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TALLAHASSEE BAR BULLETIN

Q1 2023

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PRESIDENT'S MESSAGE

Happy New Year! It is my distinct pleasure to address you as TBA President for the first time. I am proud to report that 2022 was another successful year for TBA, and the newly sworn-in 2023 Board of Directors is already hard at work to make this year even better.

TBA was founded with the mission to enhance the legal profession, promote fellowship among colleagues, and serve the community. More than 100 years later, those principles still guide our organization, and 2022 was no exception:

Enhancing the Profession:

This past year, TBA enhanced the profession by hosting four educational CLE luncheons covering a variety of topics. In March, TBA members learned about written advocacy from the perspective of First District Court of Appeal Chief Judge Lori Rowe and former Circuit Judge Terry Lewis. In June, a panel representing both private and public sector interests presented a recap of the 2022 Legislative Session. In September, TBA assembled a panel of experts to discuss issues surrounding name, image, and likeness. And in November we heard about the state of the Florida Bar from President Gary Lesser. TBA also published a quarterly Bulletin with informative content on issues facing the legal community, including regular governmental affairs updates, proposed updates to the Florida Rules of Civil Procedure, the creation of the Sixth District Court of Appeal, and veterans' immigration.

TBA continued its commitment to developing young lawyers through its partnership with the FSU College of Law and by facilitating the annual Young Lawyers Section Diversity Symposium, where law students had the opportunity to network with attorneys and judges from diverse backgrounds and practice areas.

Promoting Fellowship:

Facing the increasingly virtual nature of the practice of law, TBA continued to create opportunities for fellowship and networking by hosting premier membership events. In the spring, TBA hosted a sold-out Gala featuring remarks from then-Chief Justice Canady, presentation of the

Martha Barnett Women Lawyers of Achievement Award to Kelly O'Keefe, and presentation of the Thomas M. Ervin Distinguished Young Lawyer Award to Liz Desloge Ellis. In the winter, TBA co-hosted its annual Holiday Party with the Florida Government Bar Association and honored DUBY Ausley with the Lifetime Professionalism Award.

In addition to these more formal events, TBA also hosted two free happy hour events for members, including an End of Summer Social at Deep Brewing—with more than 100 lawyers and law students in attendance. TBA also continued to promote young lawyer engagement through monthly Young Lawyers Section happy hours and a reception for newly admitted attorneys.

Serving the Community:

Over the past year, TBA served the Tallahassee community through its continued support of greater access to legal services. Despite having to reschedule the event due to COVID-19 concerns, TBA's 25th Annual Chili Cook Off boasted 15 teams, 200+ attendees, and more than \$15,000.00 raised for the Legal Aid Foundation. TBA also continued to operate its Low Bono Center in partnership with the Leon County Clerk of the Circuit Court and Comptroller, which provided low-cost legal services to more than 1,500 members of the community.

In addition to supporting greater access to legal services, TBA continued its commitment to our local youth. In July, the Young Lawyers Section hosted its 26th annual Holidays in July event at Skate World and provided local foster children with gifts and an opportunity to have breakfast

and skate with Santa. TBA also partnered with the Florida Supreme Court and The Florida Bar on the Path to Unity Program, hosting Nims Middle School students for a day at the Court.

While the practice of law has changed significantly over the past 100 years, TBA's mission to enhance the legal profession, promote fellowship among colleagues, and serve the community remains essential to the organization. Over the next year, TBA will continue to implement that mission with intentionality, recognizing the evolution of the Bar and the legal profession as a whole. Stick around. We've got big plans for 2023!

Erin Tilton

TBA President



Erin Tilton is the President of the Tallahassee Bar Association. She is a Shareholder with Stearns Weaver Miller Weissler Alhadeff & Sitterson, P.A., where she represents clients on environmental, real estate development, and land use matters with an emphasis on litigation.

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Stearns Weaver Miller congratulates Erin Tilton on her new role as President of the Tallahassee Bar Association, Kelly O'Keefe on her reappointment to Senior Director, and Robert Walters on his reelection to the Young Lawyers Section Board of Directors.

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FLORIDA SUPREME COURT HEARS ORAL ARGUMENT ON CIVIL RULE CHANGES

By Douglas M. Smith

On December 8, 2022, the Florida Supreme Court heard oral argument and received comments regarding the Judicial Management Council Workgroup's proposed changes to the Rules of Civil Procedure. The presenters and court members provided insight to the public about the chief objective of the amendments, to wit, to make active case management (ACM) a reality and to revise the rules to ensure existing practices and procedures do not thwart ACM from achieving its goals.

As noted in my prior articles, the supreme court out of necessity imposed ACM by administrative order to combat the problem with court delays caused by the pandemic. Even before COVID interrupted the world, the court was prescient in creating the Workgroup to explore potential solutions to make litigation more streamlined, to reduce costs, to speed litigation to timely resolution, to identify problems with the current system that make the existing Rules of Civil Procedure inadequate today, to identify impediments to timely resolution of cases, and to ultimately restore public faith that litigation can be cost-effectively and expeditiously used to solve legal problems.

Four things were apparent during oral argument: The court appears convinced that (1) ACM is THE cure for reducing court backlogs, therefore making ACM work in the field is paramount; (2) too many lawyers use the current Rules of Procedure to "game" the system for client advantage, which thwarts ACM and makes cases last too long and cost too much; (3) sanctions are a theoretical tool to remedy abuses by counsel, but judges appear unwilling to impose them due to pragmatic considerations; and (4) although the Bar may experience growing pains when ACM and the implementing rule amendments are imposed, the ultimate (and more pressing) goal is to restore faith in the public that our civil legal system can deliver justice at a reasonable cost and within a reasonable time. To the Workgroup, modest changes won't advance ACM. More significant change is necessary.

This author was (and remains) skeptical about sweeping changes to the Rules of Procedure, preferring instead a more measured "rifle shot" over a WMD. Unintended consequences abound when large-scale changes are implemented. But if one understands that making effective ACM a reality is the Workgroup's paramount goal, then the changes proposed to the rules become logical. After all, if a hard trial date is to be a reality, the rules must assure trial continuances are difficult to obtain. If due process is to be served (while maintaining a hard trial date), machinations in discovery and motion practice must be curtailed or eliminated. Parties ought to provide initial disclosures in discovery and timely supplement discovery responses like in federal court. Trial setting shouldn't be precluded until a case is "at issue." Attorneys and the courts need to address pretrial scheduling matters right out of the gate rather than wait and see what happens. And judges must understand that their "referee" role during pretrial proceedings is critical to making ACM work. Implicit in the Workgroup's recommendations is a sense that lawyers and clients must have their feet held to the fire with dire consequences for non-compliance if ACM is to work.

Historically, Florida has allowed the parties and their counsel to decide how and when to develop a case. That may have worked before, but there seemed to be a sense from the Workgroup and court that the current rules allow for significant gamesmanship (in the name of advancing a client's interests). If attorneys and their clients are gaming the system in a single case, then that's probably not a big problem. The problem appears when more than a few lawyers start engaging in delay or questionable tactics during pretrial matters. A "win at all costs" expectation from clients doesn't help. The preferred approach from the Workgroup (and likely several court members) is to remove opportunities for gamesmanship, fix hard dates, and sanction lawyers or their clients for non-compliance. Getting the court and parties engaged early on is key.

At the end of the hearing, it was unclear what the court intended to do going forward. Imposing permanent ACM appeared to be imperative. The question becomes—after considering all of the attorney arguments and comments—how the court decides to proceed. The court can adopt the rule changes in toto or adopt those it likes and disregard (or amend) the rest. This option seems unlikely given the proposed rule amendments are meant to work together to make ACM a reality. The court can refer the matter back to the Workgroup for further analysis and consideration.¹ Or the court can refer the matter to the Rules of Civil Procedure Committee for follow-up. One thing appears clear, ACM in some form is here to stay. The only question is what rule amendments will be adopted with ACM to ensure it works.

¹ After submission of this article for print, the Florida Supreme Court issued an order on January 12, 2023, deciding not to adopt the Workgroup's proposed changes at this time. The Court instead opted to "make a series of phased referrals for the refinement and study of the Workgroup's proposals." Initial referrals were made to the Civil Procedure Rules Committee, the Rules of General Practice and Judicial Administration Committee, the Florida Courts Technology Commission, and the Trial Court Budget Commission; the Court has asked for reports by July 3, 2023.

Douglas M. Smith is Of Counsel with Messer Caperello, P.A., where he enjoys practicing real property, land use, commercial, and administrative litigation.

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SHOW YOU CARE!

HELP BUILD A “BRIDGE TO LAW SCHOOL” FOR FSU’S FIRST-GENERATION CARE STUDENTS

By Kelly O’Keefe



The Florida State University Center for Academic Retention and Enhancement (CARE) provides orientation and academic support for students who are among the first in their family to attend college. These first-generation students often

face unique challenges in college because they do not have someone with the experience and institutional knowledge needed to navigate higher education. CARE provides these students with the necessary tools, resources, and support network they need to flourish in the collegiate environment. CARE challenges the students throughout their undergraduate careers with rigorous and rewarding programming that emphasizes academic excellence. The programming is proven to be effective and has gained national recognition. CARE has successfully contributed to the retention and graduation of countless undergraduate students who have been traditionally underrepresented in higher education. The first-year retention rate for CARE students tops 96%, two percentage points higher than FSU’s overall 94% retention rate.

FSU’s CARE program, the FSU College of Law, Stearns Weaver Miller, P.A., the William H. Stafford American Inn of Court, and Tallahassee Bar Association are currently partnering to develop a program that will introduce CARE students to the many opportunities that law school brings, and give the students real world examples of those opportunities in the legal profession. Many CARE students have never considered law as a profession, and we intend to change that. We are building a “Bridge to Law School” that will not only introduce students to the possibility of a law career, but will help them make a legal career a reality.

Using a culturally responsive socialization framework, the “Bridge to Law School” program will integrate academic preparation, mentoring, and professional development to demystify the law school application process, the law school experience, and the practice of law. With the help of a supportive network, students will learn how to translate their academic and professional experiences into a law school application portfolio and identify opportunities that will make them more competitive applicants. We will also prepare the students for what to expect in law school and educate them about the very important contributions they can make to society as lawyers.

How do we plan to achieve those goals? With the help of many. During our planning process, the stars just keep aligning. We now have an energized group of entities and organizations that are ready to make the “Bridge to Law School” a reality over the next several years. The idea started with my firm’s Equity and Justice Project, which identified possible ways to achieve racial equity and social justice. Participating in that program led me and my colleague at Stearns Weaver Miller, Melanie Leitman, to realize that racial equity in the legal profession will never happen if we focus only on the hiring process. We saw the need to start earlier and build a “Bridge to Law School” for the broader population.

Then we met Sam Seiglie, a CARE Alumnus who blew us away in her law clerk interview. She educated us about the CARE program and inspired us to take action. The plan for the “Bridge to Law School” began to take shape, and during that time we learned we had another CARE Alumnus in our firm, our paralegal Debra Barrett, who was ready to help. We also learned that our then-Law Clerk, now Associate, Landus Anderson, had already started

building bridges to law school by volunteering in the Nims Middle School Pre-Law Magnet Academy of Legal Studies for students who aspire to become lawyers, judges, legal writers, forensic scientists, and more.

While our initial efforts with the “Bridge to Law School” will focus on undergraduate students, ultimately we intend to engage students of all ages in this program. In addition to Landus’ work with the Nims Pre-Law Magnet Academy, Stearns Weaver Miller attorneys and staff are currently tutoring students at Bond Elementary School. We look forward to a future in which many of these elementary students see the legal profession as an option, and the “Bridge to Law School” as one of the pathways to get there.

We are happy to report that Phase I of the “Bridge to Law School”—the Mentorship Program—is now underway! We encourage Tallahassee Bar members to participate by becoming mentors. We are putting together mentorship teams that will consist of a CARE student, a law student, and an attorney from our local legal community. The attorneys will be asked to share knowledge and advice that will help the students successfully navigate law school and develop a fulfilling and meaningful legal career. Stearns Weaver Miller is hosting a kick-off coffee meet and greet event later this month, and the Tallahassee Bar Association April meeting will be a Table for Eight style event with the CARE student mentees who are part of this program. Mark your calendars for that meeting, at which TBA will also announce the recipient of the Champion for Diversity in the Legal Profession Award.

Kelly is a shareholder at Stearns Weaver Miller where she focuses her practice on Estate, Probate, and Trust Litigation.

YOUR PARTICIPATION WILL HELP MAKE “BRIDGE TO LAW SCHOOL” A SUCCESS!

We plan to have the full program up and running beginning in summer of 2024. CARE students will ultimately apply for the program and, in addition to receiving mentoring, will participate in projects and classes designed to help them navigate the law school application process, law school, and the pursuit of a legal career. Law students and attorneys will be an integral part of the program, giving the CARE students guidance and advice that will ensure their success. Our ultimate goal is to make the “Bridge to Law School” program a win-win for everyone involved—including you! Join us and show that you CARE!

If you are interested in serving on one of the “Bridge to Law School” mentoring teams, please contact me or Melanie Leitman:

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HOW TO SUCCESSFULLY NAVIGATE A TURBULENT LEGAL MARKET

By Jack Newton



The legal industry has evolved rapidly in recent years. This has been the case despite many macro-level challenges, not the least of which have included inflation, rising interest rates, volatile hiring markets, and major shifts in client expectations.

In response, law firms have had to upend how they think about spending, attracting and retaining talent, and meeting the needs of clients.

Given the scope and scale of these disruptions, you might think the situation would be dire for law firms, but in fact, the opposite is true. According to the latest Legal Trends Report, which looks at aggregated and anonymized data from tens of thousands of U.S. law firms, average revenues have increased significantly since 2019—seeing increases as high as 45% in August of 2022.

Nicholas Taleb's concept of "antifragility" can help us explain these trends. In his book *Antifragile: Things That Gain from Disorder*, Taleb writes, "Some things benefit from shocks; they thrive and grow when exposed to volatility, randomness, disorder, and stressors and love adventure, risk, and uncertainty." To be antifragile is to embrace that which cannot be controlled and to become better through adversity.

What does antifragility look like for law firms? There are a few hallmarks any law firm should look to embody as the industry continues to weather the challenges and uncertainty that businesses face in 2023.

Finding deep connections with clients is the first point of focus that firms should strive for. Connecting with clients requires an understanding of what consumers look for in a law firm, and more importantly, how to meet and exceed their expectations. This goes beyond knowing what clients want, since not every client is fully equipped to know

what's involved in working through a legal matter (that's the lawyer's job). Instead, firms should be focused more on what clients ultimately need when getting through a legal matter—often, this boils down to responsive and timely communications.

Adaptive capacity is also crucial to antifragility. It's not enough for law firms to understand their market, it's important that they be able to fundamentally change in reaction to it. This means being willing to explore new opportunities as they emerge, and to embrace them when they yield positive results. This doesn't always mean that firms need to initiate these ventures themselves—in the increasingly connected world we live in, businesses also have the opportunity to learn from the examples set by others.

Finally, firms should have a strong foundation for managing their essential operations, so that they can focus more on the creative aspects of their business. Keeping infrastructure lean and cost-effective is key. We've seen that technology—specifically cloud-based technology—offers the resiliency and flexibility that has helped firms both deal with and thrive in the challenging environments of recent years. Cloud-based legal technology centralizes information while giving lawyers the ability to work from anywhere, which—in addition to the range of enhanced capabilities and workflows—has helped countless law firms adapt to the needs of the day.

In fact, research shows that firms using cloud-based technology prove to be more successful. On an individual level, lawyers using cloud-based technology are 60% more likely to report having positive relationships with clients, and 29% are more likely to have a good professional life. On a higher level, lawyers using cloud-based software are 43% more likely to report high client satisfaction for their firm and 11% more likely to report strong revenues.

Today's unsettled legal landscape brings new challenges

and immense opportunity. To support you in navigating the challenges that still lie ahead, we have created a guide, *The Building Blocks of an Antifragile Law Firm*. Consider it a blueprint with key steps and tactics on how to make the most out of a turbulent market. Read the guide at clio.com/antifragile-law-firm.

Jack Newton is the CEO and Founder of Clio and a pioneer of cloud-based legal technology. Jack has spearheaded efforts to educate the legal community on the security, ethics, and privacy issues surrounding cloud computing, and is a nationally recognized writer and speaker on the state of the legal industry. Jack is the author of *The Client-Centered Law Firm*, the essential book for law firms looking to succeed in the experience-driven age, available at clientcenteredlawfirm.com.



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WHAT TALLAHASSEE LAWYERS NEED TO KNOW ABOUT ECONOMIC RECESSION IN 2023

By Aaron H. Wallace, Esq.



As we all enter a new year together, there seems to be just one word on every person's mind: **recession**.

With economists forecasting a recession of undetermined magnitude for 2023, we at Florida Lawyers Mutual want lawyers in our state to be mindful of the relationship between economic recession and lawyers' professional liability.

Did you know that, historically, recessions have meant a significant uptick in the number of malpractice claims brought against lawyers? As tough economic times put pressure on clients, they may look for windfalls in the form of an errors & omissions claim against counsel. Meritorious or not, such claims can become extraordinarily disruptive to the lawyer.

In light of the current economic landscape, we're sharing four essential "Do Nots" for lawyers practicing in the midst of recession:

- 1. Do not sue your clients for failure to pay.** As recession creeps in, it's possible clients will find themselves less willing or less able to timely satisfy outstanding invoices from your firm. The temptation to take legal action can be strong—especially if your firm is similarly feeling the grip of recession. But suing a client for fees is, effectively, inviting a counterclaim for legal malpractice—and as the ABA points out, the malpractice claim "usually seeks an amount far in excess of the legal fees in dispute."
- 2. Do not lower your client screening standards.** In downturned times, it can be tempting to take on clients who you are less than comfortable representing—or simply to take on more clients

than you realistically have time or capacity for. Can the client afford your services? Does he or she have unrealistic expectations or a cumbersome case with very little time left on the filing clock? Has the client already parted ways with multiple other lawyers regarding the same matter? Does he or she strike you as confrontational or angry? Are you thinking of helping a family member or friend against your better judgment simply because they are facing hard times? Heed these red flags!

- 3. Do not venture into unfamiliar practice areas simply to bring in more business.** This has been a common trap for lawyers during previous times of economic uncertainty. So many of those lawyers have found that dabbling does not pay. Unfailingly, what seems like a "simple case" becomes a quagmire, and lawyers without sufficient experience and expertise in a given area may find themselves under fire either for making mistakes or billing clients for "learning on the job." Remember: the duty of competence does not yield to market conditions.
- 4. Don't be without high-quality lawyers' professional liability insurance.** Should you find yourself facing a legal malpractice claim—even an unmeritorious one—you'll want to know that you have high-quality coverage from a provider you can count on. Florida Lawyers Mutual was created by The Florida Bar so that lawyers like you would have a reliable source of coverage. We provide you with robust policy features and a personalized, Florida-based claims experience designed to protect your practice and your reputation—and we've been doing that for well over 30 years. It's the reason we're recommended as the professional liability insurance provider for members of the Tallahassee Bar Association. Get a quick, no-obligation, ballpark premium indication at www.flmic.com today.

Aaron H. Wallace is a lawyer and author who serves as Director of Marketing at Florida Lawyers Mutual Insurance Company, the state's only direct-write lawyers' professional liability insurer. A-rated by AM Best for Excellent Financial Strength and owned by its member lawyers, Florida Lawyers Mutual provides high-quality policy features (including a cyber liability endorsement at no additional premium cost), value-added membership benefits (including more than 33 hours of cost-free CLE for each reporting period), and legendary member service. The Company recently declared an historic, first-ever member dividend for 2022. (Dividends are paid at the sole discretion of the Company's Board of Directors, and last year's dividend does not guarantee the payment or amount of future dividends.) Get a quick premium indication and learn more about how Florida Lawyers Mutual can add value to your practice at www.flmic.com.

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LEGISLATIVE SPECIAL SESSION REVIEW & COMMITTEE WEEKS

By Marco T. Paredes, Jr., Esq.



Results of Special Session 2022A

December was an unusually active time at the Florida Capitol as the Legislature convened Special Session 2022A. The special session proclamation

focused on specific issues—property insurance, hurricane relief, and a toll relief program. The Legislature quickly passed three bills during the special session. Among the bills passed, the Legislature passed SB 2A, which made several changes to the property insurance claims process, reinsurance, and regulation of insurance companies, and eliminated one way attorney’s fees in property insurance claims cases.

The Legislature also passed SB 4A, which provided property tax relief to property owners impacted by Hurricanes Ian and Nicole and provided over \$750 million to several state agencies for various grant programs to assist with hurricane recovery. SB 6A established a toll relief program effective January 1, 2023, through December 31, 2023, for all Florida toll facilities.

Governor DeSantis signed all three bills.

Since the special session ended, David Altmeier, the state’s insurance commissioner resigned; and the state’s insurer of last resort, Citizens Property Insurance, reported its number of policies swelled by 50% in 2022 due to continued instability in the state’s insurance market.

I expect the Governor and Legislature to continue to try to address the property insurance crisis in the coming session.

Committee Weeks Begin . . . Sort of

Much of the activity during the second committee week was focused around the January 3 Inauguration Ceremony

for Governor Ron DeSantis and the members of the Florida Cabinet. Sworn into office along with Governor DeSantis were Secretary of Agriculture Wilton Simpson, Attorney General Ashley Moody, Chief Financial Officer Jimmy Patronis, and Lieutenant Governor Jeanette Nunez. In his inaugural address, Governor DeSantis highlighted some of the accomplishments of his first term in office and discussed priorities for his second term, including education policy, tax relief, as well as continued funding for water quality issues and Everglades restoration.

Following the inaugural activities, the Legislature began its second committee week on Wednesday, January 4. Not every committee met; however, the committees that did held high-level introductory meetings. This allowed the committee members and staff to introduce themselves. An overview of the committee’s jurisdiction was discussed at several committee meetings as well. Policy was not on the agenda as no bills were discussed during this committee week.

Below are the dates of the remaining committee weeks:

- Tuesday, January 17–Friday, January 20, 2023
- Monday, January 23–Friday, January 27, 2023
- Monday, February 6–Friday, February 10, 2023
- Monday, February 13–Friday February 17, 2023
- Monday, February 20–Friday, February 24, 2023

Session will convene on Tuesday March 7th. If there are specific issues or bills you would like to hear more about please let me know.

Marco T. Paredes, Jr. is a Shareholder and Director of Government Affairs with Stearns Weaver Miller where he formulates and executes legislative and executive branch strategies to achieve his client’s desired policy goals. You can reach him at mparedes@stearnsweaver.com.

ASK a JUDGE



WE ASKED TBA MEMBER JUDGES OF THE FIRST DISTRICT COURT OF APPEAL TO ANSWER A LIGHTER, NON-LEGAL QUESTION—AN ICEBREAKER, GET-TO-KNOW-YOU.

ENJOY THE ANSWERS, AND USE THE QUESTION AS A CONVERSATION STARTER YOURSELF!

What person (fictional or real, deceased or alive) would you like to have dinner with if you could?

JUDGE ADAM TANENBAUM: An all-night feast with Sir William Blackstone and Justinian I as we discuss the respective virtues and vices of English common law and Roman civil law.

JUDGE ROSS BILBREY: I should probably say a profound historical figure like Jesus or Abraham Lincoln. But the person who immediately comes to mind is my paternal grandfather. He died shortly after I was born.

JUDGE STEPHANIE RAY: Justice Sandra Day O'Connor. She was a trailblazer for women in the legal profession and an inspiration to all. A cowgirl from El Paso, she shattered glass ceilings throughout her career and eventually became the first woman to serve on the Supreme Court of the United States. Justice O'Connor endured all life's challenges—personal and professional—with an admirable combination of grit and grace. It would be incredibly fascinating to hear her talk about her remarkable life.

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CASSANDRA JACKSON



Our Bulletin profile this quarter is on attorney Cassandra Jackson.

Cassandra is the City of Tallahassee's City Attorney. She was appointed in February 2018 after having served as Deputy City Attorney for two years. She is a double graduate of Stetson University, where she graduated with high honors. Cassandra is one of less than 1% of all Florida attorneys with the distinction of being Board Certified in City, County, and Local Government law. In October of this year, Cassandra received the 2022 Distinguished Alumna Award from Stetson University for outstanding life and career achievements that bring distinction and special recognition to Stetson University. Cassandra is a member of Tallahassee Women Lawyers and has been an active member of the Tallahassee Bar Association since 2003.

Why do you find it important to stay involved with voluntary bar associations, like TBA?

The importance of staying involved in my local bar association and encouraging my office to do likewise is spelled out succinctly in the Tallahassee Bar's mission statement:

The members of the Tallahassee Bar Association have joined together to enhance the legal profession, promote fellowship among their colleagues and serve the community. They have taken an oath to uphold the law and practice it with professionalism and integrity.

I take being a lawyer very seriously and have diligently tried to uphold the oath that I took some 35 years ago, providing legal services with fairness, integrity and civility and supporting the causes of the oppressed and defenseless. As a public servant and a lawyer, the relationships that

are built through the Tallahassee Bar Association provide insight into the concerns and needs of the community and an opportunity for exploration and dialogue regarding the legal bridges/mechanisms to address these needs and concerns. All is accomplished in a setting of mutual respect and comradery.

What motivates you?

I have a small poster that hangs in my office that states: Unless it is fatal . . . It's no big deal! Because my professional life as the City Attorney is filled with constant legal surprises, I have adopted this philosophy in order to manage the unexpected. In other words, proceed forward always to provide the most professional legal services possible to your client, recognizing that most issues can and will be resolved in a reasonable manner. Most legal issues, even if unexpected, are not four-alarm fires.

What do you do for fun?

I love to engage in foreign travel. I recently returned from France in December of 2022. There is a common denominator for all people regardless of language barriers. All people generally want to live in peace and be able to take care of themselves and those that they love. Foreign travel helps you to see the "sameness" in others.



Cassandra, husband, and daughter in France.

If you could change one thing about the practice of law, what would it be and why?

At a recent Tallahassee Bar meeting, Florida Bar President Gary Lesser was the featured speaker and explained one of his objectives regarding lawyer civility. A mentoring program was being established which would pair newer lawyers with more seasoned lawyers. As he discussed this program, my mind went to non-civil engagement by more seasoned lawyers. What would be the remedy for this? If I could change one thing about the practice of law, it would be that there would be swift action against those who bring dishonor on the practice of law by their uncivil words and actions. The words and actions of a single lawyer greatly negatively impacts the respect due this admirable profession.

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TALLAHASSEE BAR ASSOCIATION RECOGNIZES C. DuBose Ausley with *Lifetime Professionalism Award*

At its annual Holiday Reception in December, leadership of the Tallahassee Bar Association—the oldest voluntary bar association in the capital region—presented the Lifetime Professionalism Award to **C. DuBose “Duby” Ausley** of Ausley McMullen.

One of the most prestigious awards given by TBA, the Lifetime Professionalism Award annually honors an attorney, judge, or law professor who has demonstrated **professionalism and dedication** to the legal profession and legal community for a period of at least 25 years through civil, community, or legal service. Nominees must be TBA members.

“It is hard to imagine a better role model for the entire profession than Duby Ausley. It is one of the great honors of my career to be associated with him,” noted Michael Glazer, President of Ausley McMullen.

Duby is the patriarch of Ausley McMullen, which was formed in the 1930’s by his father and uncle. In 2023, Duby will celebrate his 60th anniversary with the firm.

His achievements over a lifetime of service are extensive, and **Duby has led by example through his hard work, commitment to diversity and inclusion, devotion to his community and family, and his innate sense of decency and humility.** His effectiveness as a counselor and advocate both in and out of the courtroom are hard to overstate.

Previous recipients of the Lifetime Professionalism Award are Second Judicial Circuit Sr. Judge Charles A. Francis (2015), Florida Division of Administrative Hearings Director and Chief Judge Robert S. Cohen (2016), Florida Public Defenders Association Legislative Consultant Nancy Daniels (2017), Coppins Monroe Shareholder Mike Coppins (2018), LSNF Director of Litigation Scott Manion (2019), and Florida Senate Attorney Booter Imhof (2021).

Photos by Ti Adoro Studios



2022 Holiday Reception



Ausley receives Lifetime Professionalism Award



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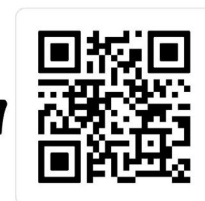
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MEMBER NEWS

SUBMIT YOUR TBA MEMBER NEWS

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Send your news to TBA@TALLAHASSEEBAR.ORG



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Sean Gellis

Sean Gellis, former Chief of Staff of DMS and General Counsel of FDOT, has opened his own law firm – **Gellis Law, PLLC**. The firm is focused on administrative law and government solutions, especially procurement disputes. Check out the website at www.gellislaw.com.



Kelly Kibbey Smith

Dean Mead & Dunbar is excited to welcome Kelly Kibbey Smith to the firm's Government Relations & Lobbying Practice. In this position, Smith will focus on legislative and administrative law matters, primarily working with clients in healthcare and business advocacy. Smith previously worked as a Senior Attorney in the Florida Senate's Committee on Health Policy and Office of Bill Drafting Services. She is a past President of the Florida Government Bar Association and currently serves as a Governor for the Young Lawyers Division of the Florida Bar.



Elizabeth Ricci & Neil Rambana

Rambana & Ricci, PLLC Immigration Attorneys completed its acquisition of American Immigration Attorneys Miami effective December 14, 2022. The combined firm will operate under the Rambana & Ricci name and will be led by Rambana & Ricci managing partner Elizabeth Ricci. Founding partner Neil St. John Rambana will continue to manage the Deportation Division. Attorney Maria Vittori will act of counsel from Italy.

News from the Circuit



FLORIDA CATHOLIC CONFERENCE
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48th Annual Red Mass to be Celebrated in Tallahassee

Catholic Mass participants will pray for divine inspiration and guidance for those serving in the executive, legislative, and judicial branches of government and for members of the legal profession at the annual Red Mass of the Holy Spirit.

Who: The Catholic bishops of Florida, members of Florida's executive branch, legislators, judges, attorneys, state agency officials, and community members. Congregants are Catholic and non-Catholic.

When: Wednesday, March 8, 2023, at 6:00 p.m. A reception immediately follows.

Where: Co-Cathedral of St. Thomas More, 900 W. Tennessee Street, Tallahassee, Florida.

FOR MORE INFORMATION ABOUT THE RED MASS [CLICK HERE](#)



Legal Aid Foundation of Tallahassee Welcomes Lauren Stafford, Executive Director

Executive Director Lauren Stafford recently joined The Legal Aid Foundation of Tallahassee (LAF). Her background in business operations focused on business infrastructure, consistent growth, and community engagement, allowing small businesses to reach optimal levels of efficiency. Stafford has extensive development, organizational structure, and communication knowledge, and she is passionate about helping organizations meet and exceed their goals. Established in 1968 by the Tallahassee Bar, The Legal Aid Foundation of Tallahassee mobilizes and

educates volunteer attorneys to provide civil legal representation and assistance. The Pro Bono and Promise Zone programs help provide free advice and counsel as well as partial or full representation in civil cases, including family law, landlord/tenant disputes, wills, and more. Learn more about LAF at www.legalaidtallahassee.org.



CALL FOR NOMINATIONS

Martha Barnett Women Lawyers of Achievement Award

Thomas M. Ervin, Jr. Distinguished Young Lawyer Award

Submissions Due by Jan. 23rd | [CLICK TO NOMINATE](#)

HOLIDAY RECEPTION RECAP

TBA co-hosted its annual Holiday Judicial Reception with the Florida Government Bar Association on December 8 at Hotel Duval. Members mingled in festive attire and enjoyed delicious hors d'oeuvres and drinks.



TBA honored Dubose Ausley with the Lifetime Professionalism Award and FGBA presented its Government Attorney of the Year Award to Ian Garland.



Photos by Ti Adoro Studios



We are so grateful to our sponsors and members for another successful event!



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UPCOMING TBA Events

Mark your calendars!

FEBRUARY 2 | 5:30pm-8pm

Past Presidents' Reception & Awards Dinner
Governor's Club
Speaker - Justice Alan Lawson

APRIL 5 | 5:30pm-8pm

CARE Program Event

MARCH 7 | 11:45am-1pm

CLE Luncheon
with panel of Second Circuit Judges and their Judicial Assistants presenting "Practicing in the Second Circuit"

MAY 2

Law Day Celebration

JUNE 8 | 5:30pm-8pm

Member Happy Hour

AUGUST 30 | 5:30pm-8pm

Member Happy Hour
Co-hosted with YLS

SEPTEMBER 5 | 11:45am-1pm

CLE Luncheon

OCTOBER 4 | 5:30pm-8pm

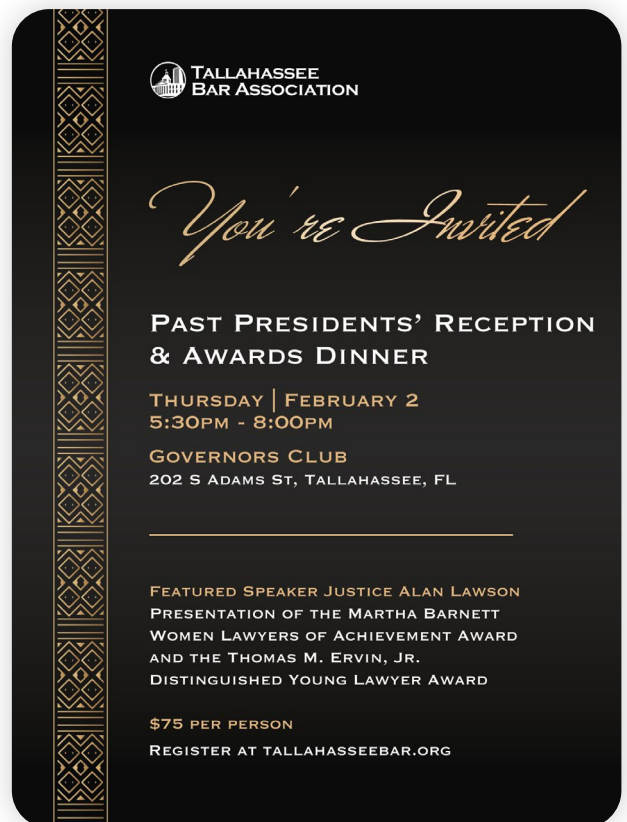
Chili Cookoff
Goodwood Museum and Gardens

NOVEMBER 7 | 11:45am-1pm

CLE Luncheon
with Scott Westheimer, 2023-2024 Florida Bar President, presenting "The State of The Florida Bar"

DECEMBER | 5:30pm-8pm

Bench & Bar Holiday Party
Co-hosted with FGBA



TALLAHASSEE BAR ASSOCIATION 2022 YEAR IN REVIEW



2022 WAS AN EXCITING YEAR FOR THE TALLAHASSEE BAR ASSOCIATION.

TBA was founded in 1919 with the mission of enhancing the legal profession, promoting fellowship among colleagues, and serving the community. More than 100 years later, that mission continues to guide our organization. Here is a snapshot of what we accomplished in 2022:

ENHANCING THE PROFESSION

- Hosted four lunchtime CLE events with engaging speakers and relevant educational content.
- Published the TBA Bulletin, a quarterly newsletter filled with content highlighting issues facing the legal community.
- Continued our commitment to developing young lawyers through partnership with the FSU College of Law.

PROMOTING FELLOWSHIP

- Hosted premier membership events, including the annual Past Presidents' Reception and Holiday Social, both of which sold out.
- Organized casual and FREE membership happy hours at local breweries.
- Facilitated young lawyer engagement through monthly Young Lawyer Section docket calls and a reception for newly admitted attorneys.

SERVING THE COMMUNITY

- Supported greater access to legal services through operation of the Low Bono Center in partnership with the Leon County Clerk of Court and by raising more than \$15k for the Legal Aid Foundation through our annual Chili Cookoff.
- Provided educational community resources throughout election season, including hosting a forum with local judicial and mayoral candidates.
- Supported our local youth with the annual "Holidays in July" event for foster children, and by partnering with the Florida Supreme Court and Florida Bar to host Nims Middle School students for a courthouse tour.



MEMBER BENEFITS

- Enhanced access to quarterly TBA Bulletin publication
 - Can submit articles and member news for publication
 - Discounted rate on advertising
 - Eligible to be featured in member spotlight
- Eligible for four annual awards: Martha Barnett Women Lawyers of Achievement Award, Thomas M. Ervin Jr. Distinguished Young Lawyer Award, Champion for Diversity in the Legal Profession Award, and Lifetime Professionalism Award
- Discounted tickets to four premier events and four CLE luncheons
- Free tickets to two member appreciation happy hour events
- Free access to monthly Young Lawyer Section happy hours
- Participation in the Low Bono Center
- Access to TBA Job Board
- Use of TBA Commons meeting space located inside the Leon County Courthouse
- Opportunities to network with local attorneys and judges
- Visible leadership in the Tallahassee legal community

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Interested in contributing?

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