



# BAR BULLETIN

Published Monthly by The Tallahassee Bar Association

Enhancing the Profession • Promoting Fellowship • Serving the Community



## *Celebrating TBA's History and Diversity*

Kelly O'Keefe, TBA President

February is the month that we celebrate TBA's history by honoring its Past Presidents. A very distinguished group of people have led our organization. They are listed on our website starting with our first President in 1993, A. Edmonson. While searching around the internet, I confirmed that our Past Presidents made significant contributions to our community. Here are a few examples:

Guyte P. McCord, Sr. was Mayor of Tallahassee, a Tallahassee City Commissioner, a United States Commissioner and Clerk of the Florida Supreme Court.

B.K Roberts, FSU College of Law's namesake, served as a Justice on the Florida Supreme Court from 1949 to 1976, including several terms as Chief Justice.

James Messer, Jr. was the Tallahassee City Attorney at the time Tallahassee's airport opened in 1961. I

found a photo of him at the opening!

I would be remiss if I did not mention Robert M. Ervin! The TBA Lawyer Commons was named in his honor in 2007, and recognizes his countless contributions to the Tallahassee Bar and our legal community.

This past month we lost one of our esteemed Past Presidents, Tom M. Ervin, Jr. Several other TBA Past Presidents, Kelly Overstreet Johnson and Judge Charles Francis, spoke at his service and recounted Tom's tremendous service to our local and state Bars as well as Tom's mentorship and his contribution to their own legal careers. They said Tom was the reason, as young lawyers, that they got involved in TBA and The Florida Bar.

There are certainly many others that deserve mention. In the future, I hope that Judge Reynolds and Sid Matthews will help TBA recount, on its website, something about each of

our Past Presidents. But I will leave that job to future TBA Presidents!

We are celebrating another part of TBA's history this month - TBA's HISTORY OF DIVERSITY. Our Past Presidents have paved the way for diversity in TBA, and our future Presidents will continue to promote diversity in our membership. Our Presidents recognize that by celebrating our differences and learning from them we can make our organization even better.

Diversity is a very broad concept, as demonstrated by the following definition I found on a diversity website: *The concept of diversity encompasses acceptance and respect. It means understanding that each individual is unique, and recognizing our individual differences. These can*

*Continued on page 2*

## Next TBA Meeting

**Tuesday, Feb. 2, 2010**

**6:00 p.m. - Reception**

**7:00 p.m. - Dinner/Program**

Honoring TBA's Past Presidents and Diversity in the TBA

Guest Presenter:  
The Honorable Nikki Clark

**RSVP by Monday, Feb. 1, 2010**  
**to [arrantk@tallahasseebar.org](mailto:arrantk@tallahasseebar.org)**  
**or 222-3292**

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## *President's Message* continued

*be along the dimensions of race, ethnicity, gender, sexual-orientation, socio-economic, status, age, physical abilities, religious beliefs, political beliefs or ideologies. It is the exploration of these differences in a safe and positive environment. It is about understanding each other and moving beyond simple tolerance to embracing and celebrating the rich dimensions of diversity contained within each individual.*

TBA is by this definition a diverse group. Yes, we are all lawyers, but we practice in different areas and we are made up of different genders, races, and cultures. We are different ages and hold different religious, political and ideological beliefs. But we have come together for a common purpose - Enhancing the Profession, Promoting Fellowship and Serving the Community. And guess what? We are better equipped to achieve these goals because of our diversity.

Not to mention, diversity gives us an opportunity to exchange different views - something attorneys REALLY enjoy doing!

Granted, TBA was not a very diverse organization when it started by some definitions, but look at us now and look where we are heading. TBA's membership is now more diverse than ever. Our members include individuals whose diverseness is representative of the Hispanic Bar Association, The Barristers, Tallahassee Women Lawyers, the Government Bar Association and the Trial and Defense Lawyers. TBA is sort of an umbrella organization in that we make a concerted effort to bring the members of these organizations together.

My message this month would not be complete without a spotlight on some of our diverse members and examples of TBA's commitment to diversity.

There is one long-time member of TBA that immediately comes to mind

as representative of TBA's diversity. Judge Nikki Clark has set a shining example for other minorities and women in the legal profession, including her daughter who is a new lawyer practicing in Colorado. Judge Clark was the first woman and the first African-American appointed to the Second Circuit bench. She is also the first African American woman to serve on the First District Court of Appeal. Before her appointment to the bench she was a government lawyer working for the Florida Legislature, then the Governor and then the Attorney General. Her diversity even extends to all three branches of government! We are proud to say that Judge Clark, is a member of our organization.

To celebrate our history and diversity, Judge Clark will speak at our February 2 meeting about what TBA and its members have meant to her over the course of her career.

In Tallahassee, we have also been blessed with several groups who chronicled Florida's history of women and black lawyers in the profession. The lawyers leading these groups were none other than TBA members, Wendy Loquasto and Judge June McKinney. The people Wendy and Judge McKinney recruited to assist included TBA members. I encourage you to take a look at the fruits of their endeavors-the publications are located in our Lawyer Commons. You will find that Tallahassee has a number of local legends among the firsts listed in these publications.

I could not end this article without mentioning a little bit of HERSTORY. After all, it demonstrates TBA's commitment to diversity. It has absolutely nothing to do with the fact that I have a whole lot to say about women's status in the law profession and the importance of singing the praises of our fellow women colleagues. OK, I'll get off my soap box. But I am still going to sing the praises our women Past Presidents. They are some of the best darn attorneys I know and if it was not for their encouragement I would not be

President of TBA now!

Over the last 10 years, five of the last ten Presidents have been women - Melanie Hines, Nina Ashenafi, Nancy Daniels, Meredith Trammel and myself. Before that, from 1933 to 1999, TBA had only two women presidents. The first was Kelly Overstreet Johnson in 1990, and Linda Stalvey in 1996. Do you see a trend here? I certainly do. And I see that similar trends are coming.

By now you know that I close these articles with a request to members. This time I encourage you to join with me in celebrating TBA's history and its history of diversity. Let's continue to work to increase our diversity and utilize it to our organization's benefit.

## *In Memory of Tom*

**In January our TBA Family lost a very special member, colleague, mentor, leader and most importantly friend, with the passing of Tom Ervin, Jr.**

**The Legal Aid Foundation of the Tallahassee Bar Association is very appreciative to the following individuals for their contribution to our program honoring Tom.**

**Kathy Arrant  
Patrick J. Casey  
Ham and Genie Cooke  
Jesse H. Diner  
Marc W. Dunbar  
James N. Floyd  
James M. Granger  
Benjamin H. and Marte A. Hill, III  
Joseph P. Milton  
Kelly O'Keefe  
Richard C. Saltrick  
Larry D. Simpson  
Sidney A. Stubbs, Jr.  
Pat and Dick Sullivan  
The Honorable Brad Thomas**



## Privacy: The Lost Right

The January TBA Meeting featured author Jon Mills, Dean Emeritus of the UF Levin College of Law and former Speaker of the House. He spoke on his book *Privacy: The Lost Right* privacy issues as they related to the media and specifically electronic media.



Jon Mills signs his book for Kelly O'Keefe



Melissa Hornsby, Chrissy Graves, ? & Kelly O'Keefe



Judge Jim Shelfer, Dexter Douglass, Jon Mills & Reggie Garcia



Bib Willis, Jon Mills, John D.C. Newton II, Kelly O'Keefe

## Judge Garner Investiture

It is customary for the TBA President to present a new robe to each new judge during their investiture ceremony. TBA President Kelly O'Keefe presented Judge Garner with her robe at her Friday, December 18th Investiture Ceremony in the Gadsden County Courthouse, Courtroom 1 (the original courtroom).



Judge Garner's brother, Homer Garner, had the honors of enrobing.



Judge Garner being sworn in by Chief Judge Charles Francis while her brother, Homer Garner, holds the Bible.

**Following are statements from Bill Davis and Kelly O'Keefe who are both running for The Florida Bar Board of Governors seat being vacated by Dom Caparello. Ballots will be mailed on or before March 1. The deadline for voting is March 22 at 11:59 pm Eastern time. (Candidates listed in alphabetical order.)**



For over thirty years, I have said “yes” to the call to serve in areas of key concern to the Board of Governors. A beneficiary of that experience and trust, I am ready to serve on the Board with the sense of gravity that the position deserves:

- The Board appoints the Grievance Committee and reviews Committee actions: I twice chaired that Committee; and I have, since then, defended lawyers there.
- The Board nominates lawyers to the Judicial Nominating Commission: I served on the JNC and chair the Judicial Poll Committee.
- The Board is concerned with enhancing the system of justice: I served as President of the Florida Bar Foundation; as a Member of the Florida Supreme Court Commission on Professionalism; and I am on the Bar’s Civil Rules Committee and the Standing Committee on Pro Bono.

You deserve the kind of non-political and creative leadership that I have tried to provide locally, as TBA President and since. For example, I

- Secured Courthouse space for our Legal Aid, for the TBA offices, and for the Lawyer’s Commons; and
- Instituted Legal Aid options for government lawyers, initiated the Lawyer Referral Service, and restored the monthly Bulletin.

I am an “A/V” rated lawyer with a very diverse practice. I care deeply. If elected, I will—as I have always done--do the work, identify and ask the tough questions, and bring my conscience to bear on the issues. Please vote for me for your Board of Governors.

Bill may be contacted at [bdavis@ddslaw.net](mailto:bdavis@ddslaw.net), Dobson, Davis & Smith, 610 North Duval Street, Tallahassee, FL 32301, Tel.: 850.224.2683, Fax: 850.224.2283.



I have been honored to represent lawyers in this Circuit for many years through Bar service, and currently as TBA President. I want to continue to make a difference in the legal profession and those it serves by representing you on the Board of Governors.

My history of Bar service demonstrates the commitment I will make if elected. I have dedicated countless hours to TBA, Tallahassee Women Lawyers, Inns of Court, Florida Association for Women Lawyers, and The Florida Bar Young Lawyers Division Board of Governors. I also served on numerous Florida Bar Committees.

My background has prepared me to represent the diverse group of lawyers in this Circuit. I am a shareholder at Berger Singerman, concentrating in Real Estate and Administrative/Governmental Litigation. I started my career as a government lawyer, clerking at the Florida Supreme Court. I have litigated in a variety of practice areas and experienced differing management and partnership structures at several firms. I understand the importance of balancing the business and practice of law.

My community service further demonstrates my commitment to our profession and those it serves. Throughout my career, I have lead Mock Trial and Moot Court programs to educate our youth about the law. And through the Legal Aid Foundation, I serve as a Guardian Ad Litem.

Please call me with questions about issues before the Bar, including court funding, advertising, judicial independence, and lawyer regulation. With your support, I will work to address these issues and the many challenges lawyers face.

Kelly may be contacted at Berger Singerman, 125 S. Gadsden St., Suite 300, Tallahassee, FL, 32301, 850-561-3010, [kokeefe@bergersingerman.com](mailto:kokeefe@bergersingerman.com).



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# NEWS

## Members in the News



**Monica Miller Evans**, a Tallahassee attorney with Messer Capareello & Self P.A., has been selected to receive the 2010 Florida Bar Young Lawyers Division Pro Bono Service Award. The award will be presented at a Jan. 28 ceremony at the Florida Supreme Court.

Evans concentrates her pro bono efforts on meeting the legal needs of dependent children and she has advocated for more than 35 abused

and neglected children. She received certification from the Guardian Ad Litem (GAL) Program in 2004, serves on the Guardian Ad Litem Voluntary Advisory and Recruitment Committee and is a Pro-Bono Initiative Coordinator for the Program. She was the Second Judicial Circuit's Guardian Ad Litem Volunteer of the Year for 2009.

Evans heads her firm's real estate division and handles the firm's title insurance business. She also handles commercial loan workouts and real property and construction litigation.



**Reggie Garcia** presented on Florida's Clemency laws and rules to the Florida Conference of Black State Legislators Issues Conference in Orlando discussing full pardons, restoration of civil rights, and prison commutations. He spoke November 20, 2009, during the Corrections and Juvenile Justice panel which included Florida Secretary of Corrections (and former TPD chief) Walt

McNeil and other criminal justice experts.



**Glenn E. Thomas**, shareholder at Lewis, Longman & Walker, P.A., Tallahassee Office, was recently appointed to the Executive Council of the City, County and Local Government Section of the Florida Bar. Mr. Thomas assists clients in licensing and disciplinary matters before various state agencies. He also represents public and private clients in local government, pension, labor and

employment law matters and advises public employers and pension boards on federal and state laws pertaining to governmental retirement programs. Mr. Thomas is also a member of the Georgia Bar.



**Robert Steven Goldman** will be presented with The Florida Bar President's Pro Bono Service Award for the Second Judicial Circuit for his work on behalf of poor and indigent clients at a Jan. 28 ceremony at the Florida Supreme Court.

Bob is a managing attorney at the law firm of Madsen Goldman and Holcomb LLP in Tallahassee. His principal areas of focus are state and local tax fields, including: audits, protests, litigation, rule making, tax planning and legislation. Mr. Goldman has been active doing pro bono works in conjunction with the Legal Aid Foundation of the Tallahassee Bar Association Inc. and with Legal Aid clients and Legal Aid Guardian Ad Litem. Even though Mr. Goldman is primarily a tax attorney, he has represented low-income clients in family law cases for more than 20 years. During his legal career, he has assisted more than 55 clients through the Legal Aid Foundation and numerous others in various avenues, accounting for more than 660 pro bono hours.

The Florida Bar President's Pro Bono Service Award was established in 1981. It is intended to encourage lawyers to volunteer free legal services to the poor by recognizing those who make public service commitments and to raise public awareness of the substantial volunteer services provided by Florida lawyers to those who cannot afford legal fees. President Jesse H. Diner, of Fort Lauderdale, will present the 2010 awards.

The award recognizes pro bono service in each of Florida's 20 judicial circuits and one Florida Bar member practicing outside the state of Florida. It is presented annually in conjunction with the Tobias Simon Pro Bono Service Award, which is given by the Chief Justice of the Supreme Court of the State of Florida.

## Call for TBA Board Nominations

If you are interested or know of someone interested in being a TBA Board member, please email Kelly O'Keffe at [kokeffe@bergersingerman.com](mailto:kokeffe@bergersingerman.com) According to the TBA Bylaws, the nominations will close at the February meeting scheduled for February 2, 2010.



## TBA CALENDAR

**February 2, 2010 (Tues.) TBA Monthly Meeting**

6:00 Networking \* 7:00 Dinner and Program  
Capital City Country Club

**March 2, 2010 (Tues.) TBA Monthly Meeting**

**TBA Elections**

6:00 Polls Open! \* 7:00 Dinner & Election Results  
Capital City Country Club

**February 25 (Thurs.) YLS Monthly Meeting**

6:00 p.m. \* Krewe de Gras, Midtown Tavern

### *New TBA Members*

#### REGULAR LAWYERS

**C. Michael Marschall**

*Civil, Banking/Commercial*

**Ian C. White**

*Law Offices of Ian C. White  
Landlord Tenant, Real Estate,  
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*Waters & Associates  
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**Andrew D. Manko**

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## Proposed Membership Bylaw Changes

The Tallahassee Bar Association is the largest professional attorney organization in the Tallahassee area with the greatest diversity of membership; judiciary, state office holders, government attorneys, large and small firm private practitioners, law professors, corporate attorneys, new attorneys and older, seasoned veterans.

Recognition of the breadth of our membership has lead to proposed changes in our membership structure which will require a change in TBA's bylaws. The proposed classes of members are as follows:

**Section 3. Legacy Members.** Legacy Members shall be members in good standing with The Florida Bar who are actively practicing and have been members of TBA 20 years or more. These members shall have all the privileges of membership, pay dues and have one vote in the affairs of the association.

**Section 4. Judicial Members.** Judicial Members shall be members of the courts

who are members in good standing with The Florida Bar. These members shall have all the privileges of membership, pay dues and have one vote in the affairs of the association.

**Section 5. Emeritus Members.** Emeritus Members shall be any retired attorneys who are no longer active members of The Florida Bar but wish to continue their commitment to the legal profession and community. These members shall have all the privileges of membership, pay dues and have one vote in the affairs of the association.

**Section 6. Associate Members.** Associate Members shall be any member of The Florida Bar in good standing, not actively practicing law in the Second Judicial Circuit, or lawyers who are not members of The Florida Bar, but are admitted in good standing to practice law in another state. These members shall have all the privileges of membership, pay dues and have one vote in the affairs of the association.

**Section 7. Affiliate Members.** Affiliate Members shall be paralegal professionals certified by The Florida Bar. These members shall pay dues and have all the privileges of membership except voting in association elections and holding office.

**Section 8. Law Student Members.** Law Student Members shall be those persons elected to membership by the Board of Directors with the approval of the association. Those persons eligible for law student membership are those enrolled in and currently attending an accredited law school and law school graduates awaiting admission to The Florida Bar. These members shall be exempt from legal aid service. These members shall pay dues and have all the privileges of membership except voting in association elections and holding office.

*There will be opportunity to discuss these proposed changes at our February 2, 2010 TBA meeting and voting on the changes will be held at our March, 2, 2010 meeting.*



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222-8611

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