At its root, professionalism centers on the concept of integrity: integrity for one’s profession, integrity on behalf of others, and, ultimately, integrity for one’s self. The way you carry yourself does not go unnoticed in both personal and professional interactions. One who maintains integrity adheres to a set of moral and ethical principles, for the purpose of having a sound mind and character.

Having integrity for one’s profession is a concept that is recognized across all careers and professional fields. Whether it be through a mission statement or unspoken code of conduct, most professions set a standard for how its professionals ought to conduct themselves—and the law is no exception. The law quite literally sets the bar for how lawyers, judges, and other legal professionals ought to comport themselves to serve a higher purpose. When your job is to effectuate the rules and standards of conduct that society deems most valuable, you must hold yourself and your colleagues accountable for carrying out that mission to the best of your ability. Lawyers and other legal professionals have a duty to uphold and protect the law, while also upholding and protecting the tenets of their occupation. In practice, this duty of integrity towards legal professionalism requires a commitment to truth, justice, and respect.

Lawyers and other legal professionals pledge their commitment to truth both formally and informally. They vow to be honest with their clients, the judiciary, their respective bar associations, fellow colleagues, and others who depend on their...
Professionalism in the Law

from page 1

professional services and credentials. Legal professionals have a duty to uphold the integrity of their profession by being honest about their conduct, their casework, and their professional dealings with others. By requiring the highest level of honesty of these professionals, this in turn lays a foundation for justice to be sought in the most equitable manner. Justice is often defined by words such as righteousness, morality, equality, and lawfulness, among others. As it pertains to the legal professional, justice is a goal of the profession, achievable in part through the integrity of its professionals. Ultimately, the principle of respect underlies the legal professional’s duty of integrity: respect for the profession, for the client, and for the law. In achieving justice through honest and respectable means, lawyers achieve another goal of their profession: to hold themselves to a higher standard as it pertains to effectuation of the law. If those entrusted with this goal cannot themselves commit to truth, justice, and respect, all others who are subject to the law are rendered vulnerable to the miscarriage of these principles.

These principles of truth, justice, and respect guide legal professionals as they fulfill their duty of integrity on behalf of others. Others depend on and expect an ever-present and thorough level of honesty from a lawyer or other legal professional as they trust these individuals to navigate the complexities of the legal system for them. Acting as a legal agent for someone requires the utmost level of integrity, honesty, and respect in pursuit of justice on behalf of that person. By definition, a lawyer, judge, or other legal professional is in a position of service, whether to a client, to the public, or both. Professionals who offer a service inherently act on behalf of others and as such, must take into account the interest of others in addition to—and often in priority over—their own interests. Maintaining honesty and respect towards the parties impacted by one’s service is crucial to achieving integrity on behalf of those parties. Lawyers are in a unique position of requiring trust in the attorney-client relationship. Without this trust based upon mutual honesty and respect, the relationship suffers, which in turn negatively impacts the lawyer’s standard of professionalism.

Maintaining integrity for one’s profession and on behalf of others necessarily relies upon integrity for one’s self. This is true of any profession but particularly the legal profession. Lawyers willingly assume a duty to abide by a higher set of principles: ideals for which they are responsible for fostering and encouraging amongst themselves and others. While the Constitution serves as one of the ultimate codified examples of these ideals, lawyers also commit themselves to uphold other local, state, and federal laws governing a variety of areas and disciplines, including their own professional responsibilities. Underlying these codified principles are societal aspirations towards achieving optimal human morality—a “greater good.” Lawyers inherently find purpose in this mission and make a career out of it. It follows that a necessary quality of a lawyer is one who values integrity for himself or herself. An honorable lawyer—one that values integrity—is a truthful and respectful person. This lawyer abides by a sense of honesty and respect out of a personal moral obligation as well as a professional one.

Professionalism in the law matters because the law is meant to represent the highest ideals of humanity that society deems valuable and worth fostering. Lawyers who value integrity are best equipped to effectuate these ideals for the benefit of not only themselves but those impacted by their services and the greater public. These lawyers are people of reputable and admirable character who are firm in their moral and ethical principles. In a society that perpetually aims to serve the greater good and better itself, lawyers who maintain professionalism in their field are necessary to serve this goal.

Katie Mesa is a 3L at the Florida State University College of Law. She is an extremely engaged member of the law school community, serving in editorial positions on Law Review and Journal of Transnational Law & Policy. Katie is also a member of the Willem C. Vis International Arbitration Moot Team and the William H. Stafford American Inn of Court. She is the president of the American Civil Liberties Union at FSU and is past president of the Women’s Law Symposium. Last Spring, she was recognized at the College of Law’s Leadership Luncheon with the 2019 Mores Student Leadership Award. She is passionate about public service and spent this past summer as a Calvin Patterson Scholar working as a legal intern at the ACLU of Florida in its Miami office.
Taking a look behind the scenes, I had the opportunity to speak with Donald Dunn, Legal Administrator of the Legal Division of The Florida Bar. Donald started at The Bar 14 years ago. Prior to working here, Donald served in the Marine Corps for 21 years before retiring as a Legal Administrator. Every day at work is a little different for Donald, and he comes in ready to act on anything that is presented to him. While wearing many hats, Donald can juggle the budget, technology concerns, and staffing while keeping professionalism at the forefront of his mind. Donald believes in a servant leadership style as he carries out his duties, one in which he humbly focuses on the success of the team. It is this same servant leadership mindset that led Donald to serve in the Marine Corps, a system which also focuses on the success of the team and where officers “eat” last.

Donald states that his favorite part about working at The Florida Bar is knowing how people in the community feel about the service that The Bar provides. He takes pride in the membership survey that clearly indicates that he is working somewhere that is seen in a positive light. Donald sees the work of The Bar as protecting the public and protecting lawyers. This is a great fit for his servant leadership style that he has cultivated over years of Boy Scouts, becoming an Eagle Scout, his involvement in Kappa Alpha Psi, and service in the Marine Corps.

Donald has a love for continuing personal growth and education. He is currently four classes away from his Master’s in Organizational Management at the University of Oklahoma. There, he is learning about the macros of an organization. Going back to college as an adult has allowed him to genuinely enjoy the journey and focus on learning. Donald is able to bring a different perspective to the assignments than the younger individuals in his class and the instructors have taken notice.

Once dealing with the challenging transition from the pace of the Marine Corps to the pace and environment of The Florida Bar, Donald practices professionalism by always having a willingness to listen and remaining cordial with others. Donald feels that you do not have to get along with everyone in order to be respectful and when making decisions you are not going to make everyone happy so find balance and fairness when making a recommendation. He feels that true leadership is being persuasive and achieving leadership is convincing others to get things done. From there, management is then taking care of what you have set up with your leadership skills.

Donald, who has been married for 34 years and has two children, feeds his passion for service outside of The Bar as well. Over the years he has enjoyed coaching both men’s and women’s basketball, starting with his own children’s teams. His most recent coaching experience was for the Leon High School Women’s Basketball Team, where he was able to make a lasting impact in young women’s lives.

We are so thankful for the hard work and dedication Donald brings to The Bar each day. We see him living out his personal definition of professionalism, being available and open for discussion, as he crosses the bridge from just thinking about oneself to thinking of others.

The Center has launched its new social media campaign, #ProTipTuesday. These short videos go a long way toward helping young attorneys and those new to practice learn about and stay focused on practicing with professionalism. The videos can be found on the Center’s Twitter (@FLBarCFP), Facebook (@FLBarProfessionalism), and website: https://www.floridabar.org/prof/pro-tips/
The Tallahassee Women Lawyers hosted a 19th Amendment Centennial Celebration on March 11th featuring FSU College of Law Professor Carla Laroche presenting, “A Square Deal: Celebrating Black Women Suffragists’ Efforts to Ratify the 19th Amendment.”

The luncheon featured the American Bar Association’s new traveling exhibit, “100 Years After the 19th Amendment: Their Legacy, and Our Future.”

Congratulations to SCOP members Magdalena Ozarowski (TWL President) and The Honorable Suzanne Van Wyk and SEABC Vice-Chair Molli McGuire for your work on this important event.
Law Faculty/Administrator Professionalism Award

Phyllis Kotey
Director of Externship and Pro Bono Program and Clinical Professor of Law
FIU College of Law

On behalf of The Florida Bar’s Standing Committee on Professionalism and the Awards Working Group, it is our pleasure to announce that the recipient of the Law Faculty/Administrator Award is Phyllis Kotey, Director of Externship and Pro Bono Program and Clinical Professor of Law at FIU College of Law.

The purpose of this award is to recognize a faculty member or administrator of one of Florida’s accredited 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.”

In 2004, Professor Kotey joined FIU College of Law with a lengthy record of service to the bench and bar. She continues to serve as a senior judge when available and models her professional practice behind the bench as well as in her classroom. Professor Kotey is responsible for organizing several student-led programs which include: Leadership Education and Advocacy (L.E.A.D.) Project—a two-week program for middle and high school students; the All-Star Summer Camp Mock Trial—a week-long summer program; Law Student for a Day—a one-day program designed for elementary, middle, and high school students; and the Diversity Mock Trial—held during the University’s Diversity Week celebration. In addition, she encourages journaling in her criminal, judicial, and civil externship classes through a four-step process of self-reflection for students to utilize when they observe or experience any incivility, unprofessional, or unethical behavior.

Professor Kotey has served on a multitude of committees including serving as chair and vice-chair of the Florida Supreme Court Judicial Ethics Advisory Commission and as a member of its Election Subcommittee. She also served on the National Advisory Board for the Committees on Bias in the Courts and the Florida Supreme Court’s Commission on Bias and Florida Court Education Council. She served as chair, vice-chair and treasurer of the Florida Bar’s Criminal Law Executive Council. She was also Vice Chair of the Florida Bar Code and Rules Committee and a member of the Juvenile Rules Committee. She is a member of numerous bar associations and has served as president of the TJ Reddick Bar Association in Broward County and the Josiah T. Walls Bar Association in Alachua County.

This continued commitment to the ideals of professionalism has garnered her much recognition including being selected as a Fulbright U.S. Scholar where she spent the 2012-2013 academic year abroad in Ghana lecturing and conducting research in the area of Alternative Dispute Resolution (ADR) and Access to Justice. In 2018 Professor Kotey joined judges from around the world for “A Conversation and Reception with Associate Justice Sonia Sotomayor” at the U.S. Supreme Court where she delivered a series of lectures on Judicial Ethics and Implicit Bias. It goes without saying that Professor Kotey demonstrates daily the “four C’s” of professionalism—character, competence, commitment, and civility.

Congratulations again Professor Phyllis Kotey!
William M. Hoeveler Judicial Professionalism Award

The Honorable Marcia Morales Howard

Congratulations to The Honorable Marcia Morales Howard, United States District Judge for the Middle District, Jacksonville, Florida, for being the named the recipient of the William M. Hoeveler Judicial Professionalism Award. This award is given annually by the Henry Latimer Center for Professionalism and the Standing Committee on Professionalism. The purpose of this award is to recognize an active judge who best exemplifies strength of character, service, and competence as a jurist, lawyer, and public servant. Judge Howard demonstrates the ideals of professionalism and justice while inspiring others to do the same.

Since 2003, she has been a committed member of the judiciary. Judge Howard earned her law degree at The University of Florida College of Law and moved home to Jacksonville upon graduation where she began her career as a civil litigator.

Judge Howard is described as not only a brilliant jurist, but an amazing person who is deeply committed to public service. Upon becoming a judge in the Middle District of Florida, she was tasked with administering the oath of allegiance to new citizens of the United States in a naturalization ceremony. Historically, these ceremonies have not been publicized and are held once a month in a courtroom at the federal courthouse.

Judge Howard, being the visionary that she is, set out to make these ceremonies more accessible to the public. This was not an easy task but, through hard work and perseverance, her vision became a reality on December 16, 2018, when she administered the naturalization oath of allegiance to 65 individuals from 38 different countries during halftime at a Jacksonville Jaguars home game. This inspiring moment was witnessed by 67,000 football fans who gave the new citizens a standing ovation.

Judge Howard is a paragon of professionalism and public service. She is committed to the ideals of professionalism in her courtroom and models best practices of civility, competence, and strength of character to anyone who steps in it. She is the embodiment of professionalism in the judiciary.

Congratulations once more, Judge Howard!
On behalf of The Florida Bar’s Standing Committee on Professionalism and the Awards Working Group, it is our pleasure to announce that the recipient of the Group Professionalism Award is the NSU Shepard Broad College of Law’s Legal Research & Writing (LRW) Student Outreach Program.

This award honors one program instituted and coordinated by a bar association, judicial organization, Inn of Court, or law school organization aimed at enhancing professionalism among lawyers and law students and that can be implemented by other organizations to promote and encourage professionalism within the legal community.

Seven years ago, The Legal Research and Writing (LRW) Student Outreach Committee began as a special volunteer working group designed to specifically target first year law students by reinforcing legal research and writing skills with a concentration on professionalism. Additionally, the program has provided the opportunity for more than 1,000 NSU Law Students to engage in legal networking with local lawyers and judges. Each year, the program works to engage students and the legal community through hosting interactive workshops, as well as allowing upper-level students opportunities for “near peer” mentoring with the 1Ls.

Every workshop organized by the committee features professionalism as a key component and covers various topics such as Writing and Wellness, Citation, Oral Advocacy, Interviewing, Time Management, and Ethics. The current chair of the committee, Professor Joe Hnylka, oversees a team of five volunteer faculty who organize the events. Most of the events draw between 75 and 100 students who receive essential professionalism instruction through modeling and advise from volunteer lawyers and judges who are experts in their field.

The LRW Student Outreach Committee routinely surveys students for input on its programming. The results from students have been overwhelmingly positive but have also allowed for adjustments to be made based on feedback. For example, students expressed the need for more evening programs in order to accommodate working students. The committee has since moved the start time of some of the programs from morning to afternoon. They have also started to practice guided meditation in the Writing and Wellness program. The LRW Student Outreach Committee is a model program that can be used to promote professionalism across the State.

Congratulations to the LRW Student Outreach Program on creating such an innovative program!
Clark Partington Shareholder, Doug Bates, was inducted into the Pensacola State College Athletics Hall of Fame (Class of 2020). Doug is a past-chair of the Student Education and Admission to the Bar Committee (SEABC).

Congratulations, Doug!
MANAGING WORK-LIFE IMBALANCE

By: Janeia D. Ingram

Recently, I was asked to speak to a group of professionals—female and male, young and old—about work-life “balance.” I almost declined, saying to myself: “Somebody actually thinks I have work-life balance? Clearly, they don’t know me!” Nevertheless, I ended up accepting the invitation, but on one condition: that they allow me to modify the theme to “managing work-life imbalance.” They did, and here’s what I ultimately shared with the audience.

For many of us, the “work-life balance” question—how we handle the competing demands in our work and personal lives—is alive and well. In fact, in the legal profession, you would be hard-pressed to attend an empowerment-type event, especially for women, where the phrase is not mentioned.

But the more I pondered the concept and reflected on my own life, I realized that “work-life balance” is really just a myth. It is a myth that you must strike some proverbial balance in your life to truly be successful and happy. It is a myth that you have to create a world where you dedicate an equal amount of time and energy to work and life, which is what “balance” implies. In reality, work-life balance is not much more than a mirage or an illusion.

Think about it...it is all life, right? That is why instead, I insist on viewing it as an imbalance to be managed versus a balance to be maintained. As I look back over my adult life, I recognize three distinct chapters where I’ve had to manage my own work-life imbalance.

Now with that backdrop in mind, I want to share a few lessons I have learned about managing the inevitable work-life imbalance.

*There are seasons to imbalance. At one point, my life was one huge bag of extracurricular activities. I was managing at least five email inboxes, three different calendars, publishing a book, planning a statewide event, chairing an executive director search, transitioning jobs, and seeking therapy...all at once! My work life was stressful, for sure. When my daughter was born a full ten weeks early, I then was forced to take a sabbatical from work and extra-work. So, while there was no “work” happening, my personal life was quite overwhelming. Sometimes it can seem that one area is taking up a majority of your time and energy, but then a shift happens, and the pendulum swings in the other direction. So what am I saying? When work is fun and life is work, or when work is stressful and life is fun, as Sam Cooke once said, rest assured, “A change gon’ come, oh yes, it will.”

*All is well when my work life and personal life are in harmony. For the longest, I’ve strived for greater work-life integration in my life. Trying to tie my avocations (what I enjoy doing and am passionate about) with my vocation (my chosen profession) and create a situation where work fits with other aspects of my life. So for example, two of my interests are working with young women and nonprofits. When in law practice, I carved out a niche in nonprofit law and advised nonprofit executives on law-related matters. While working in law academia, I taught law students interested in nonprofit law and launched a Nonprofit Pro Bono Legal Clinic in my local area. Additionally, by virtue of my job, I had the great privilege of mentoring dozens of female law aspirants. By harmonizing aspects of my work life with the rest of my life, work didn’t seem so much like work all the time.

*The balance we want to experience must begin inside of us. This is perhaps the greatest lesson I’ve learned. Inner balance is the great equalizer, the stabilizing force with which no time management strategy or special calendaring technique can ever compete. Managing the inevitable imbalance in my life has required that I stay true to myself—my values, morals, ethics, strengths, gifts, and purpose. When my internal balance meter is in check, all is well in my world, regardless of where my focus is at the time. Beyond that, I consciously seek to define success on my own terms and to value work-life effectiveness more than I do balance by responding to the seasons of imbalance in my life properly and effectively.

Ultimately, the goal should be to do and be well in every aspect of your life, however the scales may tilt, and to make choices that you can enjoy, not ones that you will later regret.

Janeia D. Ingram is a Hearing Officer for the Public Employees Relations Commission, where she presides over formal administrative hearings throughout the state on public sector labor and employment disputes. She formerly was an assistant dean at Florida State University College of Law, where she directed the nationally renowned Donald J. Weidner Summer for Undergraduates Program. Prior to that, she practiced labor and employment law, education law, and election law. Ingram also served as a law clerk at the First District Court of Appeal.
TIME TRAVEL, EMPATHY AND KEEPING IT REAL DURING A PANDEMIC

Because we enjoy the freedoms of speech and press, we can question and criticize our governments and political leaders without fear of governmental reprisals. This encourages robust debates and the vetting of issues.

Vigorous competition in the “marketplace of ideas” fosters good public policy and accountability.

Although the First and Fourteenth Amendments protect us from abuses by our governments, they don’t protect us from each other.

Today, people are less inclined to listen to one another, communicate in good faith, and give one another the benefit of the doubt. With civility and empathy in short supply, now is the time to focus on our blessings and adjust our perspectives.

No matter what issues confront us, including pandemics and economic disruptions, we are lucky to live here and now. Indeed, if time travel was possible, I suspect few of us would choose to live in any other time or place. Consider life without electricity, air conditioning, or modern medicine and just imagine dentistry without Novocain. Yikes!

When the American colonies declared their independence from Great Britain, Thomas Jefferson wrote that “all men are created equal.” Ever since, our quest for equality for everyone has both inspired and challenged us. Fortunately, our founders established limited governments that are stable but flexible enough to adapt.

Like us, our Founders and forebears were all too human and far from perfect. Like us, they were not saints, nor did they need to be. They have earned our adulation, but are not above our reproach for their shortcomings.

The danger we face judging previous generations by today’s standards is that future generations will judge us by their standards too. If this happens, we will fair no better than those who came before us.

Over time, we fought and won a bloody civil war, abolished slavery, and expanded suffrage. We amended the law to promote equal protection and civil rights. No other nation in world history compares as favorably and few would prefer citizenship elsewhere.

We are multifaceted and can cherish our common heritage as Americans while simultaneously identifying with the things that make us different and distinct. It doesn’t have to be one or the other. Rather, it can and should be both.

Let’s renew our efforts to be polite, kind, and respectful to one another. Let’s do a better job of listening, communicating and working through the issues that threaten to divide us. After all, as friends and countrymen, we should be willing to walk an occasional mile in the other fellow’s shoes.

continued, next page...
Professor Plum gets a clue about attorney fees

Background: Civil trial lawyers sell their time, experience and track records for delivering results. Based on supply and demand, they charge what the market will support. Most civil trial lawyers bill their time at agreed hourly rates or charge contingency fees based on the results obtained.

Q. Judge Smith, how do courts decide the amount of attorney fees the winning party should be awarded? Vickie

A. Vickie, trial courts hold evidentiary hearings and follow the criteria and guidance established by the appellate courts.

Suppose Professor Plum lends Miss Scarlet money and the two enter into a contract that allows the prevailing party to recover his or her attorney fees. When Miss Scarlet defaults by failing to make her monthly payments, Professor Plum sues her for breach of contract. He wins at trial, and a local jury awards him damages.

Afterward, a hearing is scheduled to determine how much Miss Scarlet owes Professor Plum to cover his attorney fees. Determining this amount will hinge on three factors.

How much lawyer time was needed?

The first factor is how much lawyer time was needed, considering the novelty and difficulty of the case. Professor Plum’s lawyer will provide the court with her billing records and give a thorough explanation of what she did and why. Her time will be scrutinized, and she will be subject to cross-examination.

Lawyers must justify the time they bill, and courts must determine whether their legal work was necessary and performed efficiently. Courts cut unnecessary, duplicative, and wasteful time. Let’s suppose Professor Plum’s lawyer billed him for 76 hours, the court approved 72.8 hours and disallowed 3.2 hours.

What is a reasonable hourly rate?

The second factor is what’s a reasonable hourly rate for the legal services rendered. According to caselaw, a reasonable hourly rate “is the prevailing market rate in the relevant legal community for similar lawyers of reasonably comparable skills, experience, and reputation.”

Suppose Professor Plum paid his lawyer $300 an hour, but the going rate for equivalent lawyers is $250 an hour. The court will approve $250 as the reasonable hourly rate. Professor Plum can pay his lawyer an extra $50 an hour, but Miss Scarlet only has to pay the going rate.

Should a multiplier be applied?

The third factor is whether the court applies a multiplier. It’s hard to convince lawyers to take on high-risk, work-intensive cases unless there is the potential for a good payday.

When appropriate, courts apply multipliers to adjust attorney fees to reward lawyers for taking on difficult cases. Encouraging lawyers to litigate difficult cases for enhanced attorney fees provides access to courts for regular people who couldn’t otherwise afford counsel.

What he asked for, what he got, and what might have been

In our example, Professor Plum sought to recover attorney fees totaling $22,800 ($300 x 76 = $22,800), without the application of a multiplier. Instead, the court awarded him $18,200 ($250 x 72.8 = $18,200).

Suppose Professor Plum’s claim for attorney fees had justified the use of a one-and-a-half times multiplier. If so, the court would have awarded him $27,300 ($250 x 72.8 x 1.5 = $27,300). Collection is a horse of a different color.

The Honorable J. Layne Smith is a Leon County Judge. Email your questions to askjudgesmith@gmail.com.
A NEW WAVE OF NETWORKING

By: Kelsey Carlton, FSU College of Law

In a post-Covid world, when human contact and interaction are again possible, one positive change that should occur in the legal industry is the move away from alcohol centered social events.

Who says we need alcohol to mingle and get along? Likely most of us, if we are being honest. Research reveals a concerning percentage of attorneys with substance abuse issues and mental health problems. Law.com’s Minds Over Matters project illustrates that nearly one-third of respondents feel that they have increased their use of drugs or alcohol as a result of their work, and 44.4% say they use alcohol as a way to deal with stress. When paired with the 74% of respondents that feel that the legal profession has had a negative effect on their mental health, it becomes clear that there needs to be a new wave of networking.

As we desire to come alongside one another and support healthy wellbeing we need to shift our engagement with each other away from alcohol-centered events. When we do host socials, mocktail bars with signature drinks and fun garnishes are always a great idea. Hot chocolate and coffee bars or festive ciders also work. Have guests share recipes or create new ones.

**Time of day:** Generally, society categorizes “day drinking” as a no-go. Scheduling networking events earlier in the day, say early morning with coffee or a lunch break, would take away the “fear of missing out” on another round of drinks. A coffee talk where local attorneys can stop by and mingle over bagels and coffee on their way to work, a Lunch and Learn where attorneys gather to hear a guest speaker and enjoy a meal together, or a weekend garden party are great alternatives. A 1950’s themed soda shoppe complete with milkshakes and diner food would be a fun family function.

**Venue:** Choose a venue that does not rely on drinking and move away from drink tickets. An informal venue comes along with a smart casual dress code. Yes, professionals feel confident when dressed in our daily business wardrobes, but just as often we feel too constrained to express our true selves when all dressed up.

What if we plan events outdoors? Picture a group of competitive attorneys engaging in a family-friendly barbecue cookoff or getting together at a local sporting event all while wearing shorts and sandals. If we are not talking shorts and sandals, maybe something closer to a “casual Friday” vibe like gathering for a Friday night fish fry, still family-friendly, with limited to no alcohol.

**Bringing it together with a sponsorship or special cause:** Since our goal is a healthy and active lifestyle why not partner with a local fitness studio for a fun and engaging workout sesh? Companies will jump at the opportunity to establish a relationship with a group of community leaders like ourselves. So goes for local restaurants that specialize in healthy foods and drinks. Nothing brings people together like good food, not even alcohol. Even if some attendees prefer their go-to drink-drinks, they will love the chance to try the latest health craze.

I look forward to the day when we can once again get to know one another in safe settings that promote health and wellness. Networking and mentoring are so important to advancing professional goals. Have other ideas that work? Share them with the Henry Latimer Center for Professionalism on Twitter, @FLBarCFP. We would love to hear from you.

**Sober Socials:**
- Host a tournament (volleyball, softball, kickball, cornhole, chess, gaming)
- Schedule dance lessons
- Have a painting party
- Have an outdoor movie night with a popcorn and soda bar
- Organize a scavenger hunt
- Visit all the cool attractions in your city
- Have picnics and walks in local parks
- Put together a monthly book club with food and fun non-alcoholic drinks
- Plan a progressive dinner party
- Have a cooking-with-friends class
- Have group outings to support the local art and theatre scenes
- Attend concerts
- Volunteer
- Host a vision board party

**Socially-Distant (and Sober) Socials**
- Organize and compete in virtual races
- Host virtual dinner parties or game nights
- Plan a social facial/spa party
- Start a virtual book club
- Organize a video game tournament
- Have a recipe swap
- Organize a letter writing club (letterslive.com), take part in the #ReadALetter campaign, and send cards and letters to local assisted living and nursing homes
- Take turns calling and talking to residents of local assisted living and nursing home facilities
- Host a virtual food drive or supply drive for a local animal shelter
- Start an online group to share personal stories (200 words or less) based on given themes

**Mocktail of the Month**

**VIRGIN WATERMELON MARGARITA**

**SOURCE:** FOOD DONE LIGHT

**Ingredients**
- 1 medium seedless watermelon, cut into chunks
- .5 cup fresh lime juice
- 4 tsp agave
- 5 tbsp sparkling water

**Instructions**

In a blender, puree enough watermelon on chunks so that you have 4 cups of watermelon puree. Add lime juice and agave and mix again. Pour into 4 cups. Top with sparkling water.

[https://www.townandcountrymag.com/leisure/drinks/how-to/g785/best-mocktail-recipes/](https://www.townandcountrymag.com/leisure/drinks/how-to/g785/best-mocktail-recipes/)
social distancing for extroverts

by: beth kirkland, program coordinator

you cannot turn on a tv today without hearing the importance of “social distancing” and “self-isolating.” covid-19 has quickly infiltrated our society and seemingly isolating every single person in america. while social distancing is important and a practice that everyone should most certainly put in place, it has made our everyday lives feel like we are in solitary confinement. although it is important to stay positive, it is easy to feel frustrated, lonely, and upset. i know that i get overwhelmed and anxious with the lack of social interaction, so i have been turning to some sort of mental stimulation to get my mind off things. and by the way, it is also totally ok if you just want to watch netflix.

i live alone. no pets. no roommates. no significant other. just me, myself, and i. last week after experiencing the “new normal” of working from home, i began to do my end of the day activities. i made dinner, turned on netflix, then proceeded to scroll through social media. while knee-deep in an episode of “gossip girl,” i caught myself audibly talking to the tv, as if i had a friend watching the show with me. at first, i laughed it off, but then i realized that was the first phrase i had verbalized all day. i was not sure which was more alarming - the fact that i had a conversation with a fictional character, or the realization i had not had a face-to-face conversation with anyone in 14 days.

i consider myself to be an overly social person, the true definition of an extrovert. every now and then i like to recharge in solitude (which includes whatever show i am binging at the moment and my two favorite men, ben and jerry), but this quarantine has made me crave social interaction like i have never experienced before. in an effort to feel less isolated during this phase, i have explored several options on how to help feel connected in a time that has the potential to make everyone feel as lonely as ever.

1. facetime dates with friends and loved ones

i am guilty of being an avid texter. have a good story to tell? text me. have a question? text me. need to be bailed out of jail? (just kidding, i am not the person to call for that), but the answer would remain the same. text me. with the stay-at-home orders in place statewide, it has shown the importance of really reaching out to speak with parents, grandparents, friends, and the people we love most. we take genuine moments of interaction for granted and these are the moments that quietly slip by and go unnoticed. facetime has really afforded the ability to connect authentically to the people i love the most, lessen the distant feeling, and make the isolation a little less lonely.

2. create a serene space

before working from home, my apartment was my serene space. it was my quiet space. my comfort. now that it is not only my home, but also my office, i had to think creatively to craft a calming space where i could recharge and clear my mind from the day. i am lucky enough to have a usable balcony; however, in the two years i have lived here, it has been a completely neglected area of my home. once the realization hit me that i needed a separate area to decompress, i got to work adding homey touches. i added an outdoor rug, edison lights, new cushions and a fan. it instantly revived the space while giving me a comfort away from my computer and tv. i challenge you to create your serene space and share it with us on twitter @flbarcfp.

3. tackle that to-do list

are you a list maker? i am. every week, i proudly make a list of all the little projects around my home i vow to finish. cleaning out my closet, organizing my bookshelf, or cleaning out the fridge. the problem is, i am horrible at actually finishing the tasks on that list. with home sheltering orders in place, i had no excuse to avoid these tasks that have been on my to-do list for months. the biggest task i had was to clean out my closet, and i am happy to say that i was able to finally complete it. once i had two laundry baskets of clothes to donate, i did some research into other organizations that accept donated clothing, shoes, and beauty/hygiene products. while your local shelter is always accepting donations, here are a few other organizations and what donations they accept to give back to the community:

- dress for success (workwear)
- career gear (men’s workwear)
- project g.l.a.m. (formalwear and unused/unopened beauty products)
- blue jeans go green (jeans)

4. try at least two new recipes a week

cookbooks are the best books in existence, and you would be hard pressed to change my mind. however, as much as i love to look at cookbooks and imagine how delicious a dish is, i never get around to using the cookbook for its intended purpose. i am a creature of habit. i stick with the same five recipes i know. mainly because my dishes never quite turn out the way the cookbook says it should. after about a week into quarantine, i realized that i would not be able to look at the same four walls all day and eat the same meals. i was craving diversity. this led to the challenge of attempting two new meals every week. cooking has quickly turned into a form of relieving anxiety, as well as providing some new delicious meals. i challenge you to try two new recipes every week for the next month. share it with us on twitter so we can see your creations!

a few of my favorite cookbooks are:

- antoni in the kitchen
- chrissy teigan cravings
- healthyish

continued...
5. Get Physical

Elle Woods said it best: “Exercise gives you endorphins and endorphins make you happy.” We are all somewhat aware of the benefits exercise gives us, not only physically, but also mentally. The first week of quarantine my only form of exercise was walking back and forth to the kitchen. I did not move. At all. That is 168 hours of being sedentary. I would wake up at 8 a.m. and go to bed at 3 a.m. with two cat naps in between. After a week had passed, I found myself getting teary-eyed over the smallest inconvenience and that is when I decided to put those endorphins to the test. After the first two days of workouts, I could instantly tell a difference in my mood, mental state, and sleep pattern. If a full-blown workout is not for you, I would still encourage you to get out for a stroll around the neighborhood or swim a couple of laps if you have safe access to a pool. Use this time as an opportunity to become in-tune with your body and learn how to truly take care of yourself. Your physical, mental, and emotional health will thank you for it.

It is easy to get caught up in the negative of COVID-19 and the turmoil it has caused to our country. I want to encourage everyone to write down all of the activities you want to do as soon as you can, whether it be going to dinner, planning a trip, or even just hugging your friends a little tighter than usual. Create a vision board. Take this time to reflect on new perspectives and values that can be gained from this experience and remind yourself to not take the little things for granted.
FLORIDA BAR FAST-TRACKS LAUNCH OF LAWYERS HELPLINE TO COMBAT STRESSORS CAUSED BY COVID-19

FOR IMMEDIATE RELEASE
April 30, 2020
CONTACT: Francine Walker; fwalker@floridabar.org
The Florida Bar
TELEPHONE: (850) 561-5762

TALLAHASSEE – The Florida Bar is providing a new member benefit and moving up the launch by two months to help lawyers deal with the stresses caused by the global pandemic.

The confidential Florida Lawyers Helpline will go live on May 1 as a 24/7 free service benefiting Bar members who are feeling overwhelmed. It will be provided through an agreement with CorpCare Associates, Inc., which has more than 200 professional counselors across Florida and 11,000 nationwide. CorpCare also serves members of the state bars in Georgia, Maryland, and South Carolina.

This accelerated time frame will enable Florida lawyers to speak with professional counselors about marriage and family issues, medical and stress issues, and substance abuse problems.

“It is clear that our members, like all of society, are facing an epic moment of collective crisis,” said Florida Bar President-elect Dori Foster-Morales, who has been a leader in efforts to improve the mental health and wellness of Florida lawyers. “We are here to serve our members in whatever way we can, and we hope that activating this new Helpline quickly will provide the assistance lawyers need when so much of our lives has been turned upside down.”

Mental-health professionals are seeing heightened levels of anxiety, depression and loneliness during the pandemic. Studies by the American Bar Association have shown that those practicing law experience higher risks for depression and substance abuse than the general population, making members of The Florida Bar even more susceptible to potential problems brought on during the COVID-19 outbreak.

Florida Bar President John Stewart praised Foster-Morales for her foresight and advocacy for this needed member service and other Bar leaders for agreeing to start it on May 1 instead of July 1. “Many of our members were already dealing with stressors, and now those are amplified. Now is when the need for professional counseling is the greatest,” he said.

Florida Bar members may reach the Helpline starting May 1 by calling 1-833-FL1-WELL (1-833-351-9355).

With a phone call, the Helpline will connect Florida Bar members with professional counselors who can provide strategies for dealing with challenges and professional pressures. The Helpline can refer Bar members for up to three free sessions a year with a licensed mental-health professional via phone or virtual video service to ensure members’ physical well-being with appropriate social distancing. Calls to the Helpline are unlimited; the in-person sessions will be offered as an option when offices are cleared to reopen.

The Helpline’s professional counselors can also assist with other situations Bar members might face during or after the pandemic – such as providing a case manager to help find long-term care facilities for family members or financial consulting to help members with debt management, budgeting and retirement planning.
Mental Health and Wellness

Using Our Resources:

Inventory Attorneys

By: Kelsey Carlton, FSU College of Law

Rule 1-3.8 of The Florida Bar governs inventory attorneys. Whenever an attorney is suspended, disbarred, abandons a practice, unexpectedly dies, or in some other way is no longer able to carry out legal affairs—including mental health/wellness issues—and there is no other responsible party capable of conducting the attorney’s affairs, an inventory attorney may be appointed by Bar counsel to inventory the files of the subject attorney and take action to protect the interests of the subject attorney’s clients. According to a recent presentation by attorney and mental health advocate Mandi Clay at the Clearwater Bar Association’s January 2020 meeting, “Attorneys suffering mental health crisis or having to enter rehab for substance abuse often need the help of their inventory attorneys. Treatment is much harder when you are also worried that your clients are left in the wind.”

Each member of The Bar who practices law in Florida, regardless of where they live, must designate an inventory attorney, unless practicing for a government entity. Clay urges members to be thoughtful when designating. To easily complete this process, go to floridabar.org, sign into the “Member Portal,” click on the “Inventory Attorney” link, and fill out the online form. It is important to remember that:

- Only other members of The Florida Bar may be designated as an inventory attorney;
- Designated inventory attorneys must be eligible to practice law in Florida, even if not actively practicing; and
- Resident and non-resident members of The Bar may be designated.

When the services of an inventory attorney become necessary, an authorized representative of The Florida Bar will contact the designated member and determine the member’s willingness to serve and verify that the individual is eligible to practice in Florida. If the designee agrees, Bar counsel will direct the attorney to the inventory manual and assist with securing an order of appointment from the local circuit court. “The inventory attorney then has the responsibility of notifying all clients that their lawyer is no longer able to represent them. The inventory attorney also may give the file to a client for finding substitute counsel; may make referrals to substitute counsel with the agreement of the client; or may accept representation of the client but is not required to do so.” Inventory attorneys are not directly compensated but may receive reimbursements for incurred costs.

Give thought to who you designate and, if you are designated by someone else, take the responsibility seriously. An inventory attorney does not have to take on the case but instead communicates with the client so they are informed and can find a new attorney if necessary.

Attorneys are given many resources that often go unnoticed. Take a moment to check in with the person you designated as your inventory attorney so that you can feel assured that if you need to take a step back, you can take that opportunity. For more information, go to The Florida Bar’s Inventory Attorney page or check in with LegalFuel.com.


RULE 1-3.8 RIGHT TO INVENTORY

(a) Appointment; Grounds; Authority. Whenever an attorney is suspended, disbarred, becomes a delinquent member, abandons a practice, disappears, dies, or suffers an involuntary leave of absence due to military service, catastrophic illness, or injury, and no partner, personal representative, or other responsible party capable of conducting the attorney’s affairs is known to exist, the appropriate circuit court, upon proper proof of the fact, may appoint an attorney or attorneys to inventory the files of the subject attorney (hereinafter referred to as “the subject attorney”) and to take such action as seems indicated to protect the interests of clients of the subject attorney.

(b) Maintenance of Attorney-Client Confidences. Any attorney so appointed shall not disclose any information contained in files so inventoried without the consent of the client to whom such file relates except as necessary to carry out the order of the court that appointed the attorney to make the inventory.

(c) Status and Purpose of Inventory Attorney. Nothing herein creates an attorney and client, fiduciary, or other relationship between the inventory attorney and the subject attorney. The purpose of appointing an inventory attorney is to avoid prejudice to clients of the subject attorney and, as a secondary...
result, prevent or reduce claims against the subject attorney for such prejudice as may otherwise occur. (d) Rules of Procedure. The Florida Rules of Civil Procedure are applicable to proceedings under this rule. (e) Designation of Inventory Attorney. Each member of the bar who practices law in Florida shall designate another member of The Florida Bar who has agreed to serve as inventory attorney under this rule; provided, however, that no designation is required with respect to any portion of the member’s practice as an employee of a governmental entity. When the services of an inventory attorney become necessary, an authorized representative of The Florida Bar shall contact the designated member and determine the member’s current willingness to serve. The designated member shall not be under any obligation to serve as inventory attorney. Amended July 23, 1992, effective Jan. 1, 1993 (605 So.2d 252); July 17, 1997 (697 So.2d 115); Sept. 24, 1998, effective Oct. 1. 1998 (718 So.2d 1179); May 20, 2004 (875 So.2d 448); Oct. 6, 2005, effective Jan. 1, 2006 (916 So.2d 655); amended Nov. 19, 2009 (SC08-1890) (34 Fla.L.Weekly S628a), effective February 1, 2010.

Endnotes:
1 Amanda Ellen “Mandi” Clay is the Founder of Three Thirteen Law in Hillsborough County, https://threethirteenlaw.com/about-us
4 https://www.legalfuel.com/planned-or-unplanned-absences-why-you-need-an-inventory-attorney/

Overturning the Ultimate Injustice: WMU-Cooley Innocence Project

By: Katie Young

During my quarantine quest for a Netflix series, I stumbled upon a newly released documentary titled The Innocence Files. In this eye-opening, nine-episode series, the Innocence Project works to uncover the mistakes and deceptions made in numerous wrongful convictions. The final episode, The Million Dollar Man, features WMU-Cooley Innocence Project’s first exoneree, Kenneth Wyniemko. According to a WMU Cooley release, “Wyniemko was convicted of a 1994 criminal sexual conduct, breaking and entering, and armed robbery, in Clinton Township, Michigan. The victim had very little opportunity to view the assailant, but Wyniemko was still convicted based on the victim’s identification and a government informant. None of the physical evidence linked Wyniemko to the crime scene. And Wyniemko’s attorney only had two days to prepare for trial”. He was incarcerated nine years for a crime he did not commit all because of a problematic police sketch and mistaken identity.

An innocent man spending nine years in prison, I could not imagine spending one night. With my interest sparked; I did some research on the Innocence Project, which is a worldwide network organization dedicated to proving the innocence of the wrongly convicted and criminal justice reform. Shockingly, Mr. Wyniemko’s prison stay was much less than most exonerees, who serve an average of fourteen years before having their convictions overturned. Saddened, this seemed to me as the ultimate injustice; suffering is not only felt by the accused and their families, but also by the victims and the public. I began to see the ways in which our nation’s criminal justice system has failed and cost multitudes of innocent people their freedom, and some their lives.

Moved by Mr. Wyniemko’s story, I reached out to the Director of WMU-Cooley Innocence Project, Professor Marla Mitchell-Cichon to gain a better understanding of the project and its important mission. From our phone conversation, her passion for the project was undeniable as she described her background in criminal law and serving as an advocate for prisoners since law school. In 2002, she became the clinical supervisor in the Innocence Project after Michigan passed its post-conviction DNA testing law and has not looked back since. She went on to explain the first-hand experience the law students receive who are selected to participate in her clinic, that requires a two-semester commitment due to the nature of the work. However, most students choose to continue their work in the program taking on special projects dealing with policy reform or tackling issues such as claiming innocence and applying for commutation. continued...
Focus for the project remains heavily on post-conviction DNA testing; however, in 2018, they were able to expand their case work to include challenging unreliable forensics. This is because in many of their cases the biological evidence is no longer available for testing due to a variety of reasons. Along with this expansion, the program received two grants, one through a partnership with the prosecutor’s integrity unit and another forensics review grant. This has afforded the program to not only perform DNA testing review, but also forensics which has created even more of a demand for the project. Professor Mitchell-Cichon says, “We are now getting direct referrals from the prosecutor’s office as well as prisoners writing directly, so we are getting a lot more requests for assistance. We are probably representing the highest number of clients in our history.”

When I asked about the screening process performed before obtaining the direct appeal. Police reports and lab reports are critical to these cases. This screening process performed by the law students, which is no small feat does not begin to compare to the preparation that goes into taking a case to court. She goes on to describe it as “Hundreds and hundreds of law student and lawyer hours are put into each case at no cost to the prisoner. The bulk of this work is man hours by law students supervised by clinical professors and staff attorneys.” It is evident that this clinic creates a once in a lifetime opportunity for the law students participating.

Later in the call, I could not help but bring up the Netflix series and Mr. Wyniemko’s case, after all it was my inspiration for the interview. When discussing the shocking story behind his conviction, specifically the government misconduct in his case, I asked her opinion on some of the issues surrounding our justice system. She says that, “A lot of the causes of wrongful convictions are problems that can be addressed and remedied. Like in Mr. Wyniemko’s case where the prosecutor incentivized the witness, if there is no concrete punishment for that behavior then it can be difficult to change. How we talk and how we suggest things to others, how we frame discussions heavily influences other people. There are procedures that we can follow that can prevent bias, that can prevent mistakes being made.”

Professor Mitchell-Cichon went on to ensure me that she strongly believes we have the best criminal justice system in the world; however, many of the wrongful convictions happened through negligence or lack of resources. “If you don’t have a well-funded criminal defense system in your state, if criminal defense attorneys actually had the time and were paid adequately. Or if you are spread too thin with your resources, then mistakes are going to be made.”

With WMU-Cooley Innocence Project having received and reviewed over 5,500 cases and continuing to receive new requests daily, strongly suggests that there are some areas that can be reformed. We conclude the conversation with her sharing some wisdom that she gives to each of her students, that if they learn how to do one of the project’s cases well by managing the case, the volume of the material, and working with the client, then they can do anything in practice. The first-hand skills that these law students are learning through the WMU-Cooley Innocence Project are transferrable to any area of practice and there could not be anything more rewarding than to bring justice to the wrongfully convicted.

Information on WMU-Cooley Innocence Project can be found at: https://www.cooley.edu/academics/experiential-learning/innocence-project

Endnote:
1 WMU-Cooley Innocence Project Case is Featured in Netflix Series https://www.cooley.edu/news/wmu-cooley-innocence-project-case-featured-netflix-series
Last week, as a tornado traveled through Tallahassee a few short miles from my home, I found myself alone, huddled in a canning cupboard beneath my stairs. For the first time in a long time, I was jarred by raw emotion and found tears streaming down my face, as I began to realize the many people I love and the things I take for granted just going through the motions. As the calls and texts began to flood my phone with people checking on my safety, two former students actually prayed for me over messenger, and I realized that I have a lot for which to be grateful. Suddenly, social isolation, protective masks, a disrupted work schedule, and homeschooling just did not seem so overwhelming. Scary? Of course. But a life lesson? Absolutely.

A recent Harris Poll showed that only 33% of Americans describe themselves as “happy,” a fact that is attributed to our distraction and perceived lack of control. John Gerzema, CEO of Harris, stated, “We are so caught up in our texting, multitasking, jobs, and commutes that we seem to have less and less free time.” This sad statistic reminded me that the happiest people that I have encountered recently were cancer patients and their family members at a support group meeting. I volunteered my time as a guest speaker on resilience, and I learned more from them than they did from me. As we went around the room playing the “ABCs of Gratitude” in which individuals name something they are grateful for based on the letters of the alphabet, we laughed, joked, shared sacred stories, prayed, and reflected in a way that truly stirred my soul. The common thread I noted was that each individual talked about slowing down, savoring quiet time, and counting their blessings.

We have been given that same gift of slowing down even now. Noted scholar, author, and Benedictine monk, Brother David Steindl-Rast teaches that happiness is fleeting, so we must seek joy, which can exist even in the midst of unhappy situations. Joy can be found through grateful living. It is not an “attitude of gratitude” but an intentional practice. We must choose to be grateful at all times, even in the midst of suffering, trusting that life will give good things. According to him, joy comes, not from being grateful for everything, but in every moment, living in abundance rather than scarcity. I love Steindl-Rast’s simple childlike plan for grateful living, one that we were taught as little ones learning to cross streets:

- **STOP**: Slow down, live in the present, minimize distractions, get quiet, and place literal STOP signs throughout your environment to remind yourself of what you have—your family, your health, your sight, your home, your job, your pets, fresh water, food. Do not wait until these things are missing from your life to realize what you had.
- **LOOK**: Listen, look, and smell life; Seek the lessons life is trying to teach you.
- **GO!**: Go and grab these lessons and appreciate your gifts.

Rather than focus on the anxious uncertainty of our new “normal,” savor the slow down. Use it to begin living grateful. Start your day by naming three things you are grateful for and why and end your day by counting blessings, not sheep. Keep a gratitude journal. Brother Steindl-Rast suggests picking an activity you hate to do, like taking out the trash or washing dishes, and experiencing it in a new way through your senses. Mindful walks and meals are great, too. Call friends and loved ones, write letters, send thank you cards, and make a list of ways you can give good things. According to him, joy comes, not from being grateful for everything, but in every moment, living in abundance rather than scarcity. I love Steindl-Rast’s simple childlike plan for grateful living, one that we were taught as little ones learning to cross streets:

- **STOP**: Slow down, live in the present, minimize distractions, get quiet, and place literal STOP signs throughout your environment to remind yourself of what you have—your family, your health, your sight, your home, your job, your pets, fresh water, food. Do not wait until these things are missing from your life to realize what you had.
- **LOOK**: Listen, look, and smell life; Seek the lessons life is trying to teach you.
- **GO!**: Go and grab these lessons and appreciate your gifts.

Rather than focus on the anxious uncertainty of our new “normal,” savor the slow down. Use it to begin living grateful. Start your day by naming three things you are grateful for and why and end your day by counting blessings, not sheep. Keep a gratitude journal. Brother Steindl-Rast suggests picking an activity you hate to do, like taking out the trash or washing dishes, and experiencing it in a new way through your senses. Mindful walks and meals are great, too. Call friends and loved ones, write letters, send thank you cards, and make a list of ways you can serve others now and in the future. Play like no one is watching or maybe everyone is watching and cheering you on from the stands.

Time is a gift that should not be taken for granted. By slowing down, looking, and grasping each moment with gratitude, we can live lives that are happiness amplified.

**Endnotes:**
#EducationalLaptops Community Campaign

By: Tabitha Guinot, FSU College of Law

On Wednesday, June 3, 2020, Governor Ron DeSantis stated that 64 out of 67 Florida counties could reopen bars and movie theatres effective June 5, as the State prepares for life post-COVID-19. Meanwhile throughout Florida, students, teachers, and parents alike are anxiously awaiting a formal decision on whether K-12 schools will be reopening for the 2020-2021 school year. For nearly three months, students have been forced to “school from home” and parents have been obliged to figure out how. One Florida attorney, however, refuses to let the pandemic and its accompanying uncertainty get the best of his community.

“It was a lot,” says Carl E. Reynolds III, a Personal Injury Attorney working out of Bradenton Florida, who found himself working from home alongside 4 school age children once schools were forced to close due to the Coronavirus. Despite having two computers, a laptop, and an iPad, Reynolds noticed his kids were still struggling to assimilate to online learning. Seeing how other businesses were helping, Reynolds was eager to figure out the best way his legal services could be utilized for the greater good. “What if I got some laptops?” Reynolds thought and the #EducationalLaptops movement began.

The movement, which donates laptops to local students in need, was met with immediate enthusiasm. Within 72 hours the online portal Reynolds had set up on his firm’s website was filled with an overwhelming number of responses. Because the requests outnumbered the laptops Reynolds had secured, he was forced to turn it off temporarily. To date, Reynolds has donated 420 laptops to students and families in his area.

While Reynolds hopes to continue his campaign and help more students for the upcoming fall, the high demand for laptops and limited funds, stand in his way. Because of an increased need for laptops and the fact that many of the parts for laptops come from China, the supply chain has been interrupted. Even now, as Florida begins Phase 2 of reopening, Reynolds is looking to other community donors to help ease the financial strain of purchasing hundreds more laptops.

In a Facebook post on June 2, Reynolds’ firm, Carl Reynolds Law, announced a community partnership with The Boys & Girls Club of Manatee County. With this new partnership and tax-deductible donation status, Reynolds hopes he can get more laptops out to families in need. When he gets 100 more laptops paid for, Reynolds plans to reopen the request portal.

Despite the financial uncertainty, Reynolds continues to focus on the positive effects the campaign has had on the community and himself. “It’s been a very rewarding thing,” Reynolds says, as he recounts personally handing out laptops to hundreds of families. When asked how he continues to balance the movement, law, and home life, Reynolds has a simple explanation: his wife, Mariah Summer. “That’s the way we do it,” Reynolds states calling his wife “the best partner and mate possible.”

If you or your law firm is interested in donating to #EducationalLaptops, you can do so at the Carl Reynolds Law website- https://4agc.com/donation_pages/c2e1a1c5-6ad4-4b9b-9231-241b3d7f8d31

For information regarding partnerships, email Carl Reynolds at carl@carlreynolds-law.com

Endnote:

#1 Social Media Etiquette Tip for Lawyers: Post for Your Audience

By: Monica Puig

Make your posts social. The word “Social” is part of social media for a reason. The more your social media post does not feel like an advertisement for your firm, the higher the chances that it will engage your audience.

Whether you are posting for your practice from your personal or your law firm’s page if your post feels like an advertisement of legal services it probably is. Two important rules for Florida attorneys to follow:

1. Just like any other ad, if you post a banner, video or other advertisements on a social media network, that advertisement must be filed with The Florida Bar under Rule 4-7.20. Social media ads must also comply with The Florida Bar’s advertisement rules as stated in The Handbook on Lawyer Advertising & Solicitation.

2. Solicitations on social media including private messaging must meet the requirements for written solicitations under Rule 4-7.18(b) unless you are contacting a family member, another lawyer, someone you have a prior professional relationship with, or your current or former client.

The main thing to consider in social media is that your username is your advertisement. Any time your firm posts on social media, your firm’s name will still be heading that post. In social media, don’t focus on advertising your firm. Focus on spreading your firm’s name through your posts by engaging and interacting with your audience.

Posting for your followers will help you build an interactive audience. Before posting on social media, every law firm should honestly answer this question from their audience’s perspective, “What’s in it for me?” If you do not have an answer as to why your readers would benefit from engaging with your post, then why post it?

Here is what can be in it for your followers. Your post can make your audience laugh, smile, think, feel appreciative or all fuzzy inside. Keep in mind that any good feeling generated from your post can create a positive connection with the user and your firm. When users learn something new from your post that is helpful to them or someone they know, they will often share it.

Take posts that are about your firm’s accomplishments and make them about your audience. When posting an announcement about an award your firm has received, share your news with contagious excitement and show interest in your audience’s accomplishments by ending your post with “What gesture or form of recognition means the most to you?”

When sharing articles, ask a question directed to the article. Create posts that connect to your audience through your firm’s core values. Share feel-good news stories or videos about honesty, integrity, etc. Lead your post with something like “We love to share these types of stories because they remind us of the difference it makes to embrace [insert core value here] as part of our firm’s strong values.”

Invite your audience to join your firm’s team at fundraising events (walks, runs) or volunteer events (beach cleanups, feeding the homeless). Post pictures of activities, especially sports, concerts or community events. Share posts about events coming up in your area. Ask your audience if they are planning to attend the event or if they previously participated in it (this can not only engage the audience online but also give you some insight as to what events you should consider being present with a booth). Establish your knowledge of your practice area with an informative blog and share your blog throughout your social media. Blogs provide a direct link to your website without solicitation. Be mindful of the difference between sharing information and giving advice and educate without advising.

Monica Puig is a communication professional. Her services include social media and blog content writing and managing in compliance with The Florida Bar for law firms and solo practitioners. monicapuig.com
As a young lawyer in the early 1970’s, I attended a dinner at which the guest speaker was a highly respected, elderly lawyer. He made a statement I have always remembered. He said that no lawyer can truly consider themselves a “true professional” without a passion for justice. On some external, intellectual level, I accepted his premise. However, I don’t think I fully internalized it until a few years ago when, in my reading, I stumbled upon the history of Willie James Howard.

Willie, a precocious but naïve fifteen-year old black boy in Live Oak, Florida, made the mistake of sending a Christmas card and note to a fifteen-year old white girl who worked in the same dime store. On January 2, 1944, her father and two other white men dragged Willie from his mother’s arms at gunpoint, tied him, took him to a bridge on the Suwannee River, and forced him, bound, into the river—where he drowned. This was done with Willie’s father, tied and helpless, watching. No one was brought to justice for this lynching.

I set out to write Willie’s story as a novel and traveled to Live Oak for whatever information I could collect. The bridge Willie was pushed from still exists and, although it is no longer in use, is rusting and graffiti covered. As I stood on that bridge, looking down into the swift, dark waters, I was filled with a sense of moral outrage I had never experienced before, and I embarked on what was to become extensive research into lynching, racial injustice, and social injustice in general.

The following books are among the best I have read in my efforts to appreciate social injustice in general.

The two first books are general studies of lynching.

Lynching and Spectacle: Witnessing Racial Violence in America, 1890-1940, Amy Louise Wood (Univ. of North Carolina Press 2009). This is a detailed examination of the almost innumerable lynchings that occurred in America between 1890 and 1940. The author discusses in cogent detail how lynchings fulfilled a public craving for theatrical melodrama, i.e., portraying lynching as a narrative of crime, sin, and the righteous avenging of that crime. The book contains an engrossing analysis of early 1900’s movies, such as Birth of a Nation, and how such films served to sensationalize and bring into vicarious play pro-lynching narratives. This is both a scholarly book and a page-turner. It is a catalog of man’s inhumanity to man. It was a finalist for the Los Angeles Times Book Prize in History.

Lynching: Extralegal Violence in Florida during the 1930’s, Walter T. Howard (Authors Choice Press 1995). These are accounts of thirteen extrajudicial killings in Florida during the 1930’s. The book contains well-researched details of lynchings in Florida and what, if anything, the system of justice did to address them.

The next four books deal with failures of justice due to corrupt or biased judicial systems or processes.

The Blood of Emmett Till, Timothy B. Tyson (Simon & Shuster 2017). This New York Times best seller examines a pivotal event of the civil rights movement—the 1955 lynching of fourteen-year old Emmett Till in Mississippi. Emmett, on a visit to Mississippi from Chicago, is claimed to have whistled at a twenty-one-year old store clerk. Her husband and other white men brutally kill him and mutilate his body. Emmett’s mother insists on displaying the mutilated body in its open casket in Chicago, and photographs of the body serve as a catalyst for the Alabama bus boycotts that begin in December of 1955. The killers are acquitted by an all-white jury, but later, during an interview in 1956, admit the lynching. The book was the winner of numerous book awards.

Devil in the Grove: Thurgood Marshall, the Groveland Boys, and the Dawn of a New America, Gilbert King (Harper Perennial 2013). Among other awards, this book won the Pulitzer Prize for General Nonfiction in 2013. The setting is 1949 Lake County, Florida. A seventeen-year old girl cries rape and four young black men become the targets of a powerful, corrupt sheriff, an overzealous prosecutor and systematic racism. One boy is killed by vigilantes while trying to leave town, one fourteen-year old is coerced at gunpoint to falsely confess and ultimately, along with two others who refuse to confess, is convicted of rape.

The KKK storms into town and burns the homes of many black residents to the ground. The National Guard is called to restore order. Thurgood Marshall and the NAACP become involved and obtain

continued...
a reversal of the convictions of the two men who did not confess. The two are apparently murdered at night, along a lonely road, by the sheriff as he is returning them from prison for their second trial.

_Beneath a Ruthless Sky: A True Story of Violence, Race, and Justice Lost and Found_, Gilbert King (Riverhead Books 2019). In December of 1957, in Lake County, Florida, the wife of a wealthy citrus baron and politician, is raped in her home while he is away. She at first claims a “husky negro” did it. The powerful, brutal Sheriff, Willis McCall, begins to round up black suspects. However, apparently because it would be unseemly for the woman to have been raped by a negro, the Sheriff sets his sights on Jesse Daniels, a gentle, mentally impaired, nineteen-year old, white man. Jesse is railroaded without trial to the state hospital at Chattahoochee for the insane. He stays there for fourteen years before his release is finally obtained in December 2017, largely due to the efforts of a crusading journalist and a young attorney working pro bono.

_Just Mercy: A Story of Justice and Redemption_, Bryan Stevenson (One World 2015). A _New York Times_ best seller, winner of several book awards, and a recent movie. This is a clarion call to repair our broken system of justice. It is the true story of an idealistic young lawyer and his efforts to obtain justice for the poor, the wrongly condemned, and those trapped in the far reaches of our justice system—whether black or white. The book focuses largely, although not solely, on the case of Walter McMillan, a young black man wrongly convicted, partly through perjured testimony and partly through the efforts of corrupt officials, of a murder he did not commit.

_The last book deals with a lynching that results in some degree of justice._

_The Lynching: The Epic Courtroom Battle that Brought Down the Klan_, Laurence Leamer (William Morrow 2017). Two young members of a United Klans of America Klavern, egged on by the Klavern’s older leader, abduct, at random, nineteen-year old Michael Donald as he walks home from the store. They cut his throat and leave the body hanging from a tree in a racially mixed neighborhood. They are ultimately convicted, and one of them receives the death penalty—the first white man in fifty years sentenced to death in Alabama for killing a black man. Morris Dees, a legendary civil rights lawyer and founder of the Southern Poverty Law Center, sues the Klan on behalf of Donald’s mother. The trial results in a verdict that bankrupts the United Klan of America in Alabama.

If you read at least some of these books, I suspect that you, like I, will come away with a renewed passion and appreciation for justice. For those interested in the story of Willie James Howard, you need only Google his name to read various accounts of the events surrounding and following his death.

**Howard R. Marsee** is a former member of the Standing Committee on Professionalism, and he is a mediator, arbitrator, and special magistrate with the ADR firm of Upchurch Watson White and Max. He is also a novelist and author of screenplays.