FORUM 8

Volume 78, No. 8 | Eighth Judicial Circuit Bar Association, Inc. | April 2019

President's Message

By Cherie Fine

It has been a season for new Judges, with inspiring investitures and a feeling of hope and change. As we continue to enjoy the beautiful Spring weather, I want to check in to see how you are doing with the challenge I set for us in January, to recommit to taking care of ourselves and each other. I hope you have found ways to not just be excellent attorneys but also to make time for yourselves. If you believe there is a way your local bar association can help you, just let us know. If I have learned anything in my time on the board, it is that the people who participate on the board and on committees care about this community and are generous and hardworking. If we can help, let us know – we are all in this together.

As my "first year" as President nears its end, I would like to highlight a few important events on the horizon:

Please plan to come out and join us for the "Spring Fling" - the EJCBA will celebrate on Wednesday, April 10th at The Warehouse Restaurant and Lounge at 502 South Main Street from 6pm-8pm, so don't be late. The planning committee assures us that their production will be second to none. And having been some days in preparation, a splendid time is guaranteed for all.

On Friday, April 12th at the Wooly, we will be having our Leadership Roundtable & Diversity Conference. This year we will start with breakfast and end with the April Bar Luncheon, with featured speakers James McClave and Nikki Simon! The topic is The Business of Inclusion: How Inclusivity Affects Your Bottom Line. Space is limited and guaranteed for pre-registrants only. Numerous CEO's and Officers of Corporations will be participating as well as Florida Bar President, Michelle Suskauer. This promises to be an excellent presentation and I look forward to seeing you there.

Please save the date of Thursday, June 13th for our Annual Dinner. The event will be held at The Cade Museum; stay tuned for more details. I look forward to enjoying all the upcoming bar association events with you.

Nominees Sought For 2019 James L. Tomlinson Professionalism Award

Nominees are being sought for the recipient of the 2019 James L. Tomlinson Professionalism Award. The award will be given to the Eighth Judicial Circuit lawyer who has demonstrated consistent dedication to the pursuit and practice of the highest ideals and tenets of the legal profession. The nominee must be a member in good standing of The Florida Bar who resides or regularly practices law within this circuit. If you wish to nominate someone, please complete a nomination form describing the nominee's qualifications and achievements and submit it to Raymond F. Brady, Esq., 2790 NW 43rd Street, Suite 200, Gainesville, FL 32606. Nominations must be received in Mr. Brady's office by Friday, May 3, 2019 in order to be considered. The award recipient will be selected by a committee comprised of leaders in the local voluntary bar association and practice sections.

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Contribute to Your Newsletter!

From The Editor

I'd like to encourage all of our members to contribute to the newsletter by sending in an article, a letter to the editor about a topic of interest or current event, an amusing short story, a profile of a favorite judge, attorney or case, a cartoon, or a blurb about the good works that we do in our communities and personal lives. Submissions are due on the 5th of the preceding month and can be made by email to dvallejos-nichols@avera.com.

About This Newsletter

This newsletter is published monthly, except in July and August, by:

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Any and all opinions expressed by the Editor, the President, other officers and members of the Eighth Judicial Circuit Bar Association, and authors of articles are their own and do not necessarily represent the views of the Association.

News, articles, announcements, advertisements and Letters to the Editor should be submitted to the Editor or Executive Director by Email. Also please email a photograph to go with any article submission. Files should be saved in any version of MS Word, WordPerfect or ASCII text.

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Deadline is the 5th of the preceding month

Alternative Dispute Resolution

More Answers To Commonly Asked Questions About Mediation Procedures

By Chester B. Chance and Charles B. Carter

In our September 2018 article we answered several questions about mediation procedures. Those questions included whether a mediator can report to the Court that a party or an attorney did not attend a scheduled mediation, whether a mediation can be rescheduled for "good cause" based upon a request by one party to the mediation; is an orientation session required at every mediation; and are parties required to make an offer at mediation. In this article we will continue with some more questions and answers about mediation procedures.

Question 1: Is a mediator required to sign a settlement agreement at mediation?

Answer: No. According to MEAC Opinion 2011-001 a mediator is not required to sign a settlement agreement at mediation. If a mediator does sign the agreement, according to the MEAC Opinion, it merely indicates that he/she was the mediator. It does not signify anything else.

Question 2: May the mediator report the fact of non-payment of mediator fees to the Court?

Answer: Yes. Most mediators will be pleased to hear this. According to MEAC Opinion 2006-008, if the mediator is not paid the mediator may seek payment in any lawful manner which includes the filing of a separate lawsuit (unfortunately it would be in small claims court) or a filing of a motion with the presiding Judge seeking payment of the mediator's fee. This non-payment is not considered a mediation communication.

Question 3: Can a mediator report to the Court that a party did not have full settlement authority?

Answer: No. According to MEAC Opinion 2006.003, if an impasse is reached because a litigant did not have full settlement authority, it would be an ethical violation for the mediator to report this to the Court. The mediator can only report to the Court "no final settlement agreement was reached."

Question 4: Must the party and that party's attorney sign the mediation settlement agreement?

Answer: Yes and no. A party must sign a mediation settlement agreement. It is not required that an attorney sign the agreement. In *Gorden v. Royal Caribbean Cruises*, 641 So.2d 515 (Fla. 3rd DCA 1994), the Court held that parties must sign and an attorney's signature by itself, even if made in the presence of a client, does not make a settlement agreement at mediation binding. The agreement must be signed by the parties themselves. In *Mastec v. Que*, 994 So.2d 494 (Fla. 3rd DCA 2008), the same Court again held that a settlement agreement reached during mediation was not binding unless it was signed by the parties. Interestingly, in *Jordan v. Adventist Health*, 656 So.2d 200 (Fla. 5th DCA 1995), the Court determined that even though the mediation rules require an agreement to be signed by counsel and the parties, if counsel does not sign the mediation settlement agreement but the parties do sign the agreement, it is still binding.

Question 5: May the Court, in its order referring a matter to mediation, require offers to be made, and further, require offers to be made in good faith?

Answer: No. A Court may not impose sanctions for failure to negotiate in good faith (whatever "good faith" means). MEAC Opinion 2004-006 dealt with the following scenario: A judge entered an order referring a case to mediation which included the following requirements: (1) All parties shall proceed to mediation in good faith….proceeding to mediation in the absence of good faith and/or with authority limited to a prior evaluation of the case is not acceptable and may be subject to sanctions. (2) Good faith: In determining that this case is appropriate for mediation, the Court specifically finds that the possibility exists of resolving the case before trial. Therefore, offers and counter-offers that are negotiating postures which are clearly inappropriate, given the facts and issues of this case, and clearly interposed for the sole purpose of non-compliance with this order shall subject the parties so acting to sanctions. Such conduct is deemed to be a fraud upon the Court and shall not enjoy the status of privilege under 44.102(3) Florida Statutes. The mediator shall report such conduct to the Court immediately. (4) Full authority: the mediator shall report to the Court non-compliance with this order by failure of a party to send a representative with full authority to

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Criminal Law

By William Cervone

Today's lesson will be on voir dire, specifically aspects of the permissible and impermissible pre-trying of your case during jury selection. Surely none of you would claim that you really want a totally impartial juror when what you actually seek is a juror who leans as close as possible to your way of thinking and likes you a lot. Like, maybe, your Mom. The problem is getting that juror. But first, a prelude.

Kevon George, while vacationing in the Miami area with his girlfriend, decided he needed some drugs. He thus made the acquaintance of a fellow named Jose Martinez, who, while happy to sell him small amounts of pot, needed the assistance of his friend a/k/a supplier Steven Velez to procure larger quantities of cocaine. Eventually, business negotiations brought Kevon, his girlfriend, Jose and Steve together in a car, and at that point Kevon decided that actually paying for the drugs was not a good business model, at least for him and, well, he was the one with the gun so you can guess what happened next. Steve ended up dead, Jose managed to jump from the car and flee, literally for his life, while Jose was being shot. Kevon and his girlfriend decided, drugs in hand, that vacation time was over and that they should return to New York City, where they were from. While on the way back north, Kevon thought it best to toss his gun off a bridge somewhere.

The State's witnesses at the eventual trial included, of course, the girlfriend, who had cut a deal and was by then a convicted felon. Jose, too, who was of course a drug dealer. But then there was the inconvenience of the missing gun. All items for a nice series of voir dire questions because if at all possible we would prefer that our jurors be forgiving of these little flaws in our case.

So, back to the lesson plan, which is how and what you can do in that regard. The rule, of course, is that a prospective juror cannot be asked what verdict he or she would return under a given set of facts or circumstances. You cannot get a commitment in advance from Mom that she will vote your way.

The missing gun first. "If the State proves to you beyond a reasonable doubt that a firearm was, in fact, used but we don't have it to show you would you still come back with a conviction?" No, no, a thousand times no! Remember that we lawyers live with the precision of our words. As phrased, this question improperly attempts to ask for a certain verdict under certain facts. It's a no go.

Next, the felonious and perhaps incredible girlfriend. How about telling the potential jurors about her little character flaws and then asking jurors if they would automatically not believe her because she was a convicted felon or if they would be willing to evaluate her testimony as they would that of any other witness? Fine, just fine. This is not the same as asking potential jurors if they could or would convict based on the testimony of a snitching convicted felon. All it is is an attempt to find out if there are any latent or concealed prejudgments about snitching felons, and that's fine. The law is that the court must allow lawyers to ascertain such things.

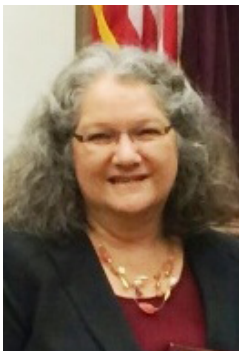
Finally, the drug dealing survivor, and now we have a hybrid. If perchance the judge has had enough of listening to voir dire, which in my experience judges always think takes too long, leading the judge to interrupt when counsel wishes to talk about "hearing from another witness who is a surviving victim and a drug dealer..." and to then instruct the jury on how to weigh the credibility of witnesses and, in essence, tell counsel to move on, that's fine too. By so doing, the court has precluded counsel from even having the chance to ask for a commitment, which, based on the gun and the girlfriend questions, was going to be done in a permissible way 50% of the time. Indeed this is, in the eyes of the 3rd DCA, from whom everything surrounding Kevon's case comes, a "textbook, perfect handling of this issue by thwarting any possible attempt...to pre-try the case."

Personally, and ignoring that crack about "thwarting" voir dire, I don't think many of us are clever or devious enough to carefully plan out such things as that implies. Rather, I think we pay too little attention to the precision of our words and get sloppy in how we phrase things. So, let me re-cap: "Will you agree to (x) if I prove (y)?" equals N-O, NO. "Will you consider and evaluate the fact that...?" is a Y-E-S, YES.

By the way, for various reasons having to do with the trial judge sustaining properly made objections, none of this mattered to Kevon, who is now serving life plus life plus 25 or so more years at Calhoun Correctional. That's if you want to check with him about how he feels about all of this. You'll recognize him by his tats, which include "Thug" and "Thug Life." From his DOC website picture he doesn't look all that happy about things so he may not be very talkative.

Three Rivers Legal Services - Home Sweet Home

By Marcia Green



Home ownership is often impeded by lack of clear title to heirs property. Communities and neighborhoods suffer when homes become dilapidated or abandoned because needed loans or funding for repairs are unavailable to those without clear title to their homes.

Three Rivers Legal Services [TRLS] has launched a new project to improve the opportunities for individuals and families to make much needed improvements to their homes and become eligible for public assistance and loans for repairs. These issues are particularly important in rural areas where properties have been passed down to family members without needed estate planning. Sorting out ownership issues can be time consuming, complicated and out-of-reach to many low-income families.

Did you know? Lack of clear title to a home –

- prevents FEMA from funding repairs to homes damaged in natural disasters
- increases risk of foreclosure when heirs cannot obtain loan modifications or refinancing
- creates abandoned properties in neighborhoods because heirs have difficulty sorting out ownership
- confuses family members regarding homestead exemption and property taxes
- particularly affects elderly and African-American households in low-income communities.

With funding from the Florida Bar Foundation, Three Rivers Legal Services will address these and other heirs property issues, particularly those affecting minority and African-American homeowners. TRLS will provide preventative assistance, including preparation of documents such as wills, advance directives and deeds. Further, TRLS will provide corrective measures, including representation in probate, quiet title and adverse possession matters. TRLS staff and volunteers will attend community events to inform residents about their rights and the project. Information will be provided through print and social media to educate potential clients about their rights, legal recourse and possible assistance.

Attorneys Rachel Rall and LaTonya Lipscomb Smith have been hired to practice in all 17 counties of the TRLS service area, with particular focus on the rural areas. Residents in Alachua, Bradford and Union counties are of great interest due to the high concentration of low-income, rural African-American populations. In a collaborative partnership, Jacksonville Area Legal Aid Community Economic Development expert Carol Miller will provide assistance with the project. Her legal expertise includes working to revitalize poor neighborhoods in northeast Florida and handling real estate transactions, title and probate cases, construction disputes and state and federal tax compliance. Additionally, volunteer attorneys will be asked to provide transactional and litigation services as well as community education to reach as many people as possible affected by lack of clear title.

This project is similar to the No Place Like Home [NPLH] project of the Florida Bar Real Property, Probate and Trust Law Section piloted in larger communities throughout the state. Few services by the NPLH have been available in northeast Florida and the rural communities of the Eighth Judicial Circuit.

Financial eligibility guidelines for this project are at a higher level than general eligibility for Three Rivers. Reasonable litigation expense reimbursement will be available to pro bono attorneys. If you want to participate in the project, let me know (marcia.green@trls.org). If you have a client who needs this assistance, please refer them to me or to TRLS intake at 1-866-256-8091.

March luncheon speaker Giselle Carson looks on while attorney John Jopling speaks on current immigration policy

Effective Communication with Clients Who Present Manageable Mental Health Conditions

By *Robert S. Griscti, Esq.* & Kelly Milliron, J.D. candidate, 2019 UF Levin College of Law & Florida Law Review Executive Articles Editor*

National media has recently focused fervent attention on mental health and the law. Specifically, news outlets have reported on issues concerning the mental health of lawyers,[1] the state of mental health care for incarcerated individuals,[2] and how to counsel clients living with severe mental illnesses.[3] This article expands on this final category of discussion by offering suggestions to practitioners about how to effectively communicate with those clients who present manageable mental health conditions that may be treated or untreated.

Clients with mental disorders, like ADHD, or mental illnesses, like chronic depression, often pose new challenges for counsel. Clients may exhibit behaviors, such as an inability to focus, difficulty following instructions, and paralyzing indecisiveness. They may also demonstrate unusually erratic emotions, or their reactions may vary wildly from conversation to conversation. Sometimes clients may not even know they currently possess a mental health condition causing these behaviors. Because lawyers are not doctors, it may be difficult to identify these issues without an expert's diagnosis.

If lawyers sense these uncommon behaviors, it is imperative to address them with the client quickly and clearly. The lawyer should seek medical referrals for the client and encourage the client to undergo evaluation and treatment. Effective diagnosis and treatment not only benefits the client's case, as it prepares counsel for building an informed viable legal strategy, but also empowers the client to manage her own health throughout the case's stressful lifecycle.[4]

Lawyers must be mindful not only of HIPAA restrictions, but Rule 4-1.6(a) governing confidentiality, which require the client's informed consent to discuss any information relating to the representation of a client with a medical advisor. Through conversations with medical professionals, lawyers can glean integral information about what methods of communication work best with the client. For example, clients with severe or unsuccessfully treated ADHD may require explicit guidance like physically showing a client the new route she must travel to work so she does not violate an injunction, even if the lawyer already explained the route verbally. This insight will help the lawyer better explain matters to the client, which in turn, will help the lawyer fulfill her duty to keep the client reasonably informed and act in the client's best interests under Florida Rule 4-1.4(a-b).

If the client requires evaluation and treatment, the lawyer—with the client's consent— should endeavor to evaluate the client's financial situation. Because clients with these conditions may require repeated conversations and meetings, the client's agreement to family support will help convey and reinforce the legal information given to the client and provide emotional support to the client. Furthermore, because time translates into money, this familial involvement may help reduce a client's costs.

If the lawyer realistically evaluates the costs of treatments and more extensive client contact, the lawyer may be required to compose an efficient and realistic budget accommodating the client's needs and wallet.

The lawyer should also consider that the intensity of a case can crush the stamina of a client. If a client has limited funds that rule out treatment in favor of legal counsel, the lawyer must consider alternatives, including reducing fees to encourage the client to seek treatment and seeking less costly but effective evaluation and treatment options.

Because these underlying conditions often remain invisible in a lawyer-client relationship, lawyers likely work with more clients managing these types of disorders and illnesses than they realize. Attentiveness to these potential needs for clients will help the lawyer better facilitate communication with the client, safeguard the client's well-being, and ultimately serve as a fully effective legal counselor.

** Mr. Griscti sincerely thanks Ms. Milliron for her insightful work.*

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5TH ANNUAL
SPRING FLING
FOOD • DRINKS • LIVE MUSIC
APRIL 10th, 6pm - 8pm
The Warehouse - 502 S Main Street
Free for ECJBA Members + 1 Guest
RSVP requested by April 1, 2019
at https://www.8jcba.org/

Leadership Roundtable: The Eighth Judicial Circuit's Diversity Conference

THE BUSINESS OF INCLUSION

How Inclusivity Affects Your Bottom Line

The roundtable will feature a panel discussion and workshop hosted by Nikki Simon. Roundtable admission is free for members of the EJCBA and sponsoring organizations and $50 for non-members.

The EJCBA luncheon will follow the roundtable starting at 11:45 a.m. with featured speakers James McClave and Nikki Simon. Participants must separately pay and register for the luncheon.

Space is limited and guaranteed for pre-registrants only. CLE and CJU credit is anticipated.

For more information contact: Mary K. Wimsett: mkwimsett@adoptionlawfl.com

Friday, April 12, 2019

Roundtable: 8:30 - 11:30
Breakfast and refreshments served. Free for members of the EJCBA and sponsoring organizations.

Luncheon: 11:45 a.m. - 1:00

The Wooly
20 North Main Street
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Register: www.8jcba.org

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Tara Blythe
Vice President of Info Tech

Rick Carlson
CEO of SharpSpring

Abhi Lokesh
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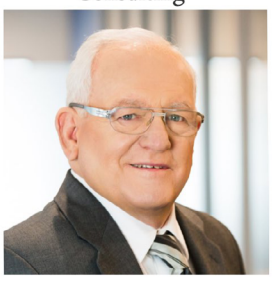

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Sponsored by: Eighth Judicial Circuit Bar Association, Florida Association For Women Lawyers, Eighth Judicial Circuit Chapter, The Florida Bar Diversity Leadership Grant, Josiah T. Walls Bar Association, North Central Florida Chapter of the Federal Bar Association

Why Judges Should Not Be “Fair”

By Siegel Hughes & Ross

There are many situations in which a judge has discretion to do equity. There are many more in which the law as applied to the facts requires a specific result. Even in most cases brought in equity the judge’s discretion is limited by specific legal rules. Sometimes we get those cases in which the law leads to a result that just is not “fair.” What should we do? One option is to take the case to a judge or jury, and simply ask that the finder of fact avoid the law and render a fair result. Of course, what is “fair” depends on one’s point of view. However, even assuming all can agree on a fair result, I suggest that is not the proper approach.

We may get a fair result in that specific case, but what are the consequences to our legal system of an ad hoc search for fairness? First, there will be a loss of predictability. We can do our legal research and advise a client what the legal rules are within a reasonably narrow range of results. Though not completely predictable, we can advise our clients on a relatively narrow range of probable outcomes. What we cannot do is determine what any particular judge will think is “fair” in any particular circumstance.

Second, the parties will be unable to rely on established principles of law in making important decisions. As an example, two parties acting at arm's length may enter into a contract. One party may be substantially smarter or better educated than the other and negotiate an agreement that leads to a result that seems one-sided and unfair. If the parties cannot rely on the law to support their agreement, neither party will be able to make a deal. If we deem it always unacceptable that a more intelligent person may make a deal that seems unfair to one less astute, both parties will be deprived of the ability to reach an agreement. Though from the outside the deal may seem unfair, perhaps the second party is in a difficult situation and needs to make an agreement to avoid perceived catastrophe. He may be willing to accept the less advantageous result now in exchange for avoiding the catastrophe and hope to be able to deal with the long-term problems in the future. In a world in which legal relations are judged on ultimate “fair” results he will be deprived of that opportunity.

It also may seem unfair that a relatively wealthy parent leave his or her entire estate to a second family and not provide for the adult children of his or her first spouse. If a court steps in to remedy that unfairness, the court is not only depriving the second family of the inheritance but is depriving the decedent of the ability to direct to whom his or her estate will pass.

I do not suggest that we ignore fairness in our legal system but that we strive for a fair process, not a fair result. If the unfairness resulted from a flaw in the process, i.e. fraud, undue influence or the like, we can justifiably deny the parties the right to such a result. I suggest that when we seek “fairness” we focus on the process instead of the result.

Circuit Court Judge Gloria Walker celebrates with her family at her investiture on March 22

Judge Susan Miller-Jones speaks at the investiture of Judge Walker as Chief Judge Nilon looks on

Employers: Know When To Fold On Unemployment Compensation Claims

By Laura A. Gross

Employers rightfully want to keep costs down by avoiding unwarranted unemployment compensation claims. In fact, some believe in never giving in on unemployment. But allowing the claim to go through can be the wiser financial decision even where the employer might otherwise prevail. Why? Because employees who go from little to no income and are then denied benefits can become frustrated and angry. With no alternatives and as a matter of financial survival, they will seek out an attorney for advice. That puts the employer's policies and entire relationship with its former employee up for scrutiny. Potential claims for unpaid wages, harassment, or discrimination are then made.

At our office, we analyze the pros and cons of challenging unemployment compensation on a case-by-case basis. I was recently reminded of why we do that. Last month, an ex-Chipotle worker told a California federal jury that she had decided to sue for disability discrimination only after learning that Chipotle had reported to the state unemployment agency that she had quit. She was out of work with no income and because of that report, she was initially denied benefits. If she wasn't angry before, she was surely angry then. I suspect that prompted her to see a lawyer. By the time the agency determined she had been terminated and was entitled to unemployment compensation, it was too late. She had already decided to sue. Ultimately, the jury decided for Chipotle on the disability discrimination claim, but at what cost?

Avoiding litigation is not the only reason to allow an unemployment claim. Where the former employee has friends at the office, office morale can be affected by ongoing hostile litigation even in the form of an unemployment issue. Not only are employees concerned about the employer's "unfair" treatment of their friend and former colleague, they are concerned that they will be treated similarly.

So, how does an employer allow a claim to go through? It does not respond timely, or responds stating something like, "The employer does not contest the employee's claim for unemployment compensation." The employer then allows the initial decision to stick, no appeal.

ADR

Continued from page 3

settle the case as described….such conduct shall not enjoy the status of privilege under 44.102(2) Florida Statutes.

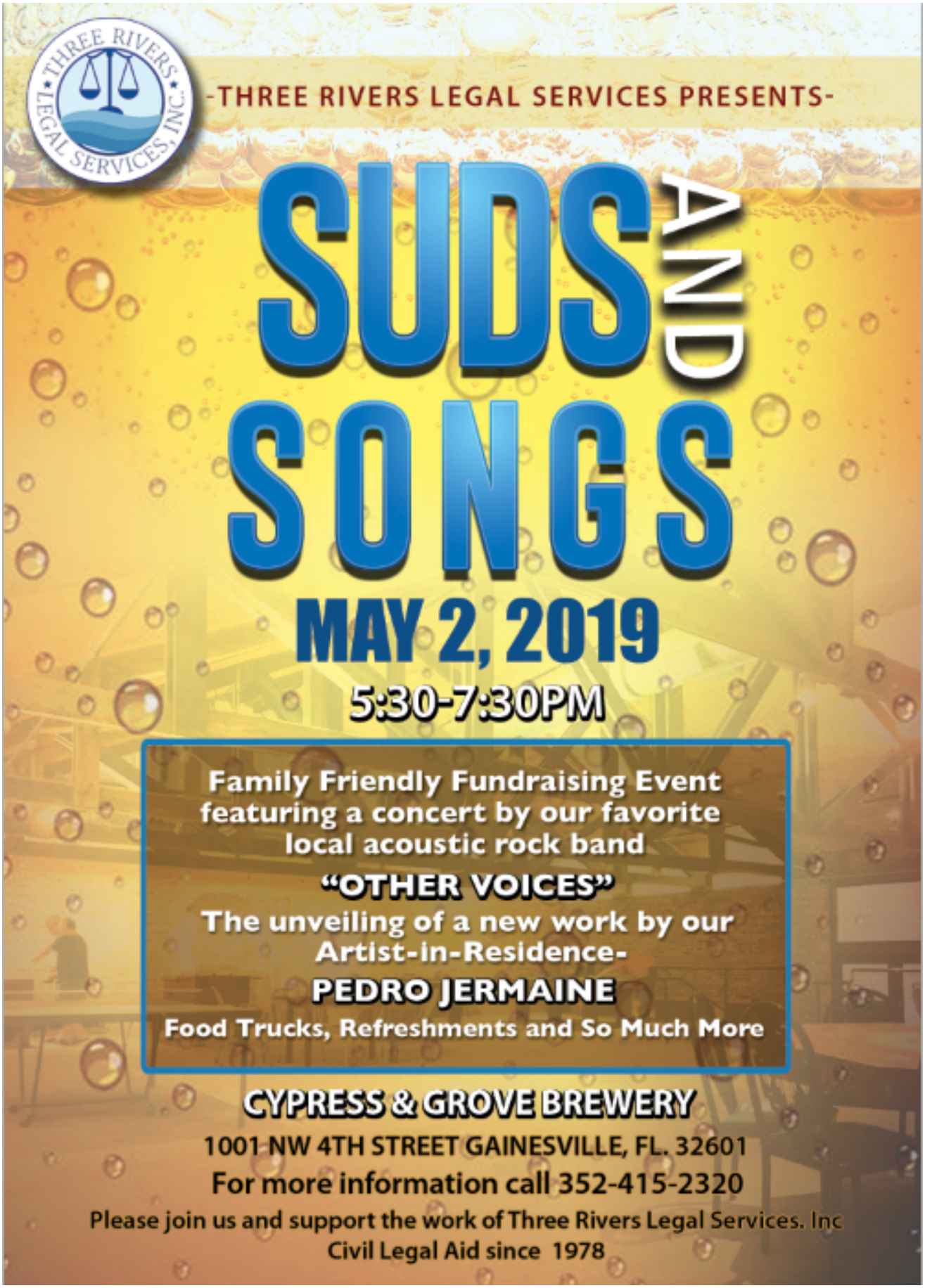
The MEAC Opinion states that when a mediator receives such a court order in advance of a mediation which contains provisions that are contrary to the mediator's role and requires the mediator to act in a manner that is inconsistent with the mediator's ethical rules, the mediator should decline participation in the mediation.

MEAC determined that the mediator is not able to comply with the Florida rules for certified mediators and a court order to report a party who fails to mediate in good faith. The mediator should not participate in the mediation because a mediator, given the confidentiality of mediation, may not report to a Court that there was "failure to mediate in good faith." The MEAC Opinion references the case of *Avril v. Civilmar*, 605 So.2d 988 (Fla. 4th DCA 1992), which quashed a trial court order imposing sanctions for failure to negotiate in good faith at mediation. As noted by that Court, "there is no requirement that a party even make an offer at mediation, let alone offer what the opposition wants to settle." "Compliance with the referenced court order would constitute a breach of confidentiality, impair the parties' right to self-determination, and destroy mediator impartiality in appearance and in reality."

We assure you questions such as those addressed in this article and those addressed in the prior September 2018 article are raised at mediations. If these questions and answers seem obvious or well known, we assure you that they are constantly and routinely being asked.

If you have a question about mediation procedures, please feel free to email your question to ccarter@resolutioncenter.org and we will try to answer your question in a future article.

March luncheon speakers John Jopling & Giselle Carson before giving their talk on immigration law.


-THREE RIVERS LEGAL SERVICES PRESENTS-
SUDS AND SONGS
MAY 2, 2019
5:30-7:30PM
Family Friendly Fundraising Event
featuring a concert by our favorite
local acoustic rock band
"OTHER VOICES"
The unveiling of a new work by our
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Please join us and support the work of Three Rivers Legal Services. Inc
Civil Legal Aid since 1978

It's that time again!

The Eighth Judicial Circuit Bar Association Nominations Committee is seeking members for EJCBA Board positions for 2019-2020. Consider giving a little time back to your local bar association. Please complete the online application at https://goo.gl/forms/0rYVqBeg1u4XuwLR2. The deadline for completed applications is May 6, 2019.

Effective Communication

Continued from page 6

1 *See* Debra Cassens Weiss, *Firms Sign ABA Pledge to Tackle Lawyers Mental Health and Substance Use Issues*, ABA Journal (Sept. 10, 2018).

2 *See* Michelle R. Suskauer, *A Hard Look at Our Criminal Justice System*, Florida Bar Journal (January 2019) (listing multiple issues regarding the mental health of incarcerated individuals receiving proper health treatment from law enforcement and while incarcerated).

3 *See* Michael J. Higer, *Mental Health: The Issue of Our Time,* Florida Bar Journal (April 2018) (describing how the Florida Bar has created a special committee making recommendations about how to educate and train lawyers and judges about mental health in the justice system).

4 Under Florida Rule 4-1.14(a), which concerns representing clients with disabilities, a lawyer should strive to maintain a *normal* client relationship despite these potential obstacles. However, to achieve this normal client relationship, a lawyer will likely need to take extra steps when speaking with the client to meet their needs.

April 2019 Calendar

3	EJCBA Board of Directors Meeting, Three Rivers Legal Services, 1000 NE 16th Avenue, 5:30 p.m.
5	Deadline for submission of articles for May Forum 8
10	Probate Section Meeting, 4:30 p.m., Chief Judge's Conference Room, 4th Floor, Alachua County Family & Civil Justice Center
10	EJCBA Spring Fling! The Warehouse, 6-8 p.m.
12	EJCBA Leadership Roundtable & Diversity Conference: "The Business of Inclusion: How Inclusivity Affects Your Bottom Line," breakfast and panel discussion (CLE), The Wooly, 8:30-11:30
12	EJCBA Luncheon following Leadership Roundtable, with featured speakers James McClave & Nikki Simon, The Wooly, 11:45 a.m.
16	Family Law Section Meeting, 4:00 p.m., Chief Judge's Conference Room, Alachua County Family & Civil Justice Center
19	Good Friday – County Courthouses closed

May 2019 Calendar

1	EJCBA Board of Directors Meeting, Three Rivers Legal Services, 1000 NE 16th Avenue, 5:30 p.m.
3	Deadline to submit nominations for 2019 James L. Tomlinson Professionalism Award
6	Deadline to apply for 2019-2020 EJCBA Board of Directors
6	Deadline for submission of articles for June Forum 8
8	Probate Section Meeting, 4:30 p.m., Chief Judge's Conference Room, 4th Floor, Alachua County Family & Civil Justice Center
17	EJCBA Luncheon, Speaker TBD, The Wooly, 11:45 a.m.
21	Family Law Section, 4:00 p.m., Chief Judge's Conference Room, Alachua County Family & Civil Justice Center
27	Memorial Day, County & Federal Courthouses closed

Have an event coming up? Does your section or association hold monthly meetings? If so, please fax or email your meeting schedule to let us know the particulars, so we can include it in the monthly calendar. Please let us know (quickly) the name of your group, the date and day (i.e. last Wednesday of the month), time and location of the meeting. Email to Dawn Vallejos-Nichols at dvallejos-nichols@avera.com.