

FORUM 8

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Eighth Judicial Circuit Bar Association, Inc.

May 2020

President's Message

By Cherie Fine



Law in the Time of COVID-19

As is typical, the due date for the May newsletter is April 5th and it's always a little difficult to write my President's article a month in advance – but, in current times I feel like I am just guessing about a future that is not at all a sure thing.

We have all had to adjust. The COVID-19 pandemic has resulted in unprecedented interruptions to courts, businesses and daily life around the world. That's no less true for us here at the EJCBA. Obviously, all the April EJCBA happenings either didn't happen or had to occur virtually. And, I am not going to guess at this point about what will be happening in May.

As we face the future, we hopefully can have a positive mindset choosing to be proactive - focusing on those things we can do and not wasting time worrying about those things we can't control. To meet the unprecedented COVID-19 emergency, Chief Justice Charles Canady of the Florida Supreme Court issued an Order suspending jury trials statewide through May 29 (current as of this writing). Upon issuing the original order, the Chief Justice also released a video address to Florida's legal community and the public about the pandemic's impact on the state's justice system. Chief Judge Nilon likewise issued an administrative order to cancel or postpone non-essential proceedings, unless those proceedings can effectively be conducted remotely without the necessity of in-person court appearances. Our civil trial court judges have expressed their understanding and willingness to extend deadlines and grant continuances if necessary. Of course, justice delayed is justice denied – but, we can only do what we can do and we need to work hard to do what can be done

– but, not dwell on what is just not possible. To that end – as soon as we know more about schedules and reschedules, we will pass on the information to our members. I dearly hope to see you all soon.

So, life is all about change and sometimes we forget that nothing is guaranteed – and therefore we should appreciate every person and experience. If we celebrate - maybe we had to celebrate Passover without extended family - and, maybe our Easter services were held on line. Still, weren't they lovely and meaningful? And, people in the Eighth Circuit are stepping up and being there for each other. We want you to know we are here for you and we appreciate you being there for each other and your clients. Life can only be understood backwards; but it must be lived forwards.

For now, let's take time to reflect and organize and be there for each other. If you can, offer to shop for a friend who can't get out. Call your friends – email – text. We are lucky there are ways to stay in touch without touching. Follow the rules to flatten the curve but get out and walk - exercise is a great mood elevator. Remember, you may be alone, but I hope you won't be lonely. I found this list on the internet (<https://www.lifehack.org/310691/alone-but-not-lonely-making-the-most-being-alone>):

1. Understand you're good enough

We're constantly being fed the idea that we need others around us in order to be happy. That's simply not true. You're absolutely good enough all by yourself. You don't need others around you to tell you you're living life correctly; just live. Take up a new hobby. Set and accomplish goals. Do what you want to do, not what others make you think you should be doing.

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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

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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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Alternative Dispute Resolution

By Chester B. Chance and Charles B. Carter



LAW, MEDICINE and SOCIETY: GONE VIRAL

In the autumn of 2019, Bill Bryson released his latest book *THE BODY*. The book was released several months before the outbreak of the COVID-19 virus, which spread from China faster than gunpowder 800 years ago. We suggest picking up a copy of this book as it teaches us that the most amazing piece of technology in our offices and courtrooms is the human body and the human mind.

From a timing standpoint, we were amazed that one of the early chapters of this new book is titled "Microbial You." A substantial part of that chapter deals with viruses, which is *now* a very relevant thing.

Bryson quotes British Nobel laureate Peter Medawar describing a virus as "a piece of bad news wrapped up in a protein." The author describes a virus as basically inert. Outside of living cells a virus does not breathe or do anything except live in a boring sort of way. A virus has no means of moving around. A human must find a virus via a door handle, pen, gas pump, handshake, hug, or breathe it into our lungs. And that is the problem, as once a virus enters the body it springs to life like a starving person at an all-you-can-eat buffet and reproduces like crazy, that is, if it is one of the 263 viruses that affect humans (264 now that the COVID-19 virus has been discovered). For instance, Bryson notes that in 2014 French researchers in Siberia found a previously unknown virus that had been frozen in permafrost for 30,000 years. When it was injected into an amoeba, however, it became active.

As a result of the recent pandemic, the way we live and work has changed. Social distancing is the new phrase, and for good reason given how viruses spread. Need convincing?

Bryson describes how researchers in Britain conducted an experiment in the 1980's to determine how a virus spreads through human contact:

A volunteer was fitted with a device that leaked a thin fluid at his nostrils at the same rate a runny nose would. The volunteer then socialized with other volunteers, as if at a cocktail

party. Unknown to any of them, the fluid contained a dye visible only under ultraviolet light. When that was switched on after they had been mingling for a while, the participants were astounded to discover that the dye was everywhere - on the hands, head and upper body of every participant and on glasses, doorknobs, sofa cushions, bowls of nuts, you name it. The average adult touches his face sixteen times an hour, and each of those touches transferred the pretend pathogen from nose to snack bowl to innocent third party to doorknob to innocent fourth party and so on until pretty much everyone and everything bore a festive glow of imaginary snot. *THE BODY*, pages 34-35.



The book describes another similar study at the University of Arizona where scientists infected the door handle to an office building (law office?) and determined in about four hours the 'virus' spread through the entire building, infecting over half the employees and turning up on virtually every shared device, including photocopiers and coffee machines. "In the real world, such infestations can stay active for up to three days." *THE BODY*, at page 35.



Now we can understand why a 15 days, or longer, 'stay at home' requirement is more than a helpful suggestion. Such a self-quarantine, given the studies in the Bryson book, is more effective than all the handwashing you can remember to perform (but please keep washing your hands).

As this article is being prepared, the government is attempting to determine whether a law practice is an essential business and how many clients and employees we can have in an office or building. We think lawyers should go further and determine what services within their practice are essential or optional. Perhaps some clients have a critical need for a service while others can wait, similar to physicians cancelling elective surgeries. That point was brought home to us as we serendipitously read Bryson's book while self-quarantined.

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Criminal Law

By William Cervone



For those of you who might wonder where these columns come from, well, sometimes they just fall into your lap. Such is today's situation, with an assist by Florida Law Weekly, that never-ending source of entertainment from appellate decisions.

Which brings us to Frank Martinez. Frank hangs out in Palm Beach County, where he appears to like to drink, drive, and pass out behind the wheel after disabling his car. When aroused from that condition by FHP on one particular occasion his response to the usual "Are you OK, sir?" approach of a trooper was to yell at and get in the face of the trooper, and then try to climb into the trunk of his car. Armed with those clues that Frank was probably as drunk as the proverbial skunk, and with backup troopers having already been summoned, Frank was forced to the ground. He then became "physically aggressive" (a euphemism, I assume, for fought like a drunken banshee), and opined to the troopers as follows, and I quote Frank through the 4DCA:

Come on b****, Let's go, Mexico - yeah Mexico baby, Mexico, baby - I'm taking you down, baby, Thank you Trump, thank you Trump; Hey, I love you Trump; I'm not resisting - thank you Trump, thank you Trump, I love you Trump; F*** you, man, you is a b****, dog. You all are some b*****, dog. You all (indiscernible) - hey, I love you Trump. Hey, I love you Trump! Yeah, let's go deer hunting, b****; Hey you know how much of my Mexican people are making money because of this s*** right here? Talk to your daddy, talk to your daddy Trump.

Well, come time for trial, Frank's lawyers (if not Frank himself) thought that this diatribe wasn't appropriate for the sensitive ears of jurors so they moved *in limine* to exclude it. Their theory was specifically that Frank's statements about the President did not establish any relevant element of the DUI or Resisting charges Frank faced, and that they were "highly prejudicial." They claimed that these references to the President give "rise to strong emotional reactions" which, in some mysterious way I suppose they felt would run counter to Frank's best interests.

The law on this point is fairly clear: the usual probative value vs. unfair prejudice balancing test. Novel to this analysis is the entry of the current President, who while perhaps a part of various litigation in Florida before

Frank's escapade has now entered into criminal case law, albeit perhaps not as fully as some would like.

Anyhow, applying that test, and with the caveat that "[E]ven assuming Martinez to be correct about the President eliciting an emotional reaction - a statement we neither agree nor disagree with," the DCA noted that Frank's lawyers had failed to explain how merely mentioning an elected official rendered evidence unduly prejudicial. Rather, and as any of you who have ever seen or heard the incoherent and often belligerent ramblings of a drunk know, the DCA concluded, as had the trial judge, that all of this was indeed relevant to both charges against Frank. And admissible.

Therefore, we now have a legal finding that uttering the name of the President is legally irrelevant. As we plod through a contentious election year, the acrimony of which seems to be at least temporarily tamped down by the COVID-19 situation but which is sure to return, maybe this has some value.

ADR

Continued from page 3

We understand that by the time this article reaches the newsletter it may be dated for a variety of reasons. But we are writing it on March 23, 2020 and right now things are really up in the air in our professional and personal lives.

If the way a virus spreads, as described above, is scary, just wait until you read further in the chapter 'Microbial You' about how for every new antibiotic developed, every two years there are twice as many antibiotics already on the market that are obsolete because of bacterial resistance. Do the math. One immunologist suggests the day when people die once again from a simple scratch may be looming on the short-term horizon. But elaboration requires a future article on bacteria, the ginormous cost to develop new antibiotics, and perhaps another day.

Post script: We had about 20 lawyers pick the winner of the NCAA March Madness bracketology as part of our March article on the use of brackets at mediation. Obviously there will not be a winner due to the cancellation of the tournament as part of the COVID-19 measures. We may do a random draw to determine a winner of the bottle of bubbly, although some of the picks were not likely to come close to getting into the tournament, much less winning. You know who you are. A small effect of a pandemic.

Justified Use of Deadly Force

By Steven M. Harris



This *fifth* article on self-defense related topics is a primer on the two Chapter 776 deadly force predicates. Deadly force is justified *to prevent*: (1) death or great bodily harm to self or others (i.e., unlawful deadly force), or (2) the commission of a forcible felony. Section 782.02, *Fla. Stat.* provides other, different deadly force predicates. (See March *Forum 8*).

There are specific use of force statutes for law enforcement officers, pertaining to arrest, flight, and escape. §§ 776.05, 776.06, and 776.07, *Fla. Stat.*

The deadly force predicates share required components: (1) **reasonable belief**, (2) **necessary**, and (3) **imminent**. Contrary to widespread belief, the prosecutor is customarily the clear “favorite” when the defense of justification is asserted. If the State can disprove a component by clear and convincing evidence, pretrial immunity (see February *Forum 8*) should be denied. If it disproves any beyond a reasonable doubt at trial, deadly force is not justifiable under Chapter 776. Of note: The fact finder may reject a defendant’s unrefuted testimony claiming self-defense. *Morales v. State*, 251 So.3d 167 (Fla. 4th DCA 2018).

Reasonable belief is usually described as whether, based on circumstances as they *appeared* at the time, a reasonable and prudent person with similar knowledge and in the same position would have believed deadly force was necessary. See *Toledo v. State*, 452 So.2d 661 (Fla. 3d DCA 1984) (objective standard). A recklessly formed mistaken belief or bare fear is insufficient. Reasonable belief is not automatically dissipated vis-à-vis an armed person, simply because such person is in apparent retreat. See *Bouie v. State*, - So.3d - (Fla. 2d DCA, February 26, 2020) (also holding initial provocation exception inapplicable to defense of another). A defendant’s only burden is to offer facts from which the jury might conclude resort to deadly force could have been reasonable. *Falwell v. State*, 88 So.3d 970 (Fla. 5th DCA 2012). Reasonableness may be conclusively presumed when deadly force is used or threatened from within a dwelling, residence, or occupied vehicle, under certain circumstances, per § 776.013(2), *Fla. Stat.* (Curiously, the phrase “reasonable fear” appears there. “Home defense” was addressed in the March *Forum 8*.)

Necessary (per Standard Jury Instruction 3.6(f)) is that based on *appearances*, the force user *believed* the predicate was real, and absent the application of deadly force, the predicate result would likely occur. There is no requirement to first see an opposing deadly weapon, brandish a defensive weapon, or give a warning before

using deadly force. *Mobley v. State*, 132 So.3d 1160 (Fla. 3d DCA 2014). Nor is there any legal duty to first employ nondeadly force. According to a *Model Penal Code* Explanatory Note (accompanying § 3.04), if an actor makes a negligent mistake in assessing the need to use defensive force, “he cannot be prosecuted for an offense that requires purpose to establish culpability.”

Imminent means at hand, about to take place. It is usually, but not necessarily, not more than several seconds. In the self-defense context, something imminent is classically described as an apparent immediate danger which must be instantly met with a response, because it cannot be effectively repelled by calling for or depending on the assistance of others or law enforcement. An armed person does not need to gunpoint an innocent to constitute an imminent deadly force threat.

Great bodily harm, usually a question of fact, “defines itself.” *Torres v. State*, 172 So.3d 514 (Fla. 2d DCA 2015). There is no case law which details or suggests all possibilities. A jury might be instructed that “it is injury which is not slight, minor, moderate or trivial” and that “mere bruises are not great bodily harm.” It is an injury likely to cause significant *permanent* consequence, including disability or disfigurement. Loss of consciousness, broken large bone, eye gouge, groin kick, punches to the head or face, gunshot, and a slashing or penetrating wound inflicted by a tool or weapon, all suggest great bodily harm. Of note: Great bodily harm need not actually be suffered, it need only be likely imminent.

Forcible felony is a crime specifically enumerated in § 776.08, *Fla. Stat.*, which also contains a catchall – “any other felony which involves the use or threat of physical force or violence against any individual.” Under Standard Jury Instruction 3.6(f) and case law, the applicable felony will be identified to the jury, together with the elements thereof. Of note: The instruction includes that the forcible felony is “against” the defendant or another person, in apparent concern about the use of deadly force to prevent a forcible felony which is only a property crime. (E.g., burglary or arson of an unoccupied structure.) That limitation is, however, not in § 776.031(2), *Fla. Stat.* See *In re Standard Jury Instructions in Criminal Cases – Report 2017-07*, 257 So.3d 908, 909 (Fla. 2018).

Commission includes immediately preceding acts in direct preparation to commit the crime, acts in committing the crime, and those acts necessary for completion of the crime. Of note: Flight perfecting the commission of a crime may be considered to be in the course of committing the crime. See F.S. § 812.133(3)(a) (carjacking), § 812.13(3)(a)(robbery). *Cf. Model Penal Code* § 221.1 (burglary).

Working Remotely - Serving our Clients

By Marcia Green



As many of you are, the advocates and staff at Three Rivers Legal Services are working remotely to continue to serve the low income and vulnerable members of our community. As we coast into May, most of us have been home for at least six weeks. What a learning curve it has been!

Three Rivers has four offices, three of which provide direct representation from Gainesville, Lake City and Jacksonville. Over the past few years, most of our advocates have transitioned to laptops and we are all interconnected with unified, cloud-based phone and case management systems. Technology has been a high priority of the Legal Services Corporation, our major funding source, and our IT staff have been working overtime for this transition. Some of the difficulties have included access to our documents but it seems to be working out, most recently with the use of a shared Google Drive. For the most part, that's been great although I still have to request folders that were not initially transferred onto the drive.

The downside? Several of our staff members live in some of the outlying and rural communities of our 17-county service area. Internet in Ft White or the outskirts of Lake City, for example, is not like that in Gainesville. While I sit on my lovely screened patio listening to the birds, I am in good shape. The same, however, is not true for our employees who are also currently home schooling their children, sharing home office space with a large family or suffering from slow internet. It is all a work in progress.

Our clients? Wow! This is where it gets really tough. Our clients can no longer just stop by the office to drop off their paperwork and tell their story. That is now out. For those with housing insecurity, our homeless outreach is temporarily shut down. Although our Legal Help Line is fully functioning, our clients often have very limited cell phone minutes or have relied on the libraries or other locations to help fax or copy their paperwork. We cannot advise someone over the phone without a review of the notice they received or the contract they signed. Recently one of my clients sent me a 36-page document with photos from her cell phone; it took quite a while to turn them into a single document that was readable and formatted for submission to the administrative agency. With social distancing in place, getting witnesses and a notary together for document signing is much more difficult.

The good news is that in Alachua County and most of the State, evictions and foreclosures are on hold. What it will mean in a few months of joblessness and crises, we

don't know. Family law is another area where court closures and delays are creating difficulties related to enforcing time sharing or establishing child support. The legal needs of those living in poverty are not hugely different than for those with resources; however, the ability to access services, especially when so much is internet and technology dependent, is much more difficult. The unknown is tough on all of us and especially those who have the least.

Three Rivers remains open to provide civil legal services to our north Florida communities. We are, however, working remotely, adjusting to this new way of providing legal assistance and very aware that our client base is experiencing a greater need than ever. We are grateful to see the legal community come together and continue to provide pro bono services. We will experiment with virtual Ask-A-Lawyer events and other clinics and look forward to being creative with the local legal community to address the crises. Our Legal Help Line phone number is 1-866-256-8091. Applicants can also reach us by applying through our website at <https://trls.org/> under the tab "How to Get Help".

Stay safe and healthy everyone; we are all looking forward to reconvening in the hopefully near future.

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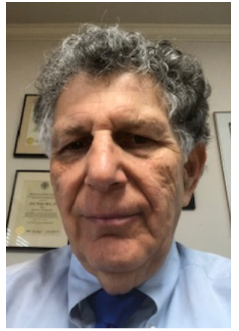
Some Things to Do While Social Distancing

By Krista L.B. Collis and Jack Ross



As a result of the Corona Virus many of our practices have slowed substantially. We may not have a full day of work to do and we can't spend our time doing the things we usually do. I know this newsletter will not come out until May, and I hope we are back to full speed by then, but I am not optimistic. In case we are not, here are some suggestions of things to do that may be more beneficial than binge watching Netflix.

1. Read the Rules of Civil (or Criminal or Family Law) Procedure. All of us will find some useful things there of which we were not aware.
2. Read the Evidence Code; there will be something useful there as well.
3. Take a CLE course. The Florida Bar offices are closed, but online and downloadable CLE programming is available 24/7 at <https://tfb.inreachce.com/>.



4. Create and/or update your forms to be more efficient when the practice increases.

5. Try to anticipate the legal issues that will arise over the coming months and years as a result of social distancing, closed businesses, and the pandemic. For instance, at the beginning of the financial crisis in 2007 and 2008, who had the foresight to anticipate that ownership of the promissory note would go on to be such a major issue — and source of litigation — in the housing market collapse? There will be novel legal issues that arise as a result of the pandemic. We should try to think about them now, so that we will be prepared to litigate for our affected clients when the time comes.

6. Reach out to clients and let them know that we are still here for them. They are probably feeling uneasy and anxious about the state of the world (who isn't?). A phone call or a letter from us might ease their minds, knowing that their legal concerns are still being addressed.

7. Reach out to your fellow attorneys, especially those who might be in a tougher spot right now. The single mom, trying to juggle watching her two kids while working remotely. The immunocompromised lawyer who shouldn't even go to the grocery store right now. A friendly email, an offer to Zoom with the kids while she's on an important call, picking up groceries and dropping them off on the front porch. We can help each other through this, while we're alone together.

8. And I think most importantly: lean back, put your feet on your desk and THINK about your cases. We don't do enough of that.

Your Website is Your New “Hello”

By Laura A. Gross



If your website was a greeting, what would it say? Like it or not, your website is now the face of your law firm. With businesses closed to the public and employees working remotely, your website's interactivity is critical. More people than ever are teleworking and using the internet—including attorneys looking for potential lawsuits based on websites that fail to comply with the ADA. If your website is not accessible and ADA compliant, now is the time to update it.

Demand letters from law firms threatening to enforce ADA public accommodation claims are not new. Recent claims have included the failure to install screen reader software on business websites. As your website facilitates your business and your business is a place of public accommodation, your website must accommodate people with disabilities including vision impairments. See *Haynes v. Dunkin' Donut's, LLC et. al*, 741 Fed. Appx. 752 (11th Cir. 2018) (finding Dunkin' Donuts' website was a service that facilitated its shops which are places of public accommodation and, as such, its website must have screen reader software to accommodate people with vision impairments.).

Luckily, there is a simple solution. You can find free screen reader software online, though you should check with IT support before downloading it.

While there is no federal agency that mandates the particulars of website accessibility, courts considering compliance issues often refer to and rely on the *Web Content Accessibility Guidelines (WCAG) 2.0AA*, a guide published by a group of private organizations whose goal is to improve website accessibility. Aside from screen reader software, website accessibility and compliance problems include websites that cannot be navigated using keyboard instead of a mouse (people who use screen reader software also use keyboards); applications which rely on color, making them inaccessible to people who are colorblind; images without alternative text, making images inaccessible to those who rely on screen readers; and videos without captions, making them inaccessible to people who are hearing impaired. Accessibility issues can also be found on mobile apps and online job applications.

Now is the time to check your website's overall accessibility and compliance and update it as needed. Not only will that eliminate liability, your website will be more user friendly for everyone.



PRO BONO OPPORTUNITY – MIDDLE DISTRICT OF FLORIDA

The Ocala Division is once again looking for pro bono counsel to represent a plaintiff in one of our cases. Magistrate Judge Lammens of the Ocala Division of the Middle District of Florida has entered an Order granting a plaintiff's request for appointment of counsel. Below is a brief factual summary:

"Plaintiff has filed a complaint pursuant to 42 U.S.C. 1983 alleging constitutional violations arising from events occurring during his incarceration at the Marion County Jail. Plaintiff claims Defendant Lockhart violated his Eighth Amendment rights during a purported disciplinary encounter. The remaining issues are whether Defendant Lockhart used excessive force in violation of the Eighth Amendment when he pepper-sprayed and used a take-down maneuver on Plaintiff and whether Defendant Lockhart sexually assaulted Plaintiff."

Please note that pursuant to the Ocala Division Civil Pro Bono Appointment Program, the appointed attorney is permitted to be reimbursed for certain costs incurred during their representation. Information regarding allowable cost and the procedure for obtaining reimbursement is available on the Court's website, www.fimd.uscourts.gov.

Nominees Sought for 2020 James L. Tomlinson Professionalism Award

Nominees are being sought for the recipient of the 2020 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 submit a letter describing the nominee's qualifications and achievements and submit it to Raymond F. Brady, Esq., 2790 NW 43rd Street, Suite 200, Gainesville, FL 32606. The award recipient will be selected by a committee comprised of leaders in the local voluntary bar association and practice sections.

"Justice in the Grove" Fundraising Event Postponed

Please take note that in light of COVID-19, the Three Rivers Legal Services & Southern Legal Counsel fundraising event entitled, "Justice in the Grove" featuring Pulitzer Prize winning author Gilbert King, scheduled for Thursday, May 28, 2020 has been **postponed**. A new date for this special event is currently being confirmed and will be announced as soon as it is finalized. Please watch for future announcements.

President's Message

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2. Be an observer

Take the time to observe the world around you. So many of us, when we find ourselves alone in public, tend to take out our phone or iPad to make it look like we're busy. Why do we need to be busy all the time? Take some time to listen to the birds, or enjoy the laughter of a small child. Experience life, rather than zoning out playing some time-wasting game while you wait for your train to take you somewhere packed with people.

3. Talk and listen to yourself

The only person who really knows you is yourself. Listen to your inner voice. If you feel like you're just going through the motions, try to find out what it is you really want out of life. When you're around others you constantly have to put on a facade, and aren't free to have the deep inner monologues that will lead you to actual happiness. Embrace yourself while you're alone; it's the best time you have to do so.

4. Cherish interactions

We spend so much time around others that we sometimes take it all for granted. When we're alone, we want other people around; but when we're out and about, all we want is to be back in bed. It's important to take the time to really appreciate everyone you meet, from the cashier at the supermarket to the concierge of your apartment complex. Embrace these moments when they arise, and you'll find they stick with you when you are alone.

5. Don't waste your alone time

Like I said before, a lot of our time alone is spent waiting for the next big thing to happen. Don't wait; make it happen. Instead of playing some silly iPhone game, take a book along with you. Instead of watching the same sitcom reruns day after day, start a new hobby. Be a producer, not a consumer. By doing so, you'll find the next big thing in your life will happen much sooner than if you were to wait for it to come.

6. Stay busy

This goes along with the last piece of advice. Don't become stagnant or complacent. When you're alone, you're free to do whatever you want. But do you really want to spend that time laying around contributing nothing to society, or to your own well-being? Do *something* to improve yourself. Try something new that you never imagined yourself doing in a million years. You might end up finding a talent you never knew you had that could change the course of the rest of your life.

7. Make plans

Decide how you want your future to play out. Plan out your day, week, month, and year, and get moving toward the goals you've set for yourself. When you're alone, the only person who can get in your way is yourself. Take

care of your immediate, short-term goals first, but make sure that you take steps toward achieving your long-term goals every day until you reach them. Of course, after you've accomplished those goals, set the bar even higher. There's no telling how far you can go if you keep pushing.

8. Enjoy the quiet

Of course, there's nothing wrong with sitting back and enjoying the silence once in a while. Our busy world is also a demanding one. Between work, family, and friends, it's incredibly tough to actually *get* time to ourselves. We need to enjoy these fleeting moments when they arise. Make the most of your alone time by reflecting on your past and looking toward the future. Meditate and recharge, knowing it might be a while until you get some peace and quiet again.

Personally, I have baked way too much – it's been fun but I have to stop! Another thing I have enjoyed is friends posting recommendations about great books to read; if you need some suggestions let me know. Also, a bunch of people have been posting poems - here's one that may be too apropos for the times but haunting, and a reminder that we need to be there for each other. Please share one with me.

The Loneliness One dare not sound-
And would as soon surmise
As in its Grave go plumbing
To ascertain the size-

The Loneliness whose worst alarm
Is least itself should see-
And perish from before itself
For just a scrutiny-

The Horror not to be surveyed-
But skirted in the Dark-
With Consciousness suspended-
And Being under Lock-

I fear me this-is Loneliness-
The Maker of the soul
Its Caverns and its Corridors
Illuminate -or seal-

Emily Dickinson

Gratitude for our Pro Bono Volunteers

By Marcia Green

The April EJCBA Luncheon was going to be an opportunity to recognize our wonderful local volunteer attorneys. I hope that we are just in postponement mode and will be able to reschedule in the future. Three Rivers Legal Services and Southern Legal Counsel are grateful to the many pro bono attorneys and law students who work to expand the availability of legal assistance in our communities. Cheers to you and we look forward to celebrating as soon as we are able!

May 2020 Calendar

- 1 Deadline to submit nominations for 2020 James L. Tomlinson Professionalism Award
- 5 Deadline for submission of articles for June Forum 8
- 6 EJCBA Board of Directors Meeting, 5:30 p.m. (**Via ZOOM**)
- 13 Probate Section Meeting, 4:30 p.m., Chief Judge's Conference Room, 4th Floor, Alachua County Family & Civil Justice Center (**CONFIRM WITH SECTION CHAIR**)
- 15 EJCBA Luncheon, Alachua County Clerk of Court, Property Appraiser, Tax Collector and Court Administrator, Big Top Brewing Co., 11:45 a.m. **CANCELLED – MAY BE REFORMATTED AS WEBINAR – WATCH YOUR EMAILS TO REGISTER**
- 19 Family Law Section, 4:00 p.m., Chief Judge's Conference Room, Alachua County Family & Civil Justice Center (**CONFIRM WITH SECTION CHAIR**)
- 25 Memorial Day, County & Federal Courthouses closed

June 2020 Calendar

- 4 EJCBA Annual Meeting & Dinner (**DINNER POSTPONED: ANNUAL MEETING AND "WELCOME BACK" DINNER WILL BE HELD SEPTEMBER 10, 6-9 PM – CADE MUSEUM**)
- 10 Probate Section Meeting, 4:30 p.m., Chief Judge's Conference Room, 4th Floor, Alachua County Family & Civil Justice Center (**CONFIRM WITH SECTION CHAIR**)
- 16 Family Law Section Meeting, 4:00 p.m., Chief Judge's Conference Room, Alachua County Family & Civil Justice Center (**CONFIRM WITH SECTION CHAIR**)
- 17-20 2020 Annual Florida Bar Convention, Hilton Orlando Bonnet Creek & Waldorf Astoria

