FORUM 8

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President's Letter

by John Whitaker

Back again for another attempt at information and/or entertainment. I have come to realize the lighter, more entertaining articles are the ones that get the best response. Not that I need a response but it does tell me you're reading the newsletter (or at least part of it). I do need to remind people that last month's article on the 10 best legal-themed movies was based on movies ***I had personally viewed.*** There were several critiques concerning the list, the most common being why I had not yet seen "And Justice for All" (it is on my netflix Q). The other big one I apparently missed was "Witness for the Prosecution." So based on the advice of your peers, add those to your list if you have not seen them.

Other updates on previous articles: Senate Bill 1088 (the new conflict public defender offices statewide) went before the Florida Supreme Court recently, and candidly, I think they will find it constitutional and we will all see how it plays out. Should be fun in tandem with the statewide budget cuts! Jail overcrowding - it's still out of hand but they're building some more beds! Regarding the Keeping Children Safe Act, FS 39.0139 -- the new law that creates a presumption of detriment to a child and prevents a parent from visiting his or her child until after a hearing if any allegation of sexual abuse of any child is called into the hotline (remember all it takes is a phone call) - thankfully the Department of Children and Families and the Guardian Ad Litem are not abusing this power. And the judiciary, at least in Alachua County has been very helpful in getting hearings set quickly so parents can get at least supervised visits with their children when appropriate. I can only speak for Alachua County, as I have not handled this issue in any other county in the circuit.

As you can tell I am grasping for substance this month. Other news: We will have a full field for the Alachua County Judge race this fall with at least 5 candidates. The legislature appears on a mission to completely control Florida's college system and, in my humble opinion, slowly but surely destroy the flagship university.

Three Rivers Welcomes New Managing Attorney

by Marcia Green

Attorney J. Rodney "Rod" Runyons has joined the staff of Three Rivers Legal Services as managing attorney in the Gainesville office. He comes to us following 26 years in private practice.

A graduate of the Salmon P. Chase College of Law at Northern Kentucky University, Runyons has been a member of the Florida Bar since 1981 specializing in civil trial law, primarily insurance defense. Runyons completed his undergraduate studies at the University of Kentucky and Marshall University.

Runyons states that he has made an intentional career and lifestyle change, in his desire to return to the reasons he went to law school. He states he has always believed in the concept of helping the "common man" and the concept of providing legal services to the poor. "After speaking with Allison [Thompson, Executive Director of TRLS], I felt quite compelled to join in as it relates to the mission!" Runyons states that he looks forward to working with the dedicated staff at Three Rivers.

Runyons replaces Tom Williams who has been managing attorney for the past several years. Williams remains a valuable member of the Three Rivers' team, specializing in general practice, elder law and Medicaid issues.

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Clerk's Corner

by Buddy Irby, Clerk of the Circuit Court

We're still open for business! After all the bad news coming out of Tallahassee, I thought I better let everyone know that the Clerk's office is, and will be, open Monday through Friday just as we always have been.

Since the Legislature is now in session, we'll know soon enough what the slow economy and any further reductions or caps on county revenue will be. The court side of the Clerk's office operates on the fees and fines collected pursuant to state statute. We are not currently expecting any major changes in those fees and fines. If the Legislature does amend the fee schedule, I'll let you know as soon as we can.

About This Newsletter

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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, or on a CD or CD-R labeled with your name. Also, please send or email a photograph with your name written on the back. Diskettes and photographs will be returned. 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

The Justice Department Should Just Bite the Bullet

by Stephen Bernstein

"60 Minutes" reported that hundreds of defendants have been convicted with the help of a forensics test considered so unreliable that the FBI stopped using it more than two years ago. Yet, unbelievably, the agency failed to clearly alert defense lawyers and judges about the serious problems with this test.

The "60 Minutes" investigation centered on comparative analysis of lead in bullets, a technique first used after the assassination of President John F. Kennedy. The test has been employed in thousands of cases since then to match bullet fragments from crime scenes with bullets owned by or in the possession of defendants. The theory, as disclosed by the FBI, was that bullets produced from the same batch of lead would have unique chemical properties (similar to the fingerprint analysis). Studies, including a definitive analysis by the National Academy of Sciences, has since proved that assumption false, concluding that the lead in bullets produced at different times can have virtually the same chemical properties, while bullets produced and packaged together can have different characteristics.

Some in the FBI should be commended for raising a red flag, among them Dwight Adams, the Former Head of the FBI Crime Lab, who single handedly put a stop to the FBI's use of bullet lead analysis. However, I suggest that the agency did not go far enough in alerting defense lawyers and judges of the technique's problems. What the FBI did not do was circulate a letter in September 2005 stating that they planned to stop reliance on bullet lead analysis, even though the agency "still firmly supports the scientific foundation of 'the test'." I don't know about any of you, but I had to read that mealy-mouthed disclosure three times before I perceived that this was some type of notification of a deep seated problem.

Of course, I am not saying that every case in which bullet lead analysis was used will result in a new trial; other evidence, including eye witness testimony may prove strong enough to sustain the guilty verdict. However, I would suggest that every case in which bullet lead analysis was admitted should be reviewed. The FBI and the Justice Department have promised to do just that – and not a moment too soon, as some defendants are running out of time to appeal their convictions.

It is troubling that some law enforcement officials seem to have forgotten the legal and moral obligations to disclose exculpatory evidence that could help the defendant. This obligation not only ensures that innocent people are spared incarceration, but also helps the government focus on capturing the real perpetrators. Justice – not victory should be the sole purpose of prosecutions. This principle should be foremost in the minds of the FBI agents and Justice Department lawyers when they review these cases. We are fortunate to have someone the quality of Bill Cervone and those in his office here in the Eighth Judicial Circuit, but the "60 Minutes" show leads me to worry about the cases elsewhere in the country.

Jennifer Zedalis, March EJCBA luncheon speaker

Alternative Dispute Resolution:

Mediation, Probability and Mathematics

by Chester B. Chance and Charles B. Carter

If you are looking for a semi-humorous quiz or a mediation allegory on fruitcake, consider setting this article aside and opting for Comedy Central. This month's article requires your thinking-caps to be donned and buckled.

In 1988, John Allen Paulos wrote a book entitled "Innumeracy". He wrote the book to address a perceived need for the average Joe/Jane to better understand concepts of probability and numbers. Paulos suggests that when people have to make decisions regarding "numbers" and "probabilities" their responses and choices, in part, are determined by how the problem or question is framed. You are thinking to yourself that the Paulos book on mathematics and probability has little to do with mediation. But, you would be as wrong as you were in believing you would follow through on your New Year's resolutions. You would also be guilty of allowing your math phobia to affect your need to understand concepts vital to a successful mediation. Read on.

Paulos discusses and illustrates a seemingly irrational aspect of "innumeracy" which characterizes many of our most critical decisions. The illustration is in the form of a question:

Imagine you are a general surrounded by an overwhelming enemy force which will wipe out your 600-man army unless you take one of two available escape routes. Your intelligence officers explain that if you take the first route you will save 200 soldiers. If you take the second route the probability is 1/3 that all 600 will make it out alive and 2/3 that none will. Which route do you take? Quick, decide!

75% of people choose the first route, since 200 lives can definitely be saved whereas Paulos notes the probability is 2/3 that the second route will result in even more death. Psychological studies conclude people tend to avoid risk when seeking gains.

"So far, so good" says Paulos. Now, the next question. You are a general once more forced to decide between two escape routes. If you take the first one, 400 of your soldiers will die. If you choose the second, the probability is 1/3 that none of the soldiers will make it, and 2/3 that all 600 will die. Which route will you choose? Hurry-up and decide since the Spartans are coming!

80% of people in this situation will choose the second route, reasoning that the first route will lead to 400 deaths, while there is at least a probability of 1/3 that all will get out fine if they take the second route. Men and women choose risk to avoid losses.

Too much math? Hang in there and consider this: The two questions are identical. "The differing responses are a function of how the question is framed, whether in terms of lives saved or of lives lost", notes Paulos. Remember: people tend to avoid risk when seeking gains, but, choose risk to avoid losses.

Another example from Paulos: Choose between a sure $30,000 gain or an 80% chance of winning $40,000 and a 20% chance of getting nothing. Most folks will take the $30,000 "even though the average expected gain in the latter choice is $32,000 (40,000 x .8)." Why? Again, people tend to avoid risk when seeking gain.

Consider this question: Would you accept a sure loss of $30,000 or an 80% chance of losing $40,000 and a 20% chance of losing nothing? In response, most people will take the chance of losing $40,000 in order to have a chance of avoiding any loss, even though the average expected loss in the latter choice is $32,000 (again, 40,000 x .8). Why? Folks choose risk to avoid loss.

Need another example? I'll put two stacks of envelopes by the door as you are leaving your office. You can choose to pick an envelope from only one stack. All the envelopes on the left side contain $20 bills. Three out of four of those on the right are empty, but one in four contains a $100 bill. Which one would your choose? The choices were framed as "gains". People tend to prefer the sure

Continued on page 5

Alternative Dispute *Continued from page 4*

bet ($20). "This risk aversion means people will give up a higher-value but riskier option to ensure they at least get something", according to Timothy Hedeen, Ph.D.

How about a final example? On the way into your office two people will be standing on either side of the door. In order to get in you will have to pay one of the two people. The gatekeeper on the left will let three of four people enter for free, but will charge one in four $100. The gatekeeper on the right will charge everyone $20. Which gatekeeper would you choose? This choice was framed in terms of "losses". People tend to select the risk (the chance of paying nothing). According to Timothy Hedeen, Ph.D., this loss aversion is a form of risk tolerance in which people are willing to take an irrational risk in order to avoid a definite loss.

How does a dusty book from 20 years ago on probability relate to your law practice? How does this play into mediation or how does it determine what deductible you select for your car insurance? How does it flavor your perception of whether the glass is half full or half empty? Well, simply put: how a question or statement is framed involving issues of gain, loss and risk greatly determines how someone responds to it. That is why the role of a mediator is to reframe issues. To reframe a concept is to change how people perceive it or how they think about it.

Mediation involves analyzing gain, loss and risk. How the attorney and the mediator frame that risk decision to a party is a big factor in what the party chooses to do in terms of settlement and resolution.

Your homework assignment:

Role-play two mediation scenarios involving:

A. Your client has to make a decision as to whether to accept an offer from the other side.

B. Your client has to make a decision as to whether to pay an amount to the other side.

How will you frame this decision to your client in terms of your new found knowledge that people tend to avoid risk when seeking gains, but, choose risk to avoid losses? The risk is trial.

Submit your answers in essay form. Pop quiz next month on Chapter 2: Mediating the Middle East Crisis (determine whether you need to reserve a half-day or a full day for the mediation).

Volunteers Needed

We need volunteers to distribute the U.S. Constitution to all fifth graders in our circuit during law week beginning the first week in May. If you can help, please contact Elizabeth Collins at 372-4381, or ecollins@dellgraham.com.

Change your Calendar

In May the EJCBA luncheon has been changed to the 16th so that the JA luncheon can proceed on the 9th. Please make a note of the change on your calendar.

Court Ordered Non-Binding Arbitration

Chief Judge Frederick D. Smith signed Administrative Order #3.1300 for court ordered arbitration in circuit and county civil cases March 6, 2008. Anyone desiring more information about the program may talk to Ms. Robin Davis, Eighth Judicial Circuit ADR Director at 352-491-4417.

Judicial Assistant Luncheon

Here Ye! Here Ye! Heads up Notice is hereby given to ALL JUDGES AND LAWYERS of the Circuit for this year's J.A. LUNCHEON given by CGAWL to honor all J.A.'s and Hearing Officer Assistants of the 8th Judicial Circuit. MARK YOUR CALENDARS NOW for Friday, May 9, 2008 from 11:30 am to 1:30 pm at the Gainesville Golf & Country Club. Watch for more details from Co-Chairs Marilyn Peterson and Michelle Farkas. To be sure that you do not miss this delightful, if not riotous, tradition, grab your calendar and pencil it in ... right this minute!

Family Law: Bad Rep

by Cynthia Stump Swanson

It's got a "bad rep!" No, I'm not referring to gangstas; nor to "slash and burn" trial tactics; nor to unprofessional lawyer conduct. I'm referring to the plain, old-fashioned family law trial. You remember those, don't you? Remember where the parties and their witnesses used to come to court and provide evidence to the Judge, who listened impartially and then made a decision?

We've had such a proliferation of alternative dispute resolution procedures in the last decade or that we spend way more time and energy and money to avoid a trial than if we just had a trial and got it over with.

So, how did family law trials get such a bad reputation anyway? I think this all started with committee meetings of lawyers, judges, clerks, therapists, lay people, etc., where we all sat around and called ourselves "stakeholders," and talked about the number of new family law cases filed each year, and how they were dragging on and dragging on. And the psychotherapists said, "Gee, the court procedure itself is damaging to these poor people. It creates and encourages conflict." And the Judges said, "Gee, we can't really handle more cases." And some lay people said, "Gee, we really can't afford lawyers." Then, some other therapist said, "Gee, why don't we try to help people sit down and resolve their conflicts themselves."

Some more meetings and conferences...*Voila*! Family mediation was born. Another step on the road to the courts becoming a social services agency, rather than a system for the administration of justice. According to pretty much every source, mediation is very successful in that a very high percentage of parties who go to mediation settle their cases (or at least part of their cases). I'm not sure what studies, if any, have been done on what percentage of those cases come back to court in the future. I know the idea is that if they could settle once, they ought to be able to keep on settling and thus not going to court.

I am also not sure if any studies have been done or could be done, except maybe by God, to determine how many of those cases which settled at mandatory mediation would have settled anyway without mediation, and how many would really have turned into the Joe Robbie [788 So. 2d 290 (Fla. 4DCA 2000)] or Roxanne Pulitzer [449 So.2d 370 (Fla. 4DCA 1984) cases.

But not everybody can settle at mediation. Some folks need even more help settling. *Voila*! Collaborative divorce is born. I went to the training last week and learned all the theory behind it. Now the parties each get a lawyer, and they have "four way meetings." Then they add a "financial neutral" (otherwise known as a CPA) and then they have "five way meetings." Plus each party gets a divorce coach (a mental health professional who does not provide therapy to the parties, but instead helps them move forward on the path to divorce). Then, they have - you guessed it - "seven way meetings." They work really hard to voluntarily share information and have meetings to discuss stuff, and the idea is that with all this information and professional help, the perfect divorce will happen.

I'm just speculating here, but I believe that, if they have lawyers, the average 8th Circuit "double wide and pick up truck" divorce costs each party maybe about $2,000, maybe less. The average "UF professor and school teacher" divorce costs probably about $5,000 each. The average "cardiologist and stay at home mother" divorce probably costs more like $15,000 - $20,000 each; maybe less or more depending upon whether they are really, really fighting over custody or permanent alimony.

Now, let's examine those same divorces in a collaborative divorce model. The "double wide and pickup truck" divorce – hmmm.... If the legal fees go down a bit, say, to $1,000 each, but you pick up CPA fees even on the low end - say $750. Then, you also pick up two divorce coaches - and let's face it - those costs will be the highest overall because once people get started talking, they're not going to stop - let's say you add $1,500 each (divorce coaching is NOT covered by health insurance). Now that $2,000/ea divorce case costs $3,250/ea.

Oh, wait - I forgot to mention the "child specialist." This is a third mental health professional who is the "voice of the children." He or she will meet with all the children and then have a "five-way meeting" to tell the parties and their divorce coaches what the kids have to say. Again, this

Continued on page 7

 Continued from page 6

person is not providing therapy - just being a voice. Let's add in $500 for that, or $250 each party. That $2,000 divorce has gone up to $3,500, although the legal fees (what everybody is so upset about) have gone down from $2,000 to $1,000. But is that being 'penny wise and pound foolish?'

In the cardiologist's divorce, because he has a new 25 year old girlfriend, the divorce coaches' fees are way higher. You can do the math. The fact that they agreed to do a collaborative divorce doesn't mean there are any less hurt feelings, fear and uncertainty, anger, bitterness, jealousy, suspicion, distrust, and so on.

Here's the good AND the bad part – all this happens BEFORE anybody files a petition. So, there are no court deadlines imposed to create artificial time lines. Everybody moves at their own pace. And, here's the kicker with collaborative divorce: the parties and lawyers sign an agreement at the beginning which says that if the collaborative experience falls apart and somebody wants to go to court, none of the professionals who had been involved can continue. So, the parties start with all new lawyers, financial professionals, witnesses, and so on. This is supposed to be pretty good financial (and emotional) incentive to finish up a compromise on that last issue and finish with the "team" you started with. According to our trainers, collaborative divorces often take a year or more.

Now, really - is this all that much better than just getting the information you need, and two well prepared lawyers and two educated (on divorce law) parties having a "five-way" meeting with a Judge (otherwise known as a trial), providing the relevant evidence and argument, and just getting a decision? Except in cases where there are complicated or sophisticated financial assets which may need to be valued, or where there is a special need for a child custody evaluation or a vocational assessment, all of which can take longer than six months, can't you pretty much get all this done in the Florida Supreme Court's suggested time frame of six months or less (Fla.R.Jud.Admin. 2.250)? And you get a knowledgeable and impartial person to look at the well-presented evidence, and to consider the well-made legal arguments, and to make a decision. Isn't THAT the most important thing, after all? Just getting it over with? Getting it done? Getting out of the room? Going on with your life?

Or is it?

Do you family lawyers agree with me that:

(1) Parties who are amicable will manage to settle with or without mediation, collaborative law, etc. if they tell their lawyers they want to be amicable and the lawyers respect that?

(2) Parties are more likely to be amicable if they are allowed to process the hurt feelings which are inevitable in any divorce without being pushed and rushed to mediation, hearings, etc, but only if they have enough financial security to allow the necessary amount of time to pass (and this goes both ways - that they aren't worried about either NOT getting support or about having to pay more support than they can afford)?

(3) Parties who are angry and bitter and have not had a chance to process all the angry and bitter feelings and who are rushed to mediations, hearings, etc., or who do not feel they have financial security are not going to settle, and are going to get more angry and more bitter the more they are rushed and pushed and the worse their financial situation becomes, and that all the 'divorce coaches' and collaborative lawyers in the world will not change that?

Or will they? Would it help to have a divorce coach who is able to articulate to the team in a non-threatening, non-accusatory way that the wife, for example, is very worried about her financial security, or that the husband is very worried about continuing his relationship with his children. A third party who is not personally involved might be able to articulate one party's fears and uncertainties in a way that the other party is better able to hear.

If you're interested in becoming certified to practice collaborative family law, as a lawyer, mental health professional, or financial professional, contact Ruth Angaran, cassoc2@bellsouth.net.

At our meeting in February, we did some brainstorming about future programs. There was some considerable interest in technology - from how to put to use a Power Point presentation in a family law hearing or trial, to what is our favorite financial software, to billing systems. There was also interest in the "periphery" topics of adoption, guardianships, adult protective services, and dependencies. If any of you have some expertise in these areas, or know somebody who really does, please let me know so I can work on putting together a good program.

The March Family Law Section meeting was

Continued on page 8

Criminal Law

by William Cervone

Sometimes I feel positively simple minded. This usually happens when I read a new opinion in Florida Law Weekly, which I torture myself with every week, and am left gasping for air after discovering that something that is to me completely obvious is, in fact, a matter of some controversy.

What brings this to mind (or pen, or keyboard) is the peculiar case of one Blanchard St. Val, convicted of multiple counts of attempted murder and sundry other crimes, who stood before his sentencing judge and professed that the entire episode had been an accident in which some people just happened to get shot. Never mind the facts and how he fired repeatedly into a car. The judge was unimpressed with the defendant's attitude and imposed a life sentence. Obviously having nothing else to do with his time, St. Val appealed, claiming that a judge may never take lack of remorse into consideration when sentencing.

The 4th DCA disagreed, and I'm good with that. Frankly, the very thought that there could be any other result never occurred to me, at least at first. After all, as the 4th DCA wrote, one who regrets his acts may not repeat them, and that "is the type of factor that judges have historically taken into consideration in imposing sentence." The opinion quotes from Roscoe Pound, who wrote in 1930 that a judge "must look into the motive of the act and its consequences. The legal ideal is one of exact adjustment of the penalty to the particular case by way of compensation for the generality of the legal precept which was applied mechanically in determining conviction."

Parenthetically, I wonder what Pound would have made of sentencing guidelines. I am also amused by the observations of someone named Arthur Train, who wrote in 1925 (and was also quoted in the opinion) that "[F]ew sentences are imposed without a more or less lengthy appeal for clemency from the defendant's lawyer, who usually does not confine himself merely to the contrition of the defendant, his past respectability and his pledges to lead a new and better life, but is prone to discourse volubly upon the reputable connections of the defendant, the hardship which a sentence will impose upon his family, and the fact that the complainant or those who have been interested in the prosecution now have a profound sympathy for the prisoner." I'm apparently not the only one that finds most sentencing hearings to follow a quite predictable path. Equally apparently, not much is new in the arena of criminal mitigation.

But back to my feeling simple. All of that said and the gavel on the appeal all but having dropped, the 4th DCA noted that this was contrary to a very specific holding of the 1st DCA that "lack of contrition or remorse is a constitutionally impermissible consideration in imposing sentence" in a case from 1997, K.Y.L. v State. So I read K.Y.L. and it really says that. I read some of the cases K.Y.L. relies on as well. They say it too, but mostly in a context that is not at all troubling and that usually involves a defendant continuing to say he didn't do it, not that he did it and he isn't sorry that he did. That's something I understand and can easily agree with. It's also something far different from remorse or lack thereof. Maybe one could construe whatever St. Val actually said to be a protestation of innocence, not a cavalier lack of concern, but the opinion does not quote his statement. I assume it would have been if that was so.

So are we just counting the angels that dance on the head of the pin again? I suppose we'll find out (legally speaking) eventually as the 4th DCA certified conflict. In the meantime I can only scratch my head.

By the way, I just love that phrase about defense lawyers who "discourse volubly."

Bad Rep

Continued from page 8

on a different day than the usual Wednesday - and was held in conjunction with FLAG - the Family Law Advisory Group. At the meeting, which was held on Monday, March 24, 2008, Judge McDonald and Judge Nilon addressed the group (made up of lawyers, court personnel, therapists, lay people, etc.) about the Unified Family Court.

We almost always meet on the LAST (not the 4th) Wednesday of each month, at 4:00 p.m. in the Chief Judge's Conference Room at the Alachua County Family and Civil Justice Center.

And, as always, contact me at cynthia.swanson@acceleration.net if you want to be added to or removed from our Family Law Section emailing list.

Internet Crimes Against Children Seminar hosted by the Gainesville Area Federal Bar Association and EJCBA

by Stephanie Marchman

Frank Williams, an Assistant United States Attorney for the Gainesville Division of the Northern District of Florida and District Coordinator for the Department of Justice's Project Safe Childhood, is impassioned about educating the public about internet crimes against children. The local bar was fortunate to witness Frank's passion for this subject firsthand at the Eighth Judicial Circuit Bar Luncheon on February 8, 2008, and to learn about the challenges in fighting this problem during his more in-depth continuing legal education presentation after the luncheon.

During his luncheon address, Frank explained that the problem of internet crimes against children is so enormous that law enforcement cannot be the answer – the public, including attorneys, must become educated about this problem so as to prevent these types of crimes from occurring at all. Frank analogized the internet to the forest – we would not allow our children to go into the forest by themselves and without knowing what they might confront, so why wouldn't we take the same precautions with our children going on the internet?

During his more in-depth afternoon presentation to approximately 50 local attorneys (for which over two hours of free continuing legal education credit was available), Frank explained why law enforcement could not tackle this problem alone. Law enforcement faces the formidable challenge of investigating internet crimes which occur through multiple internet service providers – approximately 350 million of which are in existence today – and complying with the numerous technical requirements to obtain documents and information from each of the multitude of internet service providers which may be involved in an internet crime. In addition, law enforcement faces technological challenges in investigating internet crimes, including anonymizer websites which prevent law enforcement from obtaining the personal identifying information of criminals over the internet, as well as forensics challenges, including morphed images where the identity of the victim is unclear.

The enormity of this problem also makes it impossible for law enforcement to tackle it alone. In 2007, the pornography industry earned $12 billion, $2.84 billion of which was online. The internet has also become a powerful tool for criminals, and, in a sense, encourages criminal behavior over the internet. For one, the internet provides a vast network for individuals to inexpensively, anonymously, and easily share, disseminate, and encourage the victimization of children and child pornography. And for those who seek out child pornography on the internet, they are met by scores of other individuals who share their interests, thereby making it seem that such behavior is normal and accepted.

In order to tackle this problem, Frank suggested that we educate ourselves and our children so as to avoid becoming a victim of an internet crime. In that regard, Frank referenced several websites, including netsmartz.org, myfloridalegal.com/childsafety.pdf, and projectsafechildhood.gov. Frank also suggested that the local attorneys consider teaching internet safety to students as a part of the Justice Teaching program. For additional information about this topic, Frank can be contacted at the Gainesville U.S. Attorney's Office or by email at frank.williams@usdoj.gov.

Frank's presentation certainly helped to raise public awareness about internet crimes against children, and the Gainesville Area Federal Bar Association and Eighth Judicial Circuit Bar Association are thankful that they had the opportunity to host Frank and provide a platform for this important and timely topic.

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.

Nominees Sought For 2008 James L. Tomlinson Professionalism Award

Nominees are being sought for the recipient of the 2008 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, Esquire, 1216 NW 8th Avenue, Gainesville, FL 32601. Nominations must be received in Mr. Brady's office by May 2, 2008 in order to be considered. The award recipient will be selected by a committee comprised of leaders in the local voluntary bar associations and practice sections.

James L. Tomlinson Professionalism Award Nomination Form

Name of Nominee:_____

Nominee's Business Address:_____

_____

_____

County in which Nominee Resides:_____

The above named nominee exemplifies the ideals and goals of professionalism in the practice of law, reverence for the law, and adherence to honor, integrity, and fairness, as follows (attach additional pages as necessary):

_____

_____

_____

_____

_____

Name of Nominator:_____

Signature:_____

Justice Peggy A. Quince to Become Chief Justice

Florida Supreme Court Justice Peggy A. Quince was elected to become Florida's 53rd Chief Justice. The Justices unanimously elected Justice Quince to serve as the first African American woman to lead the state's third branch of government effective July 1, 2008.

Mary Adkins at the March 2008 EJCBA luncheon

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CONTACT INFORMATION:

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April 2008 Calendar

3 Deadline for submissions to May newsletter
3 Clara Gehan Association for Women Lawyers, 5:30 p.m., Amelia's in the Sun Center
7 EJCBA Board of Directors Meeting, Ayers Medical Plaza, 720 SW 2d Ave., North Building, Third Floor conference room, 5:30 p.m.
7-11 Spring Holidays for Alachua County Public Schools
9 Probate Section Meeting, 4:30 p.m., 4th Floor, Family & Civil Courthouse
18 EJCBA luncheon – Steve's Courtyard Café, 11:45 a.m. – Carol Bosshardt re PALS Program
30 Family Law Section meeting, 4:00 p.m in the Chief Judge's Conference Room (former Grand Jury Room) of the Family and Civil Courthouse

May 2008 Calendar

1 Clara Gehan Association for Women Lawyers, 5:30 p.m., Amelia's in the Sun Center
5 Deadline for submissions to June newsletter
5 EJCBA Board of Directors Meeting, Ayers Medical Plaza, 720 SW 2d Ave., North Building, Third Floor conference room, 5:30 p.m.
9 JA Luncheon, Gainesville Golf & Country Club, 11:30 - 1
14 Probate Section Meeting, 4:30 p.m., 4th Floor, Family & Civil Courthouse
16 EJCBA luncheon – Steve's Courtyard Café, 11:45 a.m. – speaker TBA
26 Memorial Day, all courthouses closed
28 Family Law Section meeting, 4:00 p.m in the Chief Judge's Conference Room (former Grand Jury Room) of the Family and Civil Courthouse

FORUM 8

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