

## **2015 – 2016 Circuit Professionalism Report Summaries**

### **First Circuit**

The First Judicial Circuit Bench and Bar Professionalism Committee has met five times during this reporting period. In July and August, the Committee reflected on and refined its complaint process. The Committee is considering adopting a “Non-Disclosure Agreement” for use in the investigation process. In August, the Committee published an article reviewing the first year’s operation of the LPPs. A series of “Socials & Lunches” continues to bring members of the bar and bench together for discussion of professionalism issues in informal settings. Further, the Committee held its semi-annual CLE cruise February 11-15, 2016, sailing out of New Orleans. The Committee recently endorsed a proposed “Joint Lawyer Civility Resolution of Northwest Florida Voluntary Bar Associations and Inns of Court” and is promoting adding language referencing the Professionalism Expectations in uniform case management orders. In the coming year, the Committee will re-energize its “Random Acts of Professionalism” Award to local bar members who demonstrate the “pursuit and practice of the highest ideals and tenets of the legal profession” as embraced by the Florida Bar’s definition of professionalism and the Professionalism Expectations.

### **Second Circuit**

The Second Judicial Circuit Professionalism Panel conducted a Professionalism Summit on September 25, 2015. The CLE program, titled “Making the Practice Better,” was held at the Florida Supreme Court, and hosted jointly by the Tallahassee Bar Association Young Lawyers Division. Attendance was good and the event was well received. The panel has revamped its brown bag lunches, known as the “Power Lunch Series,” which will become a more structured event taking place in various venues throughout the circuit, including the Capitol, local law firms, the First District Court of Appeal, and the Florida Supreme Court, in addition to the County Courthouse where the event was initiated. Informal discussions between judges, bar members, and professionalism panel members will be supplemented with videos from the Center for Professionalism’s Historical Video Series. No new complaints of unprofessional conduct have been filed for processing during the reporting period.

### **Third Circuit**

The Third Judicial Circuit Professionalism Committee works closely with the Third Circuit Bar Association and Young Lawyers’ Division to organize events which promote professionalism. The Third Circuit Bar Association continually organizes activities which aid in establishing professionalism among its members through networking, social activities, and CLE’s. Many attorneys in the Third Circuit provide pro bono services to those in need. Law Day remains a highlight in the Third Circuit. The Day includes a mentoring component and a program wherein attorneys and judges focus on teaching elementary school students about the United States Constitution and the judicial system.

### **Fourth Circuit**

The Fourth Judicial Circuit is home to the Jacksonville Bar Association Bench and Bar Professionalism Committee. The Committee hosted the Bi-Annual Professionalism Symposium on May 6, 2015 at The Players Championship on a practice round day. The event included extensive professionalism training and the presentation of the JBA Annual Professionalism Award to Rutledge “Rut” Liles for his unwavering demonstration of the ideals of professionalism. The Fourth Circuit hosted over a dozen

professionalism programs last year, occurring once or more each month. These events provide educational opportunities for members of the Bar, Bench and support staff. The JBA Judicial Relations Committee and JBA Bench and Bar Professionalism Committee meet regularly throughout the year to discuss and promote professionalism efforts in the Fourth Judicial Circuit.

### **Fifth Circuit**

The Fifth Circuit Professionalism Committee, chaired by S. Sue Robbins, Circuit Judge, is sponsoring the 2016 Fifth Circuit Professionalism Conference “Great Expectations – Professionalism Expectations for Florida Lawyers.” This will be an all-day conference at the Hilton Hotel in Ocala, Florida on April 15, 2016. The keynote speaker is Chief Justice Jorge LaBarga. Other speakers include Michael Cohen, Executive Director of the Lawyer’s Assistance Program, Jacina Haston, Director of the Henry Latimer Center, and other notable professionals. The program will have workshops on LGBTQ issues as they affect lawyers, legal practice, judicial ethics, technology, substance abuse, aging, mindfulness, and wellness in the practice of law. The Committee has also developed and launched two mentoring programs. One is the more traditional mentoring program in which a more experienced lawyer helps one with less experience. The second is more non-traditional reverse mentoring program, in which a technologically literate lawyer with perhaps less legal experience is paired with a lawyer who likely has more legal experience but less technological knowledge.

### **Sixth Circuit**

Four professionalism programs were presented by the St. Petersburg Bar Foundation, the St. Petersburg Bar Association, the Clearwater Bar Association and the West Pasco Bar Association to support the advancement of professionalism on behalf of the Sixth Judicial Circuit Professionalism Committee. In addition, a Professionalism Symposium was presented by the Clearwater Bar Association during this past year. Professionalism information is available on the Sixth Judicial Circuit website, the local bar association websites and is disseminated through the programs of the local bar associations. The St. Petersburg Bar Association maintains a Mentoring Program which allows new lawyers to interact with experienced lawyers with the goal of becoming successful in today’s society. “Professionalism Expectations and Professionalism Implementation Procedures of the Sixth Judicial Circuit” promulgated by the Chief Judge in September, 2015, provides the framework for handling professionalism complaints.

### **Seventh Circuit**

The Seventh Circuit Professionalism Committee, chaired by Judge Sandy Upchurch, hosted its biennial half-day Professionalism Symposium with the Volusia County Bar Association on May 1, 2015. The keynote speaker was Justice Charley Wells who spoke on “What Professionalism Means” to an assemblage of 75 lawyers. Following the presentation, two-hour breakout sessions were organized where the groups discussed how professionalism is perceived in the specific areas of civil, criminal, family and appellate practice. These were interactive roundtable discussions with judges and lawyers participating, followed with a question and answer period which included all participants.

### **Eighth Circuit**

The Eighth Judicial Circuit has employed a holistic approach to maintaining professionalism which includes skills training, relationship building, and mentorship. The State Attorney’s Office and the Office of the Public Defender for the Eighth Circuit held a joint training session aimed at facilitating

understanding between the two offices, improving the skill set of the attorneys, and improving civility. Additionally, the various local bar associations work diligently to foster collegial relationships among the attorneys, which in turn encourages professionalism within the system. The judiciary also participates in a successful Judicial Mentorship Program which provides formal mentorship for new judges for 1 year after their appointment to the bench and continues informally afterwards. The Eighth Judicial Circuit also maintains a Local Professionalism Panel that has successfully resolved three to four professionalism complaints per year.

### **Ninth Circuit**

The Ninth Judicial Circuit has worked diligently to maintain professionalism in the circuit. The Panel has conducted lunch sessions attended by all of the members of the Committee. They have focused on educating the panel members on their role, the procedure, and the administration of complaints received. The Committee has received sixteen professionalism referrals during the past year and has 4 currently pending. The Professionalism Committee program is viewed as a “pre-grievance” intervention and is very much appreciated by the circuit members. The Professionalism Committee notes that several referrals have come from sitting judges who have become frustrated with the lack of professionalism. This is seen as a positive contribution because it shows that the judiciary is working hard to ensure professionalism in the courtroom.

### **Tenth Circuit**

Among the Tenth Circuit Local Professionalism Panel Committee’s (LPPC) responsibilities, is the charge of reviewing complaints (one complaint was filed in 2015). The LPPC meets on alternate months jointly with the Bench/Bar Committee. The LPPC, through programs with the Chief Judge of the Tenth Circuit and the Inns of Court, integrates professionalism components into seminars and award programs with guest speakers, such as Florida Supreme Court Justice Peggy Quince. The LPPC supports mentoring events, and provides (1) an annual Professionalism Award to a local deserving Bar member and (2) a Justice Achievement Award to a non-bar member who has a significant impact on the improvement of justice in the Circuit. Additionally, the Panel provides valuable information to the Bar through mass emails.

### **Eleventh Circuit**

The Eleventh Circuit Committee on Professionalism meets four times a year through its Subcommittees. These Subcommittees are comprised of local professionalism panels, new attorney breakfasts, and also a specific Committee to put together a professionalism summit. The Committee right now will be implementing a circuit professionalism award for excellence in professionalism. This award will be given to those who commit their time to serving on the local professionalism panels. On October 1, 2015, the Eleventh Circuit had a civility summit which took place at Miami Dade College Wolfson Campus. This summit included Judges, bar leaders, and law school administrators to discuss the journey of raising the bar in the legal community as it pertains to practicing with civility and professionalism. Overall, Miami-Dade County has been very active, with the voluntary bars promoting professionalism and civility among its members.

## **Twelfth Circuit**

The Twelfth Circuit Local Professionalism Panel Committee (LPPC) is comprised of judicial officers and attorneys in the circuit. The LPPC is responsible for reviewing complaints (12 complaints were filed in 2015). Although the LPPC does not meet regularly, complaints are screened by a Chair, and reviewed by a 3-person panel, if further investigation is necessary. The LPPC participated, through its Chair, at statewide professionalism meetings such as the Local Professionalism Panel meeting, the Florida Supreme Court Commission on Professionalism, and the Florida All-Circuit Local Professionalism Panel Teleconference, discussing, among other topics, the confidentiality of the LPPC meetings. Additionally, the LPPC, through various local bar associations, integrates professionalism components into meetings, luncheons, and seminars. These various programs often focus on encouraging mentoring and professionalism to young bar members. Through these bar associations, the LPPC supports mentoring events, and provides information through newsletters, emails, and meetings. These bar associations have granted various awards to recipients with a professional component and have participated in various programs with community outreach or civic components.

## **Thirteenth Circuit**

The Thirteenth Judicial Circuit Professionalism Committee's Local Professionalism Panel ("LPP"), operating through its guidelines titled "10 Steps To Handling A Complaint Submitted to the LPP," has resolved four cases this past year. LPP statistical information on the resolution of complaints is available in the quarterly summary reports submitted to the Florida Supreme Court. The Committee promotes professionalism through five subcommittees: (1) the CLE and Events Subcommittee, (2) the Promotions Subcommittee, (3) the Local Professionalism Panel, (4) the 2016 Professionalism Award Subcommittee, and (5) the Medical-Legal Subcommittee. The Committee conducted twelve professionalism programs in 2015 and members of the Committee authored and published a variety of articles on professionalism in various publications. The Committee continues to present its annual Thirteen Judicial Circuit Professionalism Award during the Hillsborough County Bar Association's Annual Bench Bar Conference Membership Luncheon held in October of each year. The Committee remains active in several mentoring programs in the Thirteenth Judicial Circuit.

## **Fourteenth Circuit**

The Fourteenth Judicial Circuit Bench/Bar and Professionalism Committees serve their Circuit to promote professionalism. The Bench/Bar Subcommittee, chaired by attorney Ross McCloy, seeks to "enhance communication, constructing problem solving, respect, and courtesy between judges and lawyers." The Professionalism Subcommittee, chaired by Chief Judge Elijah Smiley, seeks to "address issues of professionalism in order to improve the administration of justice and to issue reports on the status of professionalism in the circuit." The Committees met regularly throughout last year. A document entitled "Professionalism in the 14th Circuit" was distributed to all lawyers in the circuit. The booklet contained the documents that set forward the standards of behavior. The local Inns of Court sponsor programs aimed at enhancing ethics and professionalism throughout the local Bar. The Committees anticipate initiating the Fourteenth Judicial Circuit Professionalism Award in the future.

### **Fifteenth Circuit**

The Palm Beach County Bar Professionalism Committee is divided into four subcommittees: (1) New Attorneys, (2) Professionalism Panel Outreach, (3) Professionalism Enhancement, and (4) Mentoring. Ninety-eight new attorneys, together with judges and volunteers, attended the New Attorneys Subcommittee which recently held its "4th Annual New Attorney Breakfast" on October 30, 2015. This Subcommittee held three CLE seminars. The Professionalism Panel Outreach Subcommittee has been publicizing its existence and purpose to the Young Lawyers' Section to alert young lawyers to a process in place if they believe they had been treated unprofessionally by a long standing attorney. The Professional Enhancement Subcommittee completely revised its professionalism CLE which reflects the newly adopted Professional Expectations and will be preparing an additional CLE this coming year. The Mentoring Subcommittee has prepared a master list of mentors and their area of practice to better match mentees with potential mentors.

### **Sixteenth Circuit**

The Sixteenth Judicial Circuit Professionalism Committee was established in December of 2014. Members were appointed in January, 2015. Judge William Ptomey, Jr., Chair of the Committee, presented to the Monroe County Bar Association regarding the Local Professionalism Panel. County Judge Ruth Becker hosted a luncheon to address procedural and ethical e-filing issues. The Local Professionalism Panel schedules quarterly meetings to discuss pending matters and further initiatives to heighten awareness about the Panel. Efforts are underway to work additional professionalism initiatives into future local bar meetings.

### **Seventeenth Circuit**

The Seventeenth Judicial Circuit is home to the Broward County Bar Association Professionalism Committee. The Committee met multiple times last year to work towards enhancing professionalism in their circuit. The Committee is planning a CLE seminar scheduled for May 3, 2016 with a panel and discussion of professionalism issues of concern and an education program on the procedural and substantive issues of the 17th Circuit's Professionalism Panel. The Committee sponsors a speakers program which speaks about issues of professionalism to local law schools and other groups. The Committee supports the Broward County Bar Association Mentoring Program by encouraging members to participate as mentors. In 2015, attorney Kelly D. Hancock received the Lynn Futch Professionalism Award and attorney Sarahnell Murphy received the Joseph J. Carter Professional Award. These awards recognize lawyers with over and under 20 years of practice, respectively, who exhibit the highest degree of professionalism, respect for the law and integrity of the legal system, and have enhanced the image of the legal profession.

### **Eighteenth Circuit**

The Eighteenth Judicial Circuit covers Brevard and Seminole counties. Many of the professionalism-related events were hosted by the voluntary bar associations within the two counties. The Brevard County Bar Association held its annual Professionalism Awards ceremony honoring a young lawyer, a government lawyer, a private lawyer, and a non-lawyer. The Association further awarded a lifetime achievement winner. The Brevard County Bar also held a CLE seminar in which former Florida Bar President Mayanne Downs spoke on judicial ethics and celebrity lawyer Mark Geragos presented on

handling the media in high-profile cases. The Seminole County Bar hosted its annual Law Day banquet that honored a lawyer with its Whigham-Gray Award for Outstanding Professionalism. The Seminole County Bar also hosted an event with Fifth DCA Judge James A. Edwards, where he presented on the importance of maintaining your reputation, professionalism, and doing quality legal work. The Seminole County Family Law Advisory Group hosted a program at which Judges Chase and Rudisill provided direction to members of the Bar regarding professionalism, submitting materials for hearings, providing accurate assessments of time needed for hearings and trials, and the correct manner to file objections to the findings of General Magistrates. Finally, the Volie Williams Inn of Court held a series of meetings, including one in which its ethics chair, Michael Sasso, presented on ethical issues and professionalism.

### **Nineteenth Circuit**

The Nineteenth Judicial Circuit Professionalism Committee has six separate professionalism projects in which it is directly or jointly involved. It awarded its First Annual Professionalism Award to George W. Bush, Jr. in September of 2015. It has included professionalism programs in its Bench Bar Conference and Joint Professionalism and Judicial Relations Annual CLE meeting. The Nineteenth Judicial Circuit has an ongoing and active Professionalism Panel to address professionalism complaints within the circuit. A copy of the Standards of Professionalism hangs in each courtroom within the circuit, and those standards are strongly supported by the Judiciary.

### **Twentieth Circuit**

The Twentieth Judicial Circuit has an active Local Professionalism Panel with thirteen complaints filed in 2015. Of the thirteen complaints, eight were disposed of through consultations or other action and one was referred to The Florida Bar ACAP program for further action. Four major county bar associations exist in the Twentieth Judicial Circuit as follows: (1) the Lee County Bar Association, (2) the Collier County Bar Association, (3) the Charlotte County Bar Association, and (4) the Hendry/Glades Counties Bar Association. Each of these voluntary bar associations hosts a variety of events and CLE programs directed towards ethics and professionalism. Some highlights of these events included: (1) the Lee County Bar held a professionalism and ethics CLE presented by the Florida Bar Foundation attorney Bruce Blackwell; (2) the Collier County Bar's Young Lawyer Section hosted its Annual Ethics Seminar where Florida Supreme Court Justice Charles Canady presented on lawyer discipline; and (3) the Charlotte County Bar's Young Lawyer Section held a luncheon with the Local Professionalism Panel panelists as the lunch speakers. The Twentieth Judicial Circuit also participated in the Annual Professionalism Seminar for the Office of Criminal Conflict and Civil Regional Counsel that was held at the Second District Court of Appeal.