO TRIPS Agreement and Its Implications for Access to Medicines in Developing Countries. The meeting was attended by Commission members and representatives from international organizations, industry and non-governmental organizations. During September and October, Professor Abbott delivered first chapters of the *UNCTAD Handbook for TRIPS Negotiators to the U.N.* in Geneva. He also served as arbitrator in a number of Internet domain name disputes for the WIPO Arbitration and Mediation Center.

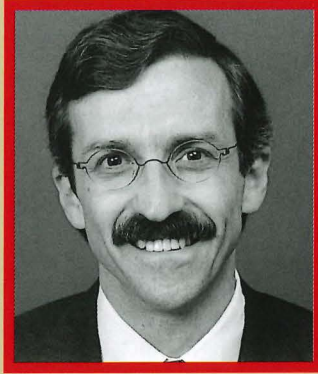
Paolo Annino's article, "The Buckhannon Decision: The End of the Catalyst Theory and a Setback to Civil Rights" was published in the February 2002 issue of the *Mental & Physical Disability Law Reporter*. He is also teaching an upper level undergraduate course "Philosophy of Law" in the FSU Department of Philosophy. The course, which has a full enrollment of 40 students, studies philosophical (Plato, Hart, Dworkin, and Habermas) and literary works (Sophocles, Melville, Kafka, and Faulkner) in its approach to law. He has been appointed to the state-wide Steering Committee for The Florida Bar Board of Governors Retreat on Equal Access to Justice by Florida Bar Terrence Russell. He and other Steering Committee members created a program which dem-

onstrated the need for legal services for the poor in Florida and which proposed a variety of ways for The Florida Bar to address this need. The retreat

was held in August.

Rob Atkinson, Ruden, McClosky, Smith, Schuster & Russell Professor, presented a

Steve Gey's new case book fills a void in legal education



According to College of Law Professor Steve Gey, his new casebook, *Religion and the State: Cases and Materials (CITE)*, is his effort to fill a void in legal teaching materials. "Everybody who teaches in the area does their own work. What I do is put the materials together in one book."

Gey's book covers important recent controversies in this area, including those involving prayer at public school functions, the teaching of evolution and creation theory, school vouchers, charitable choice, and statutory mandates of religious accommodation. The book also includes discussions of current debates about the constitutional theory of church and state, including the ongoing dispute over the continued relevance of the three-part *Lemon* analysis, the role of a secular purpose requirement in Establishment Clause jurisprudence generally, and the relationship between freedom of speech and Establishment Clause limits on religious expression associated with the government.

Although the book includes the major U.S. Supreme Court decisions in the area, it puts an emphasis on lower court opinions. "Lower court opinions are more important in the church/state area than in many other areas of constitutional law," says Gey. "This is because of the large number of unsettled Establishment and Free Exercise Clause issues and the Supreme Court's lack of clarity or consistency about both theory and application of First Amendment doctrine relating to church/state jurisprudence."

Religion and the State also includes key academic work, in which, Gey has taken pains to represent an ideologically-balanced view of of emotionally charged issues.

"I have attempted to bring together in this casebook a sufficiently broad range of original judicial, legislative, academic, and historical materials to satisfy the needs of instructors in this subject, regardless of the particular approach they take to issues raised in this area," he says.

Gey will provide annual supplements to the book, focusing on lower court activity.

RECOGNITIONS

faculty workshop at Cornell Law School in February entitled "A Social Democratic Critique of Pro Bono Lawyering." Atkinson is a visiting professor at Cornell this semester.

Steve Bank gave a presentation on "Disregarded Entity Mergers" as part of a panel on the Taxation of Disregarded Entities for the Teaching Taxation Committee at the American Bar Association Tax Section Mid-Year Meeting in New Orleans, on January 18. Steve Bank's article, "Entity Theory as Myth in the Origins of the Corporate Income Tax," was published at 43 *Wm. & Mary L. Rev.* 447 (2001). He presented a paper, "Corporate Managers and the Rise of Double Taxation" at the Annual Meeting of the Central States Law Schools Association held at Michigan State University-Detroit College of Law in October. He has also published the article "A Transcontinental 'A' Train? Foreign Mergers Under Section 386(a)(1)(A)" in 54 *Tax Lawyer* 555 (2001).



Barbara Banoff's working paper, "Company Governance Under Florida's new Liability Company Act," will be published in a future issue of *Florida State University Law Review*.

Donna Christie, Elizabeth C. & Clyde W. Atkinson Professor of Law, has written a report

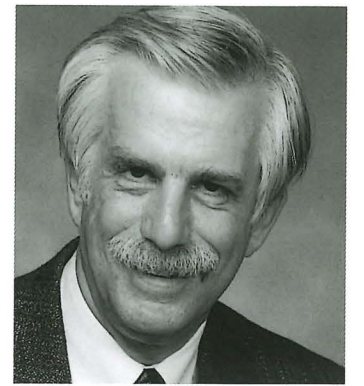
for the United Nations Development Program and the Belize Coastal Zone Management Authority Institute entitled "Legislation, Policies and Regulations Relevant to Coastal Zone Management in Belize: A Review of Proposals for Better Implementation of the Coastal Zone Management Act of 1998."

Joseph M. Dodge, Stearns, Weaver, Miller, Weissler, Alhadeff & Sitterson Professor of Law, has written the article, "A Deemed Realization Approach Is Superior to Carryover Basis (And Avoids Most the Problems of the Estate and Gift Tax)" in 54 *Tax Law Review*

421 (New York University School of Law). He has been appointed to the Task Force on Transfer Tax Restructuring of the American College of Trusts and Estates Counsel (ACTEC).

Chuck Ehrhardt, Mason Ladd Professor of Evidence, has published the third edition of *Florida Trial Objections* (West, 2002).

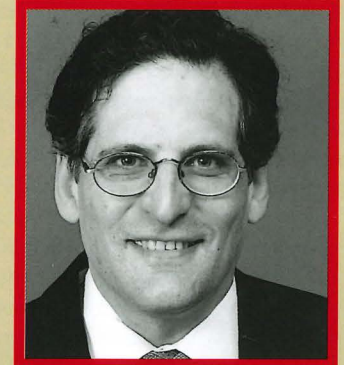
Larry Garvin presented his work-in-progress, "Two Cheers for the New Business Rule," to the College of Law's weekly faculty workshop in January. He also gave a talk entitled "Secured Credit, Credit Rationing, and the Plight of Small



Chuck Ehrhardt

Business" at the Central States Law School Meeting at Michigan State in November. In addition, a recording of "The Pirates of Penzance," on which he sings "Samuel," was released

Mark Seidenfeld praised for offering a new approach to public agency rulemaking



According to two Cornell Law School faculty, a symposium paper presented by College of Law Professor Mark Seidenfeld offers a new approach to judicial review in public agency rulemaking. Cynthia Farina and Jeff Rachlinski, organizers of the symposium titled, "Getting Beyond Cynicism: New Theories of the Regulatory State," report that Seidenfeld's "ambitious paper does nothing less than provide a new conceptual foundation for judicial review."

The paper, "Cognitive Loafing, Social Conformity, and Judicial Review of Agency Rulemaking," has been published as part of a symposium issue of 87 *Cornell Law Review* 616 (2002).

In their comments on his paper, Farina and Rachlinski write, "Professor Seidenfeld argues, it is not so much that judicial review itself provides quality control, as that regulators' knowledge of the probable need to justify their judgments alters the nature of their decisional process in ways that minimize cognitive errors. For this reason, 'hard look' review can indeed increase the rationality of the regulatory process. Professor Seidenfeld goes on to explain

how various decisional practices used by agencies can be understood, from the cognitive psychological perspective, as adaptations to produce better (i.e., less error-prone) choices. In so doing, he implies a vision of administrative law in which the prime objective of process is reducing human fallibility rather than checking human cupidity, a vision in which courts and agencies could indeed imagine themselves as partners rather than adversaries."

Seidenfeld's article in the *Cornell Law Review* provoked spirited response by William Eskridge of Yale Law School, John Ferejohn of Stanford's political science department, and Samuel Isacharoff of Columbia Law School, as well as citation by many of the other symposium participants.

in December by Sounds on CD, an English recording company. Larry Garvin has published a survey article "Sales" (with Wladis, Kotler and Meadows) in 54 *Business Lawyer* 1747 (2001).

Sally Gertz has published the article "Florida's Civil Service Appeal Process: How 'Protective' Is It?" 22 *The Justice Journal* 2 (2001).

Steve Gey, Fonvielle and Hinkle Professor of Litigation, presented his work-in-progress, "The Myth of State Sovereignty," to the College of Law's weekly faculty workshop in February, and it will be submitted for publication this spring. On October 18, he debated former U.S. Attorney Donna Bucella on the issue of the new federal anti-terrorism legislation at the University Club in Tampa. The event was sponsored by the Tampa Bar Association and the Tampa Chapter of the Inns of Court.



Stephanie Gore made a presentation at the Southeastern American Association of Law Schools conference at Hilton Head, South Carolina, in July. She also presented a talk entitled, "Internet Jurisdiction: Implications for Intellectual Property Disputes" at the University of Texas School of Law's Third Annual Symposium in February. The symposium, "Intellectual Property in a Chal-

lenging Economy," was jointly presented by the Intellectual Property Journal of the University of Texas School of Law and the Intellectual Property Law Society of the University of Texas School of Law.

Adam Hirsch's latest publication is "The Uniform Disclaimer of Property Interests Act: Opportunities and Pitfalls," 28 *Estate Planning* 571 (2001). In August, he spoke at a faculty colloquium at the University of California, Hastings College of Law, on the subject of "Lawmaking and Bounded Rationality." He also published an article entitled "Revision in Need of Revising: The Uniform Disclaimer of Property Interests Act," in 29 *Florida State University Law Review* 109, fall, 2001.

Tahirih Lee presented a talk entitled "The Legal Profession of Hong Kong at a Crossroads" at Harvard University's Asia Center in April. She also gave a talk entitled "Independent or Unified: Different Scenarios for Taiwan-China Relations," in February, at the 2002 Intercollegiate Taiwanese American Student Association conference at Harvard University. Also, her course, "Internet Trade Simulation," is the first of its kind at FSU or any American law school. The course uses a computerized environment to bring FSU law students and Chinese students together to put together trade transactions. In December, she made a presentation at the Yale Law School entitled "China's Federalism." In November, she presented a paper entitled "A Twentieth Century Babel: The Legal System of Republican Era Shanghai" at the annual meeting of the American Society for Legal History in Chicago.

Peter Oh and **Howard Wasserman** served as coaches for the Moot Court team competing in the Fourth Annual Pepperdine University School of Law National Entertainment Law Moot Court Competition in Malibu, California, November 24 and 25.

Jarret Oeltjen has published the *Uniform Commercial Code Forms, With Comments*. The book is part of West's Florida Statutes Annotated, Volume 1A.

Ruth Penney has published a chapter, "History and Philosophy of the Juvenile Court," in the new edition of *Florida Juvenile Law and Practice* (7th ed., Florida Bar).



David Powell presented a continuing legal education program on "Advanced Tax for Probate Practitioners" in Tampa, November 8. On November 9, he presented a CLE program on the "New Tax Act and Charitable Giving" in the D'Alemberte Rotunda as part of the law school's homecoming weekend.

Jim Rossi, Patricia A. Dore Associate Professor of State Administrative Procedure, presented "State Constitutionalism and the Nondelegation Doctrine," at the ABA mid-year meeting in Philadelphia, February 2. The presentation was part of a panel on "The

Administrative States," co-sponsored by the ABA Section of Administrative Law & Regulatory Practice and the Rutgers University Center for the Study of State Constitutions. The panel also included presentations by Richard Briffault of Columbia Law School, Ed Rubin of the University of Pennsylvania Law School, and Alan Tarr of the Rutgers University political science department. He also presented a faculty workshop, "Takings and Other Torts Against the State: Efficiency and Accountability Problems With Designing Remedies to Deter the Predatory State," at the University of North Carolina School of Law, Chapel Hill, in December. In November, he gave an hour-long CLE lecture, "Issues Associated With Claims of Deregulatory Takings," at a conference sponsored by The Florida Bar Administrative Law Section's Public Utilities Law Committee. The conference, at the Florida Public Service Commission, was entitled "The Applicability of the Jurisprudence of Non-Administrative Areas of Law to Emerging Issues Associated With the Deregulation of Traditionally Regulated Industries." The other primary presentation at the conference was made by Richard Bellack, Associate General Counsel at the Florida PSC. He also created a web site for publishing updates to his casebook, *Energy, Economics and the Environment: Cases and Materials* (Foundation Press 2000) (with Fred Bosselman and Jacqueline Lang Weaver), which has been adopted for courses at more than 15 law and business schools. The site, hosted by FSU on the Internet at <http://www.law.fsu.edu/energybook>, serves as a forum for sharing links to major energy research materials, as well as major de-

velopments since publication of the First Edition of the book. Professor Rossi's book, *Energy, Economics and the Environment* (Foundation Press 2000) (with Fred Bosselman & Jacqueline Weaver) received a highly favorable review in the *Macalester Environmental Review*, http://www.macalester.edu/~enviro/st/MacEnvReview/review_energy.htm. The reviewer, Sarah West, an economics professor, writes, "Law Professors Fred Bosselman, Jim Rossi, and Jacqueline Lang Weaver . . . have obviously placed a high premium on clarity and conciseness in their book." She also recommends "professors that teach environmental economics can use this book as a source of many real-world examples, concise scientific explanations, and especially for material to be used to guard against the idealistic appraisal of economic theory." On October 22, he presented a faculty workshop, entitled "Conceptualizing Takings Jurisprudence Outside of the Predatory State," at Washington & Lee University School of Law in Lexington, Virginia. His visit was sponsored by the Frances Lewis Law Center at Washington & Lee. On November 1, he delivered a paper, "The Flawed Law and Economics of Predation: Why Takings and Contracts Claims Against the Government Do Not Deter Bad Decisions," at Georgetown University Law Center. Jonathan Adler, an assistant professor from Case Western Reserve University School of Law, and Daniel McGraw, who heads up the international law division of the Environmental Protection Agency, responded to the paper. The presentation, attended by professors and students at Georgetown as well as legislative and policy staff for the

federal government, is part of an environmental research workshop at Georgetown http://data.law.georgetown.edu/faculty/w_enviro.html. In July, he served on an administrative law panel at the Southeastern American Association of Law Schools conference at Hilton Head, South Carolina.

J.B. Ruhl's working paper, "A Manifesto for the Radical Middle," will be published in a future issue of *Idaho Law Review*. He has also published "Apples for Oranges: The Role of Currencies in Environmental Trading Markets," 31 *Environmental Law Reporter* (Envtl. L. Inst.) 11438 (2001) (with James Salzman). He has been asked to serve on a National Academy of Sciences committee to study endangered species issues in the Klamath River Basin in southern Oregon and northern California.

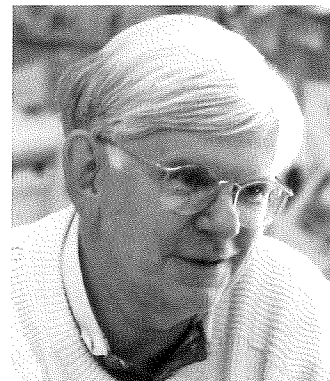
Mark Seidenfeld spoke on the Supreme Court case of *United States v. Mead Corporation*, which addressed the standard of review for agency interpretations of statutes made in a ruling letter regarding U.S. Customs Office tariff classifications at a quarterly meeting of the ABA Section on Administrative Law and Regulatory Practice. The talk was titled, "Making Mead Make Sense," on November 3. The case has implications beyond the Customs Office, and Professor Seidenfeld spoke on its meaning and likely ramifications in the lower courts. On November 27, he made a presentation on the same subject at a College of Law faculty workshop.

Lois Shepherd participated as a panelist in the "Forum on Pain Policy: Balancing Patient Care and Drug Abuse Prevention," sponsored by The Florida

Partnership for End-of-Life Care in Tallahassee in January. She also reviewed legislation recently introduced in the Florida Legislature that would require health care providers to undertake new responsibilities to prevent prescription drug diversion and abuse.

Jack Van Doren lectured on the Legal Education, Fundamentals of the Legal System and Legal Process Theories in the United States in late September in Rangoon, Burma. The talk was sponsored by the United States Information Agency. He also spoke to various groups of law faculties, students, practicing lawyers and intellectuals while he was in Burma.

Dean Don Weidner has published the 2001 Edition of *The Revised Uniform Partnership Act* (with R. Hillman and A. Vestal). In October, he gave a presentation, "Academic Freedom and Faculty Accountability," at a Department Chairpersons' Workshop sponsored by the Institute for Academic Leadership in Palm Coast, Florida.



John F. Yetter lectured on "The Constitutional Law of Arrest, Search and Seizure in Florida" to law enforcement legal advisors in the "Defending Our Defenders Seminar" sponsored by the Fowler, White law firm in Tampa in September.



Tom Warner, Florida Solicitor General and Richard Ervin Chair Eminent Scholar, argued before the Supreme Court of Florida in *Butterworth v. Chief Judge of the Thirteenth Judicial Circuit* on February 6. Speaking on behalf of the State of Florida, Warner argued that records kept by the Thirteenth Judicial Circuit that were created or compiled during an internal sexual harassment investigation by the court's chief judge should be made public, particularly after the judicial qualifications committee found probable cause to suspect misconduct by the judge who was the subject of the investigation. The Supreme Court's decision in the case is expected in several months. He also filed an Amicus Brief on behalf of Florida, which was joined by several other states, in *Zelman v. Simmons-Harris*, Case No. 00-1751 in November. The amicus brief on the merits was in support of the Ohio school voucher program. Also in November, he was featured speaker at the Academy of Florida Trial Lawyers Board of Directors meeting and at the Inns of Court Dinner Speech at the Palm Beach County Courthouse and served as a participant in the Sunshine Symposium Round Table sponsored by the First Amendment Foundation, which focused on the potential conflicts between Florida's open records law and the need for secrecy in the war against terrorism.

Visiting professors provide new ideas, gauge of law school faculty quality

By Phillip M. Pollock

Visiting professors serve a valuable function in the law school community, providing a scholarly cross-pollination in which both the visitor and the school benefit. From a practical point, visitors fill a law school's teaching needs.

College of Law Professor Larry Garvin, a former visiting professor himself, coordinates the College of Law's search for visitors. Garvin is a Yale Law School graduate who teaches Contracts, Secured Transactions, and Sales and Leases. "I tend to have a good understanding of our faculty needs and am asked to make recommendations for vacant faculty slots. Sometimes, for a variety of reasons, our faculty is spread thin, and we have to make certain that our core law course offerings are covered. This would probably be the simplest case scenario involving visitors on our campus," said Garvin.

"I can bring experiences to the students and the school from the private sector, and at the same time, the visit provides me with new opportunities," says Armando Irizarry, visiting FSU for the 2001-2002 school year from the New York law firm of Fish and Neave. Irizarry understands his role as a visitor and sees it in a favorable light. "Though I taught Civil Procedure this past fall, which is quite basic, now I teach Cyber Law. That's an area new to me and relatively new to the

law community. I find myself preparing hard for this class, and because of the students' computer networking, they further enhance what I bring to Cyber Law," he said.

Garvin says that visiting faculty often give students a different take on the law. "Our Oxford scholars who visited here this past fall certainly provided students with a wonderful opportunity. Roderick Bagshaw and Liz Fisher were able to draw interesting parallels in the practice of law between England and this country. That gives students a broader perspective on law practice," he said. He indicated that the whole idea of enrichment is, in large part, a result of scholarship.

"When Joseph Dodge visited here two years ago, we realized the importance of his publishing—he's probably one of the most respected authorities in his tax law field." As a result of that visit, says Garvin, the College of Law made Dodge an offer that he accepted. "He brings a lot of respect to our school," says Garvin.

In addition to Irizarry, Matthew Shaeffer and Lewis Solomon are visiting from the University of Nebraska and George Washington University respectively. They epitomize the role of the traditional visitor, because they are so well respected in law school communities. Garvin said, "Their prestige, scholarship and noto-



From top left: FSU Professor Larry Garvin, visiting professor Armando Irizarry, FSU Professors Joseph Dodge and Rob Atkinson; at left: FSU Professor Steve Bank

riety follow them when they come here to teach."

Shaeffer graduated magna cum laude from Michigan in 1991. His writing is mainly in the area of international trade and international economic law. He teaches Public International Law and International Business Transactions. Lewis Solomon is Theodore Rinehart Professor of Business Law and has taught at George Washington since 1977. A prolific author in his field, he teaches Business Associations.

For students, course diversity is a valuable outcome of visitorships, Garvin said. "Whether a visitor comes here to teach something very eclectic or something core to the program, they inject new experiences and information that students would otherwise not have access to if visits did not occur."

Just as FSU invites visitors from other law schools, its own

faculty are recruited for visitation. Three of those are Fred Abbott, visiting at University of California at Berkeley; Rob Atkinson, visiting at Cornell University; and Stephanie Gore, visiting at the University of Texas. Steve Bank, Associate Professor at FSU, will visit at UCLA in the fall of 2002.

According to Dean Don Weidner, the kind of law schools that invite FSU faculty to visit are a barometer of faculty quality. "It says a great deal about the reputation our faculty has developed when they are being asked to teach at schools like Cornell, Texas, UC-Berkeley and UCLA."

The opinion is seconded by Bank. "When you have four people visiting at law schools that all rank in the top twenty nationally, that is significant," he says. "It's kind of an academic signal. People in law communities look at situations



like this and note that a California school has brought someone, not from their own backyard, which would be the easy solution, but all the way from Tallahassee, Florida. It speaks

highly of our faculty and the school."

Writing from Cornell, Rob Atkinson says, "Visits benefit the visitor, home school and visited school in several related

ways. Most obviously they give the visitor a chance to see how another school does things differently—sort of see how the other half lives." He went on to say that there is a congenial respect between faculty and students that does not exist at other schools. "My students at Cornell were surprised, for example, to hear that many of us at Florida State take groups of our students to lunch on a regular basis," he said.

Atkinson and Bank point out that in any visit, there is always the chance that a job offer could result. But, even if a change of job is not on the line, they say there are many rewards that result from visiting

another school. "It offers networking possibilities, so you go somewhere where the program is larger and, perhaps, better known, and you develop communications channels that will be helpful when you return. Aside from that, you simply feel good about yourself when a highly regarded school has thought enough of you to bring you in," Bank said. Atkinson echoed that philosophy, adding "It's an honor to be asked to visit at Cornell. They've seen and liked your work, and they've done background checks before offering the visit. To me, that says the folks at home confirm the outsiders' favorable impression."

Faculty Enrichment series keeps the faculty on its toes

What is the legal basis for the U.S. policy of detaining and trying Taliban and Al Qaeda prisoners by military tribunal?

What happens when state rights challenge federal authority?

At what point are religious ideas subject of copyright?

These are some of the questions posed to FSU's law faculty during faculty enrichment lunch workshops during the 2001-2002 academic year.

"These workshops are a way for our faculty to be exposed to the ideas of faculty from other law schools, as well as the work of their colleagues at FSU," says program coordinator Jim Rossi.

Dean Don Weidner says the series has another benefit. "I think it gets the competitive juices flowing on the faculty. When they see what faculty at other schools are doing, they are challenged to excel in their own scholarship."

Weidner adds that FSU has received compliments on the quality of its series, which he credits to Rossi's organization of the event. "Not only do we tap the talent of our faculty, we go around the country, even around the world, to bring scholars to engage our faculty."

Among the FSU law faculty members who have made presentations during the 2001-2002 year are Mary Crossley, Larry Garvin, Steve Gey, Mark Seidenfeld, Lois Shepherd and Howard Wasserman.

Some of the presenters and the topics they discussed during the 2001-2002 academic year are:

Roderick Bagshaw, Oxford (visiting at the College of Law): The Englishness of English Tort Law

Christopher Edley, Harvard Law School: Affirmative Action: End It or Mend It?

Marc Miller, Emory: The Screening/Bargaining Tradeoff

Fred Bosselman, Chicago-Kent College of Law: What Lawmakers Can Learn from Large-Scale Ecology

Clayton Gillette, NYU: Local



Faculty members (from left) Mark Seidenfeld, Jim Rossi and Steve Bank discuss a point with NYU's Clayton Gillette at a November 2001 workshop

Redistribution, Interest Groups, and Judicial Competence

Douglas Moll, University of Houston: Shareholder Oppression and Reasonable Expectations: Of Change, Gifts, and Inheritances in Closed Corporation Disputes

D. Gordon Smith, Lewis & Clark (visiting at Vanderbilt): The "Critical Resource" Theory of Fiduciary Duty

Thomas Cotter, Florida: Gutenberg's Legacy: Copyright, Censorship, and Religious Pluralism

George Fletcher, Columbia: War and the Constitution

Marcus Cole, Stanford (visiting at Northwestern): "Delaware is Not a State": An Empirical Analysis of Jurisdictional Competition in Bankruptcy

William Simon, Stanford (visiting at Columbia): Who Needs the Bar?: Professional Responsibility Without Monopoly

John Dzienkowski, Texas (visiting at Florida): The Decline in Lawyer Independence: Trading Legal Services for Equity Interests in Clients

Jim Chen, Minnesota: Cauldrons of Creativity: The Jurisynamics of Information Platforms and Environmental Protection

COLLEGE NOTES

Twenty-two nominated to the FSU Chapter of The Order of the Coif

Twenty-two 2001 graduates have been nominated to the College of Law's Order of the Coif.

Graduating seniors who have completed at least 75 percent of their law studies graded courses and who rank among the top 10 percent in the school are eligible for nomination.

The nominees from Florida are Nicole M. Smith, Bradenton; Pamela A. Johnson, Chipley; Kacy M. Collins, Hollywood; Darby L. Duncan, Jacksonville; Michael R. Lennon, Marianna; Brenda M. Fernandez and Jezabel Llorente, Miami; Christi R. Adams, A.

Anthony Giovanoli and Edgar E. Stanton IV, Orlando; Brian H. Barr, Pensacola; Natalie B. Futch; Kathy S. Gatzlaff, Brittany Adams Longs; Kevin M. O'Brien and Marc Peoples, Tallahassee; Edward J. Comey, Tampa; Sarah S. Butters and Brett J. Horowitz, West Palm Beach; and Kristie L. Hatcher-Bolin, Winter Haven.

Nominees from Georgia include Lorelei D. Cisne, Atlanta; and Graham H. Todd, Valdosta.

Civil rights attorney Morris Dees urges future lawyers to make justice a priority

Lawyers have a responsibility to work for justice no matter how large or small the issue before them, Morris Dees, one of the country's top civil rights lawyers, told a full house of FSU law students and faculty in January, in the D'Alemberte



Civil rights attorney Morris Dees talks to a student after a January lecture at the law school

Rotunda. "It doesn't matter whether your case is a small one in a small town or if you're going before the Supreme Court, you have an opportunity to further the cause of freedom in this country." He added, "Even if you're a corporate attorney, you can do your part by making sure that all legal issues are handled in an ethical and

fair manner."

Dees, who is co-founder and chief trial counsel for the Southern Poverty Law Center in Montgomery, Alabama, was FSU's featured speaker at the annual Martin Luther King, Jr. celebration.

Dees described two of his most famous cases, one involving the rights of Vietnamese

Law school mourns the loss of second-year student, Chandler Muller

Second-year College of Law student Chandler R. Muller, Jr. died February 4 from complications due to a rare autoimmune disease at St. Luke's Hospital of the Mayo Clinic in Jacksonville.

A close friend of Muller, Jennifer Starace 2L, described Muller as a warm friend and an exceptional human being. "He was someone who cared deeply about other people and went out of his way to make you feel comfortable. He was someone who enjoyed life and wanted the people around him to enjoy it too." She added, "I'll always remember him as someone who wanted to spread happiness."

In a letter sent to students, Dean Don Weidner reported a conversation he had with Muller's father, Chandler Muller, Sr. "I was touched when he stressed to me how very much Chandler had enjoyed his time here at the law school. One reason for this, I'm sure, is because of the friendships he developed in his year-and-a-half here. To those of you who were his close friends, I extend special condolences. You have told me of Chandler's kindness and generosity, and I can understand that your sense of loss is great. It is important to know, however, that you have enriched his life as he enriched yours."

Muller received his B.A. degree with honors from the University of the South, in Suwanee, Tennessee, and his Masters, in French, from Middlebury College in

Middlebury, Vermont. Much of his graduate study was conducted in Paris. Before attending law school, Muller worked as an emergency medical technician and as an insurance claims adjuster. He was a member of SAE fraternity. He is survived by his father, Chandler R. Muller, Sr.; his mother, Judy Muller; his sister, Laura Subin; and his brother, Joshua Muller.

Students set up a table in Muller's honor in the first-floor atrium of B.K. Roberts Hall and invited friends and classmates to record their memories of Chandler in an album that will be forwarded to his family.

Those who wish to make donations in Chandler's honor are asked to send contributions to the Mayo Foundation for Research, In Memory of Chandler R. Muller, Jr., 4500 San Pablo Road, Jacksonville, FL 32214.



fishermen in Texas and the other against the white supremacist Aryan Nation in Idaho. "The fact that we were victorious in these cases proves that the American justice system works," Dees said.

Speaking of his success in civil rights cases over the years, Dees said he had always followed the advice of his mentor, Clarence Darrow. "He taught me to look for the issues and stories that touch people's hearts and souls in each case. If you do that and tell it to the court, you will be a successful lawyer."

D'Alemberte and Atkinson mix it up in pro bono debate

Former law school dean and current FSU president Sandy D'Alemberte and Professor Rob Atkinson entertained an overflow crowd at the College of Law, November 7, in a debate about mandatory pro bono service.

"Rob and I actually agree on much more than we disagree on, but on this issue there are some serious differences," D'Alemberte said at the outset of the debate. "Volunteerism, the sense that we have responsibilities to help those less fortunate than ourselves, is a uniquely American trait," he said.

He described his experience mentoring students at a south-side Tallahassee elementary school. "That work is tremendously gratifying and I truly believe we are making a difference in those children's lives."

Atkinson, who joined the law faculty when D'Alemberte was law dean, said he had nothing against those who enjoyed helping others. "What I believe is that law students and lawyers should not be asked to bail out society for not fulfilling its obligations," Atkinson said. "Taking care of the poor is our responsibility as a society. It is at



FSU President Sandy D'Alemberte and law professor Rob Atkinson shake hands before they came out swinging in a debate about mandatory pro bono service

the heart of Christian, Judaic and Islamic beliefs."

As for the students that D'Alemberte and FSU mentored, Atkinson maintained that volunteer efforts would never be enough to deliver a good education if the government was not committed to it.

Although D'Alemberte agreed that society is not living up to its responsibility, he said we should not wait until it does before we help those in need.

FSU Student Bar Association receives national recognition

According to the American Bar Association, FSU's Student Bar Association is the best in the country. The law school's SBA is the winner of the ABA's annual Student Bar Association overall award presented at the ABA Annual Meeting last August in Chicago. In addition to the national award, the SBA was named SBA of the Year for the Southeast Region, and 2001 graduate Josh Toman received the Outstanding Liaison of the Year Award for his work with the Standing Committee on Armed Forces Law.

According to 2001-2002

Student Bar Association President Kelly Moss, the ABA award was recognition of the quality of events sponsored by the organization during the past year. Among the events cited by the ABA, was last spring's Diversity Week, which featured a variety of daily activities. Besides staging the event again, Moss says SBA hopes to involve more alumni and community members in its activities. "We hope to create more networking opportunities for students through contact with local alumni and law firms," Moss said.

Attending the ABA annual meeting in Chicago were FSU law students Amy Avalos; John Byrne; Dave Contos, former SBA 2L Representative and current SBA Vice President; Floyd Faglie, former SBA 2L Representative and current SBA Secretary; Molly Harris; Jon Holloway, current SBA Treasurer; Kelly Moss, former ABA Representative and current SBA President; Ward Narramore, current liaison to the ABA/LSD Standing Committee on Armed Forces Law; and Melissa Zelniker, former ABA Junior Representative and current FSU ABA Repre-

sentative.

Officers for 2000-2001 SBA were Tionis Dawes, President; J. Cameron Thurber, Vice President; C. Erica White, Secretary; Jessica Ramsey, Treasurer; Nakia Purdie-Lawson, Florida Bar Representative; Kelly R. Moss, ABA Representative; Melissa Zelniker, ABA Junior Representative; Hilda Auguste, 3L Representative; Stacey Deveaux, 3L Representative; Dave Contos, 2L Representative; Floyd Faglie, 2L Representative; Masheika Allen, 1L Representative; Mindi Lasley, 1L Representative; Toni Lay, 1L Representative; Atheseus Lockhart, 1L Representative.

French dignitary Pierre Joxe compares French and American judicial systems in January lecture

Pierre Joxe, one of Europe's most decorated public figures, discussed the role of the French courts and differences between the French and American systems of justice in a lecture in January in the D'Alemberte Rotunda. Joxe, who is a member of France's Conseil Constitutionnel and former Interior Minister and Defense Minister, was on campus to deliver the inaugural Winthrop-King Institute lecture.

Joxe served two terms as Interior Minister in the 1980s and early 1990s under President François Mitterrand, where he dealt with such volatile issues as regional separatism, immigration, and the status of France's growing Muslim minority. He was appointed Defense Minister during the Gulf War in 1991 and served in that office until 1993. After serving as President of the Cour des Comptes, official auditor of France's public expenditures, Joxe was appointed to the Conseil Constitutionnel,

guardian of the French Republic's constitution, in 2000.

In addition to his service for the French national government, Joxe has served as a Councillor in the City of Paris, as President of the Regional Assembly of Burgundy, and as a member of both the French and European Parliaments. He has been decorated by the governments of France, the United Kingdom, Spain, Hungary and Senegal.

Environmental law expert says environmental laws should change with the new understanding

Maintaining that our knowledge of ecology has undergone

dramatic change over the past three decades, environmental law expert Fred Bosselman says laws must also change to accommodate our new understanding. Bosselman, a member of the law faculty of Chicago Kent, presented his case in the *Journal of Land Use and Environmental Law* Distinguished Lecture, October 18.

According to Bosselman, there are so many more tools today to study natural systems than we had just thirty years ago. "Computers and satellite imaging allow us to collect large quantities of data and look at ecology on a large scale. We can look at climate change and habitat disruption and project forward what we might face in

One of France's top political and legal experts, Pierre Joxe (left) with law school Associate Dean John Larson



the future," he said. "We can look at large areas, even the entire planet, and get a better idea of how nature works."

Before computerization, the study of ecosystems involved what he called "snapshots" of small areas. "One thing we've discovered since the 1970s," says Bosselman, "is that systems are in a constant state of change. Under our old models, we assumed the environment was somewhat static. Now we know this isn't the case."

Much of the body of environmental law was developed in the 1970s, said Bosselman, who was involved in writing some of the legislation at the time. "Much of the environmental law was the result of major, man-made disturbances, such as oil spills off Santa Barbara or the fires on lakes and rivers due to industrial pollution." He added, "We had a very optimistic idea that we could fix the big problems and everything would be all right."

"Today, we understand that natural systems can adjust to major disruptions and that species can adapt to new conditions." Even the Darwinian notion of survival of the fittest

has been brought into question by new information, he said. "We see that many species can compete and survive in the same environment."

What science has learned in recent years, according to Bosselman, is that the greatest danger to the environment comes from small, incremental changes resulting from human activity. "Climate change and the loss of oxygen in coastal waters are examples," he said, pointing to the algae-plagued "dead zones" in such areas as the northwestern Gulf of Mexico. "There is no historical precedent for problems like this, and the trend line for the damage that is being done is going off the chart."

The legal response to new ecological knowledge should be the development of laws that are flexible and change as new information becomes available, Bosselman said. The difficulty, he adds, is that small-scale changes do not arouse the public outcry and political response that is often necessary to enact new legislation. "The problems in the Gulf are the result of, among other things, the fertilizer applied to the land by farm-

Nancy Benavides is named Assistant Dean for Student Affairs



Nancy Benavides has been named Assistant Dean for Student Affairs, replacing Ruth Witherspoon who accepted a similar position last summer at the new Florida A&M College of Law in Orlando. Prior to her new assignment, Benavides had served as the College of Law's Director of Career Placement.

A 1992 graduate of the University of Maryland School of Law, Benavide spent six-and-a-half years with the Washington, D.C., firm of Patrick J. Christmas & Associates, first working on civil litigation matters and later in firm administration. In 1998, she became administrator for another Washington, D.C., law firm, Feldesman, Tucker, Liefer, Fidell & Bank. Her duties included recruitment, training, marketing and personnel management.

Benavides, who joined the law school administration in 2001, says she has no regrets about her move from the law firm environment to law school. "It was a good change for me. I love working with students. I find the work much more fulfilling than private practice," she says. "I'm excited to be moving to the student affairs office where I'll be doing more one-on-one counseling."



Domestic violence panel members Jennifer Greenberg, Chris Del Marco, Jennifer Dritt and Robin Hassler in an October discussion

ers along the Mississippi," he said. "It's very difficult to convince farmers to change the way they do things."

Bosselman is co-author (with FSU law professor Jim Rossi and Professor Jacqueline Lang Weaver) of the casebook, *Energy, Economics and the Environment* (Foundation Press 2000) and *Managing Tourism Growth* (Island Press 1999), which deals with the environmental impact of tourism development. Before joining the Chicago Kent faculty in 1991, Bosselman was a partner in the law firm Ross & Hardies and later practiced in Florida with the firm Burke, Bosselman & Weaver. He is a graduate of the University of Colorado and Harvard Law School.

Panel discussion offers latest views on efforts to stop domestic violence

Although progress has been made in the fight against domestic violence, formidable roadblocks remain according to a panel of experts who shared their experiences with law students, October 24. The panel, sponsored by the law school's Women's Law Symposium, was presented as part of Domestic Violence Awareness Month.

Jennifer Greenberg, member of the Florida Coalition Against Domestic Violence and former member of the Battered Women's Clemency Project labeled the treatment women receive in Florida prisons as "unacceptable." "Many of their jailors are men who allow them absolutely no privacy," said Greenberg. "Very often they are subjected to abuse and intimidation."

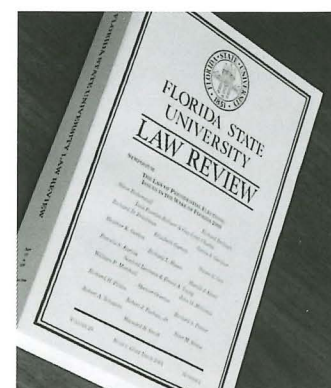
Robin Hassler, former Director of the Governor's Task Force on Domestic Violence and member of the Refuge House Board of Directors, distributed copies of an *Orlando Sentinel* article that chronicled events leading to the murder of a woman by her boyfriend. "This tells the story about how the justice system fails women in abusive relationships. Unfortunately, it is a story told over and over because abusers are not prosecuted."

Chris Del Marco of North Florida Legal Services and Refuge House Legal Counsel pointed out that the needs of victims of domestic violence cover a broad range. "There are questions of child custody, of housing, of paying bills," she said. "Their needs often involve as much need for family law as

for criminal law."

Jennifer Dritt, Director of the Governor's Task Force on Domestic Violence, the only non-lawyer on the panel, suggested that stopping domestic violence can begin close to home. "Almost all of us have some experience with it, either in our own homes or in the homes of friends and relatives," she said. "This is a logical starting point in combating domestic violence."

Greenberg, Hassler and Del Marco are graduates of the College of Law.



Latest FSU Law Review posts papers presented at Election 2000 symposium on-line

The FSU Law Review's latest edition could prove to be its most popular ever, according to editor-in-chief Jason Kellogg. Volume 29, Number 2 features papers presented by the country's most respected election and constitutional law experts at a March 2001 symposium on the 2000 presidential election. One of the papers is written by FSU law professor Steve Gey. In addition to the scholars' papers, the *Review* includes an introduction by former Florida Governor Reubin Askew, who attended the symposium, and a response to one of the papers by noted former federal judge and legal scholar Richard Posner. The edition is posted on-line at

<http://www.law.fsu.edu/journals/lawreview/current.php>.

Kellogg believes that the latest edition of the *Review* will serve as a resource for scholars who study the 2000 election. "I think that over time the issue will serve as an historical document. It describes the events of *Bush v. Gore* and features the legal analyses of some of the nation's leading constitutional and election law experts." He added, "Many academics, practitioners and journalists already have requested copies of the issue, which I believe provides some evidence of its importance."

Scheel, Rodriguez and Barnes win 2001 Wayne Hogan Mock Trial Competition

The team of Brandon Scheele 3L (coach) and Lia Rodriguez 3L and Diane Barnes 2L (co-counsel) claimed top honors in the 2001 Wayne Hogan Trial Advocacy Intramural Competition held in October. The winning team defeated Keith Wood, Stephen Rapp and Masheika Allen in the final round.

Prior to the three-day competition, all eight teams that participated attended a retreat on September 21-23 at the World Golf Resort Village in St. Augustine. The retreat gave students an opportunity to bond, acquaint themselves with the case in question, and train for the competition. Packets distributed during this training supplied students with witness depositions, photographic and other physical evidence, as well as direct and cross examination questions to consider.

The civil suit session tried in the final round of competition dealt with a man who had shot and killed himself. Whether the man's wife was eligible to collect the decedent's insurance was de-

pendant upon whether the shooting was accidental or ruled a suicide, the latter making her ineligible to collect.

Local judges and attorneys volunteered their time to score the competition, using their expertise to reach their decisions. Sandra Rivera, Intramural Chair said. "Although the entire winning team was convincing, Lia Rodriguez's entertaining and animated witness performance undoubtedly helped her team's chances."

Jeffrey Nowack 2L receives Charles Lully Pro Bono Service Award

College of Law student Jeffrey Nowack 2L was presented the Charles Lully Pro Bono Service Award at the 19th Circuit's Professional Seminar on October 11 in Port St. Lucie. The Honorable Harry Lee Anstead presented the award to Nowack on behalf of Florida Rural Legal Services, Inc.

Charles Lully, a Haitian immigrant, was employed as a paralegal by Florida Rural Legal Services for eleven years and was active in the immigration and elder law departments for the organization. When he died at the age of 51, Florida Rural Legal Services created an award in his honor to recognize the spirit in which he worked. The award is presented to a law student summer intern who provides free legal services to the indigent.

Nowack was presented the Lully award for his dedication and commitment to pro bono work. According to Donna Anne Graf, 19th Judicial Circuit Pro Bono Coordinator, "Nowack was a tireless worker at the agency, met with clients, attended senior outreach, and assisted at a domestic trial." Nowack also conducted pro bono clientele file review and referrals.

Children's Advocacy Center awarded nearly \$300,000 in grants

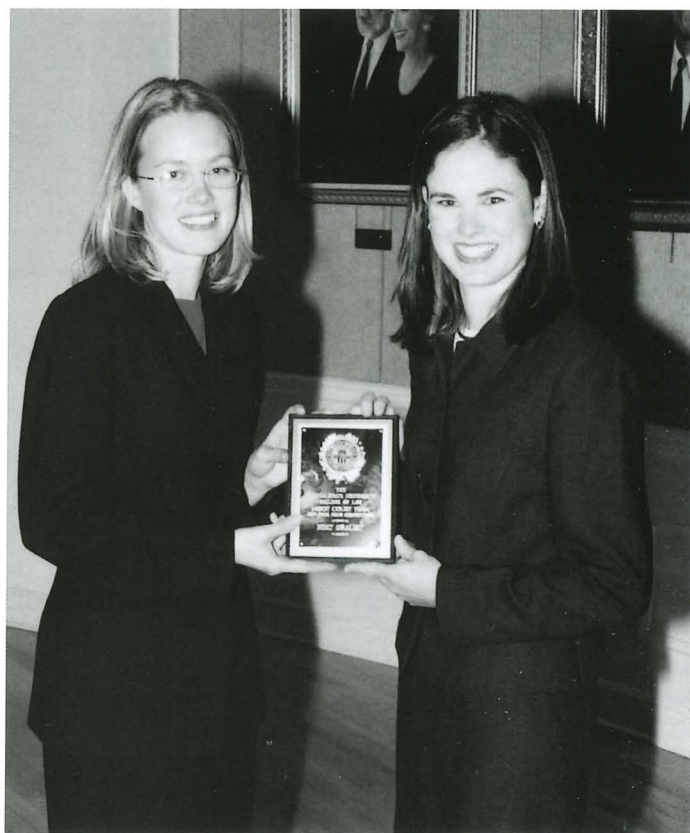
The law school's Children's Advocacy Center (CAC) has been awarded two grants totaling nearly \$300,000 to continue its work of representing children and victims of domestic violence.

The U.S. Department of Justice has announced that CAC will receive a Legal Assistance for Victims Grant of \$234,788. The funding supports the representation of domestic violence victims. In addition, The Florida Bar Foundation awarded CAC a Children's Legal Services Grant of \$60,000. The grants allow CAC to continue its representation of children in special education, foster care and health care access cases.

Sarah Ball Proctor takes Moot Court Final Four honors

There was standing room only at the Florida Supreme Court for the Moot Court Final Four Competition, November 9. Sarah Ball Proctor 2L walked away with "Best Oralist" honors as counsel for respondent. All five judges at the bench praised Proctor's performance and those of the three other 2L competitors, including Fred Aschauer, Shannon Domeier and Angela Smith.

The judges on the panel were: The Honorable William Stafford, Senior District Judge, U.S. Court for the Northern District of Florida; The Honorable Robert Hinkle, District Judge, U.S. Court for the Northern District of Florida; The Honorable William Sherrill, Magistrate Judge, U.S. Court for the Northern District of Florida; The Honorable Roger Vinson, Chief District Judge, U.S. Court for the Northern District of Florida; and The Honorable Ricky



Moot Court Final Four Best Oralist Sarah Ball Proctor (right) receives her award from Moot Court coach Shannon Reese 3L

Polston, Judge, Florida First District Court of Appeals.

Hinkle said, "I am impressed with the way each of the participants prepared for and presented their arguments. I wish all of the attorneys I see on a day-to-day basis were as polished."

After oral arguments and comments from the panel of judges, a reception was held in the D'Alemberte Rotunda where Proctor was presented the top prize.

"It was great to have the opportunity to get feedback and input from other Moot Court members and professors during our practices and from judges in the final event," said Proctor. "Once the competition began, I thought I was relatively calm until I picked up my glass of water and noticed it was shaking."

Minority Law Day Attracts 73 potential law students

FSU College of Law Office of Admissions and Records hosted Minority Law Day on February 2, attracting 73 students who had an interest in attending the law school.

Highlights of the program included sessions on the admissions process and career planning, a minority students panel discussion, a minority lawyers panel, and small group sessions with current law students. Members of the Black Law Students Association (BLSA) and Spanish American Law Students Association (SALSA), as well as College of Law alumni, sponsored the event.

Students also had an opportunity to meet with members of the College of Law faculty.

Lacey Collier urges fall 2001 graduates to 'be a voice'

You'll have to be better lawyers," said Federal District Judge Lacey Collier, December 15, 2001, at the College of Law graduation ceremony.

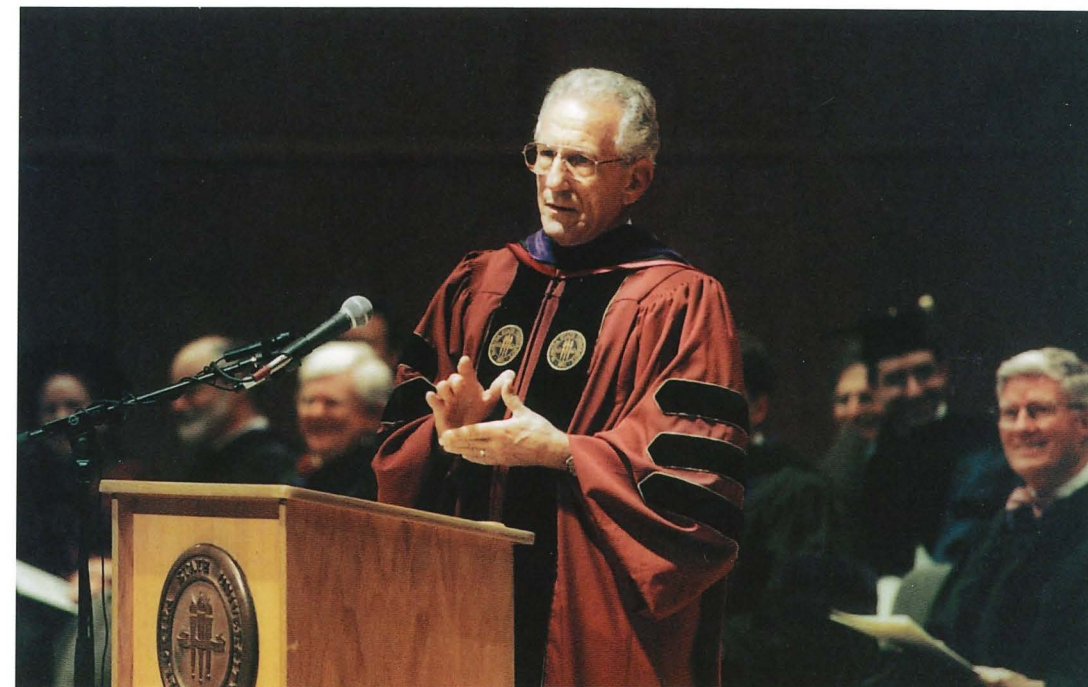
Collier was directing his comments to the thirty-one graduates and the leadership role they would have to play in the aftermath of September 11, 2001. Collier, who is the first federal district judge to graduate from the College of Law, spoke to the graduates, their families and friends in Opperman Music Hall.

College of Law Dean, Donald Weidner, introduced Collier as an Alabama native, who had enrolled in the Naval flight school in Pensacola in 1955 and had achieved the rank of Lieutenant Commander by the time of his retirement in 1975.

Collier's law school years were highlighted by work for the state attorney's office in Pensacola prior to his 1977 graduation. He was appointed to a vacant circuit court seat in 1984, and just seven years later he applied for, and was selected as, federal judge for the Northern District of Florida. Weidner, said, "Believe me, getting appointed to a federal judgeship only fourteen years after graduation is an extremely fast track."

Collier opened his message to graduates by saying that the nation would forever live in the horror of September 11, 2001. "Though officials indicate that everyone should go on living their lives, living it as you normally would have may not be enough now."

Collier said that lawyers will need to continue using law as



Federal District Judge Lacey Collier tells fall graduates that events of September 11, 2001, make the role of lawyers more important than ever

an effective control to terror. "The practice of law is a centuries old discipline," he said. "It is essential to civilization as an instrument of justice. Through the practice of law, you can use your sense of logic to solve disputes, offer a voice to the mutant, and find resolution in the face of chaos. As graduating students about to enter the world of lawyering, you've inherited a dilapidated canvas that has potential for being a great masterpiece."

The judge went on to say that Congress has become active in the aftermath of September 11. He said they have changed laws that lawyers will be called upon to defend. "You will be applying these laws, as well, and how you do that will

be a reflection of our system of law. You and the entire law community will be the looking glass through which people judge the justice system," Collier continued.

In closing, Collier talked about ethical standards. He asked the graduates to think about how they would have arranged their affairs as a lawyer before September 11, and then consider how they could improve their work in the future. "Think about how you can be a better person, not just a better lawyer. Take the time to make well-reasoned arguments. Have respect for yourself and how you interpret the law, and hold your colleagues to those same standards," he said. "Many of you will say that

you would do these things anyway, though I say to you, 'Do them better.' When you take the oath to practice law, you will be marked. Have the courage to live by the rules of your profession with the knowledge that you have the best legal education possible."

After the ceremony, the graduates quickly turned their thoughts to passing the Florida Bar Examination. "I'm pretty confident about the examination, because many of the courses I've taken in the last couple of semesters addressed bar exam questions very well. But, right now I'm so happy, I just want to savor this moment," said Dan Dalesandro.

—Phillip M. Pollock