A MESSAGE FROM THE CENTER’S DIRECTOR

Following Carl Zahner’s retirement after serving 7 years as the Director of the Henry Latimer Center for Professionalism, I was privileged to have the opportunity to join The Florida Bar to lead the Center. When I began at the first of the year I recognized that I had some big shoes to fill given the Center’s accomplishments during Carl’s tenure, but also knowing that my career path practicing law and in legal education focusing on professionalism initiatives well prepared me for this challenge. My goal for the Center and my personal mantra is at once, both simple and complicated. It is to make a difference. One observation from two decades in academia is the proclivity to identify, analyze and thoroughly discuss an esoteric problem on the theoretical level, but then failing to transfer that knowledge to the practical, implementation stage. To make a difference, I believe it is incumbent on us to take that next step -- to put theory into action. To combine the theoretic application with creative solutions while providing the tools and the resources that can empower change and positively make things happen.

In July the Center had the good fortune to be able to hire Jacina Haston as the Assistant Director, to help us make a difference. Her background as an assistant public defender and in legal services helping those in need has developed her skills as a caring, resourceful professional with keen instincts. Together we have been able to tackle several initiatives including one of the important roles of the Center in terms of providing the training and educational component. For example, all new Florida lawyers are required to participate in a one-day YLD “Practicing with Professionalism” CLE that is offered over twenty times throughout the year in cities across Florida. We began by revising the 90-minute “Professionalism” segment that is taught by Center attorneys and bar counsel to be sure that new lawyers clearly understand the new civility provision in the Oath of Admission to The Florida Bar, the bounds of social media, the professionalism expectations in practice and realize that The Florida Bar can and does take action against unprofessional behavior. The Center also conducts a four-hour and a one-hour Professionalism Class that is part of the PEP (Professionalism Enhancement Program) for lawyers who either agree to participate through a consent diversion or are ordered in a disciplinary disposition and these programs both have been revitalized as well. In addition, a one- to three-hour, “Professionalism Matters,” CLE was created and this well received program has been presented to numerous lawyers around the state.

While speaking to groups around the state, a sharp realization became clear. Most members of The Florida Bar are unaware of the existence of the Center for Professionalism so we now have incorporated a brief, two-slide overview of the

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DIRECTOR'S MESSAGE
from page 1

partnership between the Florida Supreme Court Commission on Professionalism, The Florida Bar Standing Committee on Professionalism and the Center into all professionalism presentations and The Florida Bar News has been instrumental in helping us to further promote our work as well. The focus of the Commission on Professionalism, chaired by Justice R. Fred Lewis, has been on a proposed professionalism enforcement mechanism. With the charge by The Florida Bar of, “go forth and conquer,” the Committee on Professionalism, chaired by former YLD President, Sean T. Desmond has commissioned five working groups, Awards Programs, Circuit Professionalism Committees, Aging Lawyers, Young Lawyers, and Lawyers Helping Lawyers with separate agendas for the year more fully detailed on page three. We’re off to a great start and we welcome your insights and potential opportunities to partner. Together we can make a difference!

Linda Calvert Hanson
Director for the Center for Professionalism

Center News

Carl J. Zahner Retires
Former Director for the Henry Latimer Center for Professionalism, Carl Zahner, was honored by the YLD with a plaque of appreciation for his dedication to The Florida Bar and his years of advocacy for professionalism approaching his retirement. According to Sean Desmond the current chair of the Standing Committee on Professionalism, “For the last seven years, Carl Zahner has been a tireless advocate for professionalism. Anyone who has had the opportunity to work with him will tell you that his dedication to guiding young lawyers down the right path has impacted the profession in ways both immediately tangible and far reaching.”

An Update from Carl J. Zahner about Retirement....
Retirement is everything you thought it was and nothing like you thought it might be. After several decades of rising early from bed to get onto Meridian Road -- so as to get ahead of the traffic and be in my office early when it was quiet -- not having an alarm clock tell you the time..... feels strange. Life is better but it lacks the structure of the 7:30 am to 5:00 pm regime.

Having the time to do whatever you want.. Places an added burden... In that YOU have to decide what happens on any particular day......you have the responsibility to make each day a good one. So.... What have I been up to?

Visiting relatives.
We have put many miles on the car to visit those who we love and who.. because of their age or situation couldn’t come to see us. Long drives ......but very satisfying. A gift to them and to us at the same time.

Fishing.
Years ago we built a cabin in North Carolina off the beaten tourist path - right on a trout stream. My fishing skills haven’t improved that much yet ... but, a peaceful morning watching the river run by as the sun paints shadows on the water can’t be beaten - the wonders of Nature are truly wonderful if you have the time to look.

Teaching.
In a former career I taught at Barry University and at Tallahassee Community College. Next year I’ll be back in the classroom teaching paralegal students. Teaching is hard... but seeing young minds absorb new ideas and make them their own is a great satisfaction.

Spending time with my special friend.
I have been married for 42 years to my best friend. And now to have so much more time with her is wonderful. While we have many plans for travel, entertainment etc .... Just being together more is probably the greatest part of retirement.

Of course.... These are the things that bring me joy and satisfaction. When the time comes for you to retire, you must make it great for yourself. You may find that it is nothing like you thought it might be but then you must make it everything you want it to be.
The Florida Bar Standing Committee on Professionalism’s Agenda for the Year

At The Florida Bar Annual Convention, the Center and Standing Committee on Professionalism (SCOP) gratefully thanked Judge Stephanie Ray for her service as committee chair for 2011-2012 and Sean T. Desmond accepted the charge to lead the group for the upcoming year. The Standing Committee on Professionalism is off to an ambitious year with the creation of work groups for Awards, Law Schools and Young Lawyers, Aging Lawyers, Circuit Professionalism Committees and the Lawyers Helping Lawyers. The SCOP's second meeting was at The Florida Bar Mid-Year Meeting and the strategic planning meeting is scheduled for January 18, in Tampa. Selected are a few of the projects that the working groups are currently completing:

Awards Working Group: Chair David Hallman announced that the SCOP was revitalizing two awards, the Professionalism Group Award, and the Law School Faculty/Administrator Award in addition to continuing with the William M. Hoeveler Judicial Award. Personal letters were sent to all chief judges, to all law school deans and to the leadership of the voluntary bar associations to publicize the various awards. Additionally, several announcements were placed in The Florida Bar News. The Center is accepting nominations for the Hoeveler Judicial Award and the Professionalism Group Award until December 1st and the deadline for the Faculty Award is December 31st.

Law Students/Young Lawyers Working Group: The Law School Report has been revised and Chair, Judge John Lazzara explained that it was sent to the 12 Florida law schools. The report that is due on March 31, 2013, will provide information about law school professionalism efforts to better learn about the types and depth of professionalism initiatives and to help disseminate program ideas to others. Also, the law school handbook containing the Rules of Professional Conduct was revised and distributed to all law schools for their students enrolled in professionalism courses. Additionally, the Center for Professionalism is a co-sponsor with the YLD, GPSSF and FLMIC of this year’s Law Student Essay Contest on “Best Practices to Protect Client Confidentiality with Professionalism when Working with E-Documents.”

This working group is working with the YLD Law Student Division Chair, Allie Menegakis to help exchange information and resources, including exploring partnering on law student programs for work life balance.

THE STANDING COMMITTEE’S WORKING DEFINITION OF PROFESSIONALISM

Professionalism is the pursuit and practice of the highest ideals and tenets of the legal profession. It embraces far more than simply complying with the minimal standards of professional conduct. The essential ingredients of professionalism are character, competence, civility, and commitment.

Aging Lawyers Working Group: Chair Michael Cohen was energized about upcoming projects for this group. The first was the formation of a task force comprised of Michael Cohen on behalf of Florida Lawyers Assistance Inc., and the SCOP, Linda Calvert Hanson, the Center for Professionalism, Professor Jennifer Zedalis, University of Florida College of Law, and Dr. Michael Herkov with the University of Florida College of Medicine/UF Brain Institute/Shands Vista. Modeled on the College of Medicine “Florida Cares” program for physicians, the task force is collaborating to create an online educational module and screening instrument to assess an individual lawyer’s cognitive decline which also will collect and provide anonymous data regarding aging in the Florida legal profession. Additionally this task force is developing a checklist for lawyers to use to screen for cognitive problems that may affect one’s ability to practice law. The first phase of the awareness program included two articles in The Florida Bar News on November 15, 2012, entitled, “Bracing for the ‘Tsunami’ of Aging Florida Lawyers,” and “The Path to Permanent Retirement.”

The group is also exploring the development of CLE seminars with video presentations from senior lawyers who have dealt, with issues such as retirement and cognitive decline and providing support for the creation of a Florida Bar senior lawyers section, currently undergoing review by The Florida Bar.

Circuit Professionalism Committee Working Group: The Circuit Professionalism Committee Report was revitalized and sent to each circuit’s chief judge with the request that they either complete it or provide it to the appropriate designee by the deadline of February 1, 2013. Chair Denise D’Aprele will delegate to each group member a circuit to make individual contact to facilitate the process of collecting and exchanging the information.

Lawyers Helping Lawyers Working Group: Chair Irwin Gilbert charged his group with updating the Lawyers Helping Lawyers portion of the bar’s website to publicize resources already available for bar members, such as starting a law practice, running an office, complying with bar advertising rules, getting free legal research, and similar topics. At the completion of the update the website will be more user friendly with more valuable resources for new members to The Florida Bar.

Florida At A Glance

- 12 law schools
- 10,634 JD students enrolled in Florida
- 3,905 took the Florida Bar Exam in 2012
- 22,344 Members Young Lawyers Division
- 93,895 Members of The Florida Bar
New Faces at the Henry Latimer Center for Professionalism:

Linda Calvert Hanson joined The Florida Bar as the Director of the Henry Latimer Center for Professionalism the first of the year and she also serves as the Chair of the General Practice, Solo and Small Firms (GPSSF) Section of The Florida Bar. She is a former law school administrator for over ten years that included eight years at the University of Florida College of Law, most recently as the Assistant Dean for Bar Success and Professionalism and previously as Assistant Dean for Career Development as well as over two years at Florida Coastal School of Law as the Assistant Dean for Professional Development. Additionally, Ms. Calvert Hanson was a university civil law educator for nine years and she enjoyed a successful civil law practice and represented a government entity. She is the co-author of the recently released, Small Firms, Big Opportunity: How to Get Hired and Succeed in the New Legal Economy. As a double Gator, Ms. Calvert Hanson earned her Juris Doctor from the University of Florida College of Law and her Bachelor of Arts in Criminology from the University of Florida.

Jacina Haston joined The Florida Bar in July as the Assistant Director of the Henry Latimer Center for Professionalism after nearly five years with Legal Services of North Florida assisting victims of domestic violence and the elderly primarily in the area of Family Law. At Legal Services she handled cases before the Northern District Federal Bankruptcy Court and Florida Circuit Courts. Prior to joining Legal Services of North Florida Ms. Haston served at the Ninth Judicial Public Defender’s Office in Orlando, Florida. She received her Bachelor of Arts in Criminology from the University of Florida and earned her Juris Doctor from Stetson College of Law.

“Train the Trainer” Workshop
Enroll Now

January 24-25, 2013 - Orlando, Florida

The “Train the Trainer” workshop, offered by the Henry Latimer Center for Professionalism, is designed to enable those completing the course to be able to moderate classes on diversity in their local area and/or around the state. Exercises learned enable the participants to facilitate workshops. Successful completion of this workshop earns the participant 14 general CLE credits including 5 professionalism CLE credits. To become a certified diversity trainer you must take this workshop and also teach some portion of the “Successful Lawyering in a Diverse Society” workshop twice within 6 months of completing this workshop with a Certified Diversity Trainer. The “Train the Trainer” workshop was developed by The Florida Bar’s Henry Latimer Center for Professionalism along with the Diversity Subcommittee of the Supreme Court Commission on Professionalism.

Goals of the “Train the Trainer” workshop
1) To develop a greater awareness of “diversity” as it relates to the profession;
2) To develop a group of attorney/educators to facilitate diversity workshops throughout the state; and
3) To better understand the concepts of diversity in the workplace as a professionalism issue.

To enroll in this workshop
Contact Becky Blackburn at (850) 561-5743 or email rblackbu@flabar.org. We hope that you will consider participating.
**Regulating Professionalism**

The Center for Professionalism coordinated and presented a panel, “Professionalism Issues for the Senior Lawyer” at the 38th Annual Public Employment Labor Relations Forum on September 21, 2011 at the Buena Vista Palace in Orlando. Moderated by Jacina Haston, the panel included Linda Calvert Hanson, who shared information about The Florida Bar’s perspectives on aging lawyers with a focus on the disciplinary system and the desire to allow cognitively impaired lawyers to retire with dignity.

Bill Robbinson, President, Florida Lawyers Mutual Insurance Company, Oviedo spoke about law firm risk management issues and Erin Jackson, Partner, Thompson, Sizemore, Gonzalez & Hearing, PA, Tampa talked from the employment litigation specialist’s perspective about unsuccessful efforts to enforce mandatory retirement and on how employers can legally deal with cognitively impaired lawyers. R. Fairlie Brinkley, recently retired and former mental health therapist with Florida Lawyers Assistance Inc., spoke about the medical and social issues for impaired senior lawyers.

### FIU Law's First Annual Professionalism Symposium, Evaluating Florida Legal Practice: Bench and Bar Perspectives on Professionalism

This event co-sponsored by The FIU College of Law Center for Professionalism and Ethics and The Florida Bar Henry Latimer Center for Professionalism was held on March 1, 2012 and moderated by Professor George Knox, member of The Florida Bar Standing Committee on Professionalism. Topics included, “Regulating Professionalism” by Judge Stephanie Ray, Florida First District Court of Appeal and Chair, Florida Bar Standing Committee on Professionalism, “Challenges to Effective Implementation,” Linda Calvert Hanson, Director Henry Latimer Center for Professionalism, “Civility, Wellness and Professionalism: Challenges and Opportunities,” moderated by Judge Alan Gold, United States District Judge, Southern District of Florida and panelists: Judge Jennifer Bailey, Eleventh Judicial Circuit of Florida, Brett Alan Barel, Esq., Holland & Knight, Judge Michael Genden, Eleventh Judicial Circuit of Florida, Professor Scott Rogers, University of Miami School of Law, and Founder and Director of the Mindfulness and Law Program, and a keynote address,”State of Professionalism and the Call to Action,” by Justice R. Fred Lewis, Florida Supreme Court, Chair of the Florida Supreme Court Commission on Professionalism. The Second Annual Symposium is scheduled for February 27th.

### Fort Lauderdale ABOTA Pushes Professionalism

The Ft. Lauderdale Chapter of the American Board of Trial Advocates hosted their First Annual Professionalism Program in honor of the late Henry Latimer. The chapter dedicated its program to Latimer to recognize “his legacy of unfailing professionalism, integrity, leadership, compassion for others, and public service to the legal profession and the community at large.” The over 200 participants received programs focused on professionalism in the courtroom and pet peeves of judges and attorneys.

The instructors of the programs were comprised of Broward circuit judges, their judicial assistants, and ABOTA member attorneys. The judicial panel included Judges John B. Bowman, Marina Garcia Wood, Charles M. Greene, Jeffrey Levenson, Carol Lisa-Phillips, Carlos A. Rodriguez, Mily Rodriguez Powell, Jeffrey Streitfeld, Michele Tabin-Singer, and Peter M. Weinstein. The program proved to be a major success for the instructors and the participants.

### 35 Voluntary South Florida Bars Unite to Promote Civility

In South Florida, 35 voluntary bar associations have formed a joint resolution in an effort to promote lawyer civility in a more uniformed standard. The resolution was created to further promote the Florida Supreme Court’s Amended Oath of Attorney Admission which added a civility provision in all written and oral communication to opposing counsel and the court. To get the word out about the resolution, all six chief judges in South Florida approved the resolution and disseminated it to their colleagues on the bench. The resolution with relevant county standards of professional courtesy will be emailed to every attorney in South Florida to ignite professionalism and civility in the area.

### Sixth Circuit Clearwater Bar Association 2012 Professionalism Symposium

On January 12, 2012 the Clearwater Bar Association hosted a 2012 Professionalism Symposium. Attendees had the opportunity to gain wisdom from a variety of legal professionals in the community such as Chief Judge J. Thomas McGrady, the Honorable Pamela Campbell, and Andrew B. Sasso, Esq. to name a few. The symposium was held to explore the standards of professional courtesy and procedures for the Professionalism Implementation Panel in place in the Sixth Judicial Circuit. The attendees received CLE credit and had the opportunity to hear speakers on a range of topics dealing with professionalism and civility.

### Eighteenth Judicial Circuit Brevard County Bar Association

The Brevard County Bar Association held its annual Law Day Luncheon on May 2, 2012 at the Suntree Country Club. This year’s theme was “No Court, No Freedom, No Justice.” The Brevard County Bar Association honored the winners of the 2011 Law Day Student Essay and Poster Contest at the event. The keynote speaker was former Congressman Louis Frey.

### Thirteenth Judicial Circuit CLE and A Show: An Evening of Ethics & Entertainment

On March 16, 2012 the Hillsborough County Bar Association hosted an evening CLE, with Joryn Jenkins, Esq., speaking on the topic, “Everything You Always Wanted to Know about Ethics but Were Afraid to Ask Your Attorney Spouse.” Following Ms. Jenkins’ presentation, the attendees were transported to Stageworks Theatre to watch a stage-adapted version of Harper Lee’s 1961 novel, “To Kill a Mockingbird.” The play depicted a tender portrait of a southern town, brimming with powerful lessons of tolerance, justice, and quiet heroism, and a message of fighting for what is right.

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GOING ABOVE AND BEYOND DUE DILIGENCE

By: Jacina Haston, Assistant Director for the Henry Latimer Center for Professionalism

Seeking justice and notable results are ultimately what clients hire lawyers to do on their behalf. The efforts and tactics that a lawyer uses to achieve these results are what separate those who exude professionalism from those who will one day encounter The Florida Bar's ACAP (Attorney Consumer Assistance Program).

Often clients will place high demands on their lawyer and expect things that are far from achievable in any courtroom even with the assistance of super natural powers. We must be reminded that a lawyer is not bound, however to press for every advantage that might be realized for a client, despite how sweet victory may seem. As a family law attorney for nearly five years I was perplexed at the lack of civility and professionalism I observed in and out of the courtroom. It is needless to say that the addition of the civility provision to the Oath of Admission to The Florida Bar was definitely needed. The lawyer’s duty to act with reasonable diligence does not require the use of offensive tactics or preclude the treating of all persons involved in the legal process with courtesy and respect. Each person you encounter throughout the litigation process from the receptionist at the opposing counsel’s office to the clerk in the courtroom should be held at a high regard. No person in our system of justice is precluded from receiving courtesy and civility.

Civility in all you do should be the driving force to vindicate a client’s cause or endeavor, without shortcuts, or procrastination, or cruel intentions. It is easy to get caught up in inappropriate behavior in our daily interactions, but we must remain professional at all times as servants of justice. Finding balance in your personal life and career will deter you from veering off the path of professionalism.

Diligence dictates that a lawyer must act with promptness in representing a client, despite opposition, obstruction, or personal inconvenience. Diligence requires that a lawyer act with commitment and dedication to the interests of the client with zeal during all stages of advocacy.

As members of the bar we must be vigilant in maintaining our moral and professional demeanor while pursuing justice for our clients. Our diligence provides a source for the client to trust us with the case they hired us to pursue. Diligence does not rely on talent, title, education, or tactics, but instead employs the pursuit of competent and professional lawyering without the need to go above and beyond to achieve that favorable result.

DEVELOPING PARTNERSHIPS TO FOSTER MENTORING PROGRAMS

By Rob Birrenkott, Member of the Young Lawyers Division of The Florida Bar, Director of the Center for Career Development, University of Florida Levin College of Law, Officer of the Eighth Judicial Circuit Bar Association, Gainesville, Florida

The Eighth Judicial Circuit Bar Association (EJCBA) has launched a mentoring program which harnesses the resources of a variety of entities within the legal field. The program emerged from the annual Professionalism Symposium, an event organized by the EJCBA in concert with the University of Florida Levin College of Law, when a discussion began on the value of mentoring programs.

The “Mentoring Handbook” provided a framework for implementing the actual mentoring component of the program and set out important concepts that mentors and protégés could review together. Additionally, Carl Zahner, who then was the Director of the Center, took the time to visit Gainesville and lead CLE mentor trainings for participants in the program.

The EJCBA mentoring program is now nearing its second full year of implementation. The lesson learned is that a lot can be accomplished when various stakeholders are each asked to give a little. By harnessing the talents and resources of The Florida Bar, EJCBA, and UF Law students and administrators, diverse segments of the legal community can develop partnerships and advance professionalism within the practice.
JUDGE BELVIN PERRY, JR. RECEIVES THE 2012 WILLIAM M. HOEVELER JUDICIAL AWARD

By: Irwin Gilbert, member of The Florida Bar’s Standing Committee on Professionalism, Gilbert Yarnell, PLLC., Palm Beach Gardens, Florida; and Jacina Haston, Assistant Director of the Henry Latimer Center for Professionalism

L-R: Outgoing YLD President, Sean Desmond, Judge Belvin Perry, Jr., Outgoing Florida Bar President Scott Hawkins

Each year The Florida Bar pays tribute to a jurist who exemplifies the highest character and who has exhibited not merely competence, but dedication to the ideals of justice and demonstrated diligence in inspiring others to the mission of professionalism. Not surprisingly, the award is named for a long term jurist who embraces these qualities and demands the very best from the lawyers who appear before him, U.S. District Court Judge William M. Hoeveler.

Chief Judge Belvin Perry, Jr. of the Ninth Judicial Circuit was presented with the 2012 William M. Hoeveler Judicial Award by Sean Desmond, the incoming Chair of The Florida Bar’s Standing Committee on Professionalism during the Judicial Luncheon at the Bar’s Annual Convention. We were privileged to have Judge Hoeveler in attendance at the Judicial Luncheon to extend a heartfelt congratulation to Judge Perry, the newest award recipient.

Judge Perry obtained a Bachelor of Science Degree in History from Tuskegee University and his Juris Doctor from the Thurgood Marshall School of Law. After more than a decade of service as a prosecutor, he was elected to the circuit court bench in the Ninth Circuit. Perhaps most telling is the fact that Judge Perry has been elected Chief Judge by his peers nine times! Like Judge Hoeveler, Judge Perry sets a very high standard for the lawyers who appear before him.

As Chief Judge of the Ninth Circuit, Perry has demonstrated leadership and innovative skills. He instituted the creation of the Business Court Division to handle complex commercial cases and introduced new technologies. Recently, while sitting in the Criminal Division, Judge Perry presided over the Casey Anthony murder trial. A case that garnered such intense national scrutiny, that some questioned whether the defendant could obtain a fair trial. Judge Perry kept a firm hand on the conduct of the lawyers while modeling the very best qualities of a judge despite the intense spotlight. For that moment, Judge Perry was the face of the judiciary and brought great credit to himself and his profession.

Each year, The Florida Bar’s Standing Committee on Professionalism seeks nominees from all courts across the state and the upcoming application deadline is December 1, 2012. The committee continues to find the final choice among outstanding judges to be more and more difficult each year. The Professionalism Committee hopes that this annual award will continue to promote the fundamental ideals and values of the justice system and the legal profession, and will install those ideals in persons serving and seeking to serve in a system that operates on honor, integrity, and fair play.
THE TIES THAT BIND: HOW PROFESSIONALISM AND SELF-AWARENESS ARE INEXTRICABLY LINKED

By: Alexa Sherr Hartley, member of The Florida Bar’s Standing Committee on Professionalism, President of Premier Leadership Coaching, LLC., West Palm Beach, Florida

It is hard to say when it began in earnest, but it is clear that the conversation about the need for renewed professionalism in the legal profession is in full swing. It seems that most members of the Bar would welcome enthusiastically a return to the civility of days past. The results of a quick Google search indicate that the majority of the bar associations in Florida (not to mention those throughout the country) have enacted some sort of standard of professional courtesy. The standards in my home county of Palm Beach were first published in 1990 and amended as recently as 2007. That the Florida Supreme Court revised the Oath of Admission a mere fourteen months ago perhaps speaks the most loudly and clearly about the declared state of civility in our field. It is significant that all members of the Bar are bound by the new provision that states, “To opposing parties and their counsel, I pledge fairness, integrity, and civility, not only in court, but also in all written and oral communications.” Apparently, an informal expectation, common sense awareness, and an implied pre-requisite to behave courteously were not enough.

Back to the Beginning

To most lawyers at first blush, emotional self-awareness can seem better suited to psychology than law. Often after this concept is mentioned professionals are left wondering how soon incense, Tarot cards, and Ouija boards will follow. However, discarding this topic as “irrelevant” to those in law is a mistake. A study performed by the Carnegie Institute of Technology shows that 85 percent of financial success is due to soft skills such as self-awareness, whereas only 15 percent is due to technical knowledge (Daniel Goleman, Working with Emotional Intelligence, 2000). We no longer live in a world (and arguably never did) where the importance of soft skills can be ignored, especially in the legal profession. Self-awareness is commonly defined as having knowledge of oneself including one’s traits, feelings, and behaviors. The Hay Group, a leading management consulting firm that specializes in developing talent and obtaining peak performance, explains it as recognizing how our emotions affect our performance. Self-awareness gurus are said to “have emotional insight,” whereas rookies are limited to being “aware of own feelings.” The rest of us fall somewhere in between landing on either “understanding implications of own emotions” or “aware of triggers.” In practice, self-aware people are able to say to themselves, “I am feeling X (plug in any emotion –happy, sad, frustrated) because Y (substitute in any cause – I had a disagreement with my partner, opposing counsel is a jerk, I have a cold).”

Let us explore how this manifests with regard to civility in the following two scenarios. In the first scenario, let us imagine that you are not particularly self-aware. You are feeling anxious because you have a demanding client who is putting a higher than usual amount of pressure on you and your billable hours are down. You have no conscious awareness that this is the root of what is going on and instead you just feel unsettled. Opposing counsel calls and asks for an extension to your discovery request. The new Florida Bar oath notwithstanding, you tell your assistant to refuse the request. In the next scenario, you are having an awful day when opposing counsel calls to ask for yet another extension on his interrogatory responses. As a result, you are tempted to tell him in no uncertain terms what he can do with his responses. However, a little voice inside your head says something to you along the lines of, “You are feeling frustrated because you cannot seem to make your client happy. Don’t take it out on opposing counsel. You’ve needed extensions in the past, too.” You breathe, say “yes”, and know that you’ve just taken the professional and courteous route.

A Symptom, Not a Disease

Undeniably, the measures taken by the Supreme Court, The Florida Bar (with the Rules and Guidelines of Professional Conduct), and various local bar associations are both admirable and necessary. However, trying to rectify the decline of civility in our great legal tradition without bringing attention to the issues of self-awareness in lawyers certainly is an exercise in frustration and, ultimately, failure. To reestablish a high standard of civility in our profession it is critical that attorneys first understand the importance of self-awareness and strive to develop mastery in this area. This competency is a fundamental, inseparable, and inescapable part of professionalism. A lawyer lacking self-awareness will unnecessarily struggle to consistently behave professionally. We can provide that lawyer with all of the standards, creeds, and oaths we like, but none of that will make a bit of difference if we do not first address the core competency of self-awareness. It is like that Sinatra song, the one about love and marriage – you can’t have one without the other. Any discussion about professionalism that starts with professionalism is half over before it has begun. Rather, to effect change we must start several chapters earlier with self-knowledge and reflection. Alone the oath of admission, rules of professional conduct, and standards of professional courtesy may incrementally improve the conduct of our attorneys. However, real change, authentic and lasting professionalism only is possible if it comes from within.

WANTED

The Center is always looking for material to publish in The Professional. Articles should pertain to issues of professionalism and be inspirations and/or motivational in content. Submissions should be no longer than 800 words (12 point font, double spaced) and in MS Word format.

Send submissions via email to jhaston@flabar.org with “article submission” in the subject line.
2013 Florida Law Student Essay Contest

Co-Sponsored by
The Florida Bar Young Lawyers Division
Florida Lawyers Mutual Insurance Company
General Practice, Solo & Small Firm Section
The Henry Latimer Center for Professionalism

Topic: Best Practices to Protect Client Confidentiality With Professionalism When Working With E-Documents

Deadline: April 1, 2013 by 5 p.m.

• $750 first prize and complimentary registration to 7th Annual Solo & Small Firm Conference and hotel accommodations
• $350 honorable mention

This contest is open to all Florida law students. For more information about contest rules and guidelines, speak with your school’s Young Lawyers Division Law Student Division representative or visit a sponsors’ website.

Nominations for Hoeveler Judicial and Professionalism Awards are now being accepted

The Florida Bar’s Standing Committee on Professionalism is now accepting nominations for its William M. Hoeveler Judicial Award; Professionalism Group Award for bar associations, judicial organizations, inns of court, or law school organizations aimed at enhancing professionalism among lawyers and law students; and Law Faculty/Administrator Award.

The Hoeveler award recognizes “a judge who best exemplifies strength of character, service, and competence as a jurist, lawyer, and public servant. Nominees should be judges who have communicated their pledge to the ideals of justice and diligence in inspiring others to the mission of professionalism,” according to the committee.

The purpose of the Professionalism Group Award is to find an organization that has an innovative program that can be implemented by other organizations to promote and encourage professionalism within the legal community. Entrees are judged on their quality, how easy they are to duplicate by another association, the number of lawyers participating or affected, the likelihood it will continue, and its success, among other factors.

The Law Faculty/Administrator Award is intended to honor a single faculty member of one of Florida’s law schools who through teaching, scholarship and service to the profession best supports or exemplifies the mission of the Standing Committee on Professionalism: “To promote the fundamental ideals and values of professionalism within the legal system and to instill those ideals of character, competence, civility, and commitment in all those persons serving and seeking to serve therein.”

Nomination forms can be found on the Bar’s website at www.floridabar.org. Click on “Professional Practice” on the left hand column, Henry Latimer Center for Professionalism, and look for the “Awards” link.

Nominations for the William M. Hoeveler Judicial Award and the Professionalism Group Award are due by December 1. The deadline for nominations for the Law Faculty/Administrator Award is December 31.

Nominations for the awards may be mailed or emailed to Becky Blackburn, Henry Latimer Center for Professionalism, The Florida Bar, 651 East Jefferson Street, Tallahassee, Florida 32399-2300 or rblackbu@flabar.org.

All questions regarding the awards may be directed to Jacina Haston, Assistant Director for the Center for Professionalism, email jHaston@flabar.org or by phone at (850) 561-5745 or the chair of the Awards Working Group, David Hallman, at dhallman@nassaucountyfl.com or (904) 548-4590.

Winners will receive their awards at The Florida Bar’s Annual Convention next June in Boca Raton.

A Word To The Wise

The significant problems we face cannot be solved at the same level of thinking we were at when we created them. – Albert Einstein

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Coming together is a beginning; Staying together is progress; Working together is success. – Arab Proverb

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Leaders must be close enough to relate to others, but far enough ahead to motive them. – John Maxwell

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You can do well by doing good. – Past Florida Bar President Chesterfield Smith

THE FLORIDA BAR

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