

J. CLIFFORD CHEATWOOD

AMERICAN INNS OF COURT

HANDBOOK & DIRECTORY
2010-2011

Civility

Ethics

Professionalism

Legal Excellence

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THE CHEATWOOD INN HANDBOOK

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The Cheatwood Inn Handbook

This handbook will introduce the American Inns of Court and the J. Clifford Cheatwood American Inn of Court. Its purpose is to acquaint the reader with the history of the American Inns of Court movement in the United States and in Florida, overall, and with the operation of the Cheatwood Inn of Court, in particular.

J. CLIFFORD CHEATWOOD INN OF COURT

Program Schedule 2010 - 2011

September 14

Honorable Chris Altenbernd Pupillage
Wine Tasting Social

October 12

Honorable Thomas Barber Pupillage
Internet Evidence and Related Ethical Issues

November 9

Honorable Emily Peacock Pupillage
Relevance and Similar Acts and Related Ethical Issues

December 7

Honorable Manuel Menendez Pupillage
Joint Inn Holiday Party

January 11

Honorable Elizabeth Jenkins Pupillage
Scientific Evidence and Related Ethical Issues

February 8

Honorable Susan Bucklew Pupillage
Impeachment Evidence and Related Ethical Issues

March 8

Honorable Bernard Silver Pupillage
Expert Witnesses and Related Ethical Issues

April 12

Honorable Michael Williamson Pupillage
Electronic Evidence and Related Ethical Issues

May 10

Honorable William Levens Pupillage
Hearsay and Related Ethical Issues

CHEATWOOD INN 2010 – 2011 PUPILLAGE ASSIGNMENTS

| | |
|---|---|
| Hon. Chris Altenbernd Pupillage – Sept Hon. Caryl E. Delano Mark Buell Margaret Mathews Jaime Austrich – Barrister 3 Rachael Greenstein – Barrister 1 Justin Dees – Pupil 2 Erica Tate – Pupil 1 | Hon. Manuel Menendez Pupillage- Dec Tim Sullivan Stuart Markman Richard Martin – Barrister Kelley Howard-Allen Celene Humphries – Barrister 2 Kristen Chittenden – Pupil 2 Dax Nelson – Pupil 1 |
| Hon. Thomas Barber Pupillage – Oct Tom Elliget Richard Gilbert Jennie Tarr Richard Mockler – Barrister 3 Daniel McBreen – Barrister 1 Laura Ward – Pupil 2 Ryan Elizabeth Eastmoore – Pupil 1 | Hon. Emily Peacock Pupillage - Nov Joryn Jenkins Leonard Gilbert Ed Waller Tripp Barlow – Barrister 3 Matthew Leish – Barrister 1 Scott Richards – Pupil 1 Eric Nowak – Pupil 1 |
| Hon. Susan Bucklew Pupillage - Feb Les Joughin Miriam Mason Joe Varner Christopher Shulman – Barrister 1 Shelley Mirpuri – Barrister 1 Woody Pollock – Pupil 2 Terri Parker – Pupil 2 Kimberly Jones – Pupil 1 | Hon. Bernard Silver Pupillage - Mar Vivian Arenas-Battles Ed Gerecke Scott Frick – Barrister 3 Julie Sneed – Barrister 2 Bob Warchola – Barrister 1 Lindsay Saxe – Pupil 2 Joseph Justice – Pupil 1 |
| Hon. Elizabeth Jenkins Pupillage - Jan Bill Kalish Bruce Cury Larry Rayburn Barbara Twine-Thomas – Barrister 3 Paul McDermott – Barrister 1 Aaron Silberman – Pupil 2 Sarah Kay – Pupil 1 | Hon. Michael Williamson Pupillage-Apr John Holcomb Wayne Thomas Charlie Ketchey Clark Furlow – Barrister 3 Colleen Fitzgerald – Barrister 1 Sarah Witmeyer – Pupil 2 Henry Stiles – Pupil 2 Carrie Lee Bohning – Pupil 1 |
| Hon. William Levens Pupillage - May Michael Colgan Stefan Stein Cynthia Oster – Barrister 2 Cheryl Lister – Barrister 1 Shelley Cridlin – Pupil 2 Robert Witmeyer – Pupil 2 Kevin McCoy – Pupil 1 | Emeritus – Judge Whittemore, Judge Barton, Judge Vogel, Pete Zinober, Gwynne Young, Ed Savitz, Mike Foster, Catherine Novack, Daniel Hernandez Leave of Absence for 2010/11 – Judge Honeywell, Judge Scriven, Chris Coutroulis |

J. CLIFFORD CHEATWOOD INN

2010-2011 OFFICERS AND DIRECTORS

| | |
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| President | Mark Buell |
| President-Elect | Honorable Bernard Silver |
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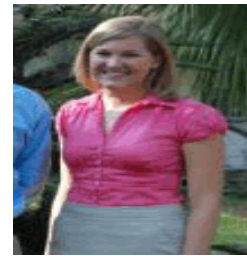
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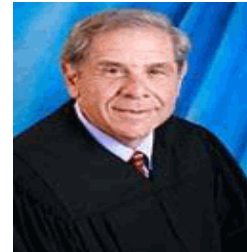
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86 Total Members

- 45** Masters of the Bench
- 20** Barristers
- 0** Associates
- 21** Pupils
- 0** Other/Unclassified

56 Billable Members

- 77** Active Members
- 9** Emeritus Members
- 0** Honorary Members

AMERICAN INNS OF COURT

The American Inns of Court are the fastest growing legal movement in the country. Today, there are over 300 American Inns of Court across the United States. Over 23,000 judges, lawyers, law professors, and law students are currently members of American Inns of Court; Inn of Court members include 40 percent of all federal judges and more than 1,500 state court judges.

The American Inns of Court are patterned after the English Inns of Court, which began in 1292, when King Edward I directed his chief justice to satisfy a growing need for skilled advocates at the Royal Court at Westminster. The English Inns of Court grew in number and importance during the Middle Ages. They emphasized the value of learning the craft of lawyering from those individuals already established in the profession. Their collegial environment fostered common goals and nurtured professional ideals and ethics.

In 1977, Chief Justice Warren E. Burger and other American lawyers and judges spent two weeks in England as part of the Anglo-American Exchange. They were particularly impressed by the collegial approach of the English Inns of Court and by the way the Inns passed on to new lawyers the standards of decorum, civility, ethics and professionalism necessary for a properly functioning bar. Following his return, Chief Justice Burger authorized a pilot program that could be adapted to the realities of law practice in the United States.

Chief Justice Burger, former Solicitor General Rex Lee, and Senior United States District Judge A. Sherman Christensen founded the American Inns of Court in 1980. The Inn was affiliated with the J. Reuben Clark School of Law at Brigham Young University in Provo, Utah. The number of American Inns increased slowly at first, but the growth of the movement began to accelerate in 1985 with the establishment of the American Inns of Court Foundation.

American Inns of Court are designed to improve the skills, the professionalism and the legal ethics with which the bench and the bar perform their functions. They help lawyers become more effective advocates, with keener ethical awareness, by providing them the opportunity to learn side-by-side with the most experienced judges and lawyers in their communities. The objectives of each Inn are as follows:

1. To establish a society of judges, lawyers, legal educators, law students, and others to promote excellence in legal advocacy in accordance with the Professional Creed of the American Inns of Court;
2. To foster greater understanding of and appreciation for the adversary system of dispute resolution in American law, with particular emphasis on ethics, civility, professionalism, and legal skills;

3. To provide significant education experience that will improve and enhance the abilities of lawyers as counselors and as advocates, and of judges as adjudicators and as judicial administrators;

4. To promote interaction and collegiality among all legal professionals in order to minimize misapprehensions, misconceptions, and failures of communication that obstruct the effective practice of law;

5. To facilitate the development of law students, recent law school graduates, and less experienced lawyers as skilled participants in the American court system;

6. To preserve and transmit ethical values from one generation of legal professionals to the next; and

7. To build upon the genius and strengths of the common law and the English Inns of Court to renew and inspire by joy and zest in legal advocacy as a service worthy of constant effort and learning.

HISTORY OF THE J. CLIFFORD CHEATWOOD AMERICAN INN OF COURT

In early 1988, Joryn Jenkins contacted Peter Grilli (both Tampa lawyers) to ask for an application for membership in the newly-organized Ferguson-White Inn. Peter informed Joryn that there were no vacancies in the Inn, but that he would be delighted to advise her with regard to organizing another. She also discussed the concept with one of her former law school professors, Sherman Cohn, the President of the American Inns of Court Foundation (and father of another of Tampa's practitioners, Ron Cohn).

Former Circuit Chief Judge J. Clifford Cheatwood agreed to head up the new Inn's organizing committee, and then Circuit Judge Susan Bucklew volunteered to serve on it, as well. At the Fourth Annual Meeting of the American Inns of Court in Washington, D.C., Inn LII was awarded its charter by the American Inns of Court Foundation. Shortly thereafter, the Inn took the name of the illustrious Florida jurist Justice William Glenn Terrell, and in September 1988 the Inn held its first dinner meeting.

Although American Inns of Court are permitted to have a specialized focus, and many these days do, the original focus of the Cheatwood Inn was on litigation, civil or criminal, federal or state, administrative or appellate, bankruptcy or family law; any issues implicated in litigation were fair game and this is still so. Of course, the issues involved in litigation these days include alternative dispute mechanisms and appropriate interaction with the media, the grievance process and the impact of computers in the courtroom. The definition is wide-ranging.

In 2005, the Inn changed its name to the J. Clifford Cheatwood Inn, in honor of one of its founding members and former Circuit Chief Judge for the Thirteenth Judicial Circuit.

JUDGE CLIFFORD CHEATWOOD

Clifford Cheatwood was born in Rome, Georgia, and raised in Birmingham, Alabama. He served in the Merchant Marines and attended undergraduate school at the University of Alabama. He obtained his law degree from Stetson Law School in 1951.

Following law school, Judge Cheatwood took a job in Pensacola as an insurance adjuster. He later became legal counsel for a steel fabricating company in Birmingham, Alabama.

The Judge moved back to the Tampa area and began practicing law with the law firm of Kicklighter and Sidwell. Judge Cheatwood became a named partner with the firm.

In 1977, Judge Cheatwood was appointed to the Thirteenth Judicial Circuit Court bench by Governor Reubin Askew. He served on the bench from 1977 until he retired in 1991. Judge Cheatwood served the judiciary well. In 1983 he was elected Chief Judge of the Thirteenth Judicial Circuit by his peers. He was selected as the outstanding circuit court judge in the state of Florida by the Young Lawyers Division of The Florida Bar.

Among the most memorable cases he presided over, two stood out to Judge Cheatwood. In 1982 as a financial scandal unfolded, Judge Cheatwood declared the Metropolitan Bank insolvent, a ruling that adversely affected some very prominent Tampa residents. Another case he remembered, this one because of its complexity, is *State of Florida v. Anclothe Manor Hospital*. Claims and counterclaims abounded in this juryless proceeding, as did appeals and cross appeals after Judge Cheatwood's decisions were entered. Judge Cheatwood proudly recalled that the Second District Court of Appeal (Case No. 89-00256) upheld all of his rulings in the case.

Judge Cheatwood was a founding member of the William Glenn Terrell Inn of Court. He was elected as the first president of the organization.

In 1991, Judge Cheatwood formally announced his retirement. He continued to preside over jury trials as a retired judge for a period of time following his retirement. Judge Cheatwood passed away in 2007.

MEMBERSHIP IN THE CHEATWOOD INN

The Cheatwood Inn of Court generally has between 75 and 85 active members, divided into three classifications. Masters include lawyers and law professors with 20 or more years of experience and federal and state judges, magistrates, and general and special masters. Barristers include lawyers and law professors with from 5 to 20 years of experience. Pupils are lawyers with fewer than 5 years of experience, as well as law students attending their final year of law school.

Membership is open to all qualified persons, regardless of race, color, sex, age, religion, national origin, or handicap. Thus, the Cheatwood Inn reflects the rich diversity of the bench and bar in Florida and has included representatives of the plaintiffs' bar, defense counsel, solo practitioners, government lawyers, corporate counsel, law professors, mediators, and federal and state trial and appellate judges, masters, and magistrates at one time or another. Efforts are made to ensure that no one law firm or type of practice is disproportionately represented.

Masters are members of the Inn for indefinite terms. Barristers serve three-year terms; pupils serve two-year terms; or, if in law school, members of the Inn during their final year of law school. Term limits apply only so long as the Inn member fulfills his/her obligation to participate. Barristers and pupils are eligible for re-election to the Inn as long as there has been at least a one-year hiatus between their terms. Members are not permitted to change their membership classifications during their terms but may be placed in a different classification if they are re-elected to the Inn.

Pupils and barristers need not reapply after the first year of their terms; unless their attendance has been less than satisfactory, it is assumed that they will wish to remain members of the Inn.

In addition to the active members, the Inn has offered emeritus memberships to masters who have completed their terms of membership in good standing. Emeritus members may participate in the Inn's education and social programs without paying annual dues, but only paying for the cost of the individual programs attended.

SELECTION OF MEMBERS

In the spring of each year, nominations for new barristers, and pupils are solicited from the Inn's active members and from state and federal judges. The executive director also places an advertisement in the Hillsborough County Bar Association magazine, The Lawyer, in order to solicit applications. The applications are provided to the masters of the Inn, who identify persons who have demonstrated interest in developing their own professional skills and in improving the quality of justice in Tampa; the masters then submit their recommendations to the Inn's membership committee.

The membership committee meets with the membership committees of the other Tampa Inns, and applicants are selected by the Inns in such a manner as to ensure diversity (in type of practice, in sex, in race, in firm affiliation, etc.) in the membership of each Inn.

The Inn also requests Stetson University School of Law professors to recommend students who are commencing their final year of study for membership in the Inn. The professors recommend students who, by their academic performances and participation in extracurricular activities, have demonstrated active interest in the ethical and professional practice of law.

INN GOVERNANCE

Governance of the J. Clifford Cheatwood American Inn of Court is entrusted to the officers and the executive committee. The officers include: the president, the president-elect, the counselor (past president), the secretary, and the treasurer. The executive committee consists of the officers and the executive director, who is appointed by the president. The president, and therefore the president-elect and the counselor, is often a judge, and is always a master. The other officers may be drawn from any membership category.

The membership committee, of which the current president-elect (incoming president) is usually chair, nominates the Inn's officers. Elections are held during the summer at the Annual Meeting of the Masters, while the Inn is on hiatus. The officers are elected by a majority of the masters; officers serve a one-year term and are eligible to serve successive terms.

Officers for the upcoming year are so designated in the roster included in this handbook; Inn members are encouraged to contact any of the executive committee members if they have any questions or comments concerning any aspect of the Inn.

The Inn's masters determine to whom to extend invitations to join the Inn, to pupils, to barristers, and to prospective masters. The membership committee represents the interests of the masters at the meeting with the other Inns in Tampa Bay. The masters also determine any changes in Inn policy.

The president-elect serves as the chair of the program committee. Other members volunteer as committee members. The committee assigns program topics to each pupillage group at the beginning of the year. Each pupillage is free to determine the manner of presentation.

ATTENDANCE POLICY

All active members are expected to attend and to participate in the Inn's monthly meetings. Three unexcused absences during a program year will be deemed to be a resignation unless the executive committee waives the provision, for good cause. Persons who are unable to attend a particular meeting must inform the executive director prior to the meeting of the reason for their absence, and are encouraged to send another non-member lawyer in their stead. Absences without advance notice or a replacement are unexcused.

Up to five masters at any given time may take a leave of absence from active Inn participation. If a master's request to the executive committee for leave is granted, then his or her return to active membership can only be effected if there is a master position open when he or she seeks to return.

GUEST POLICY

The Inn's programs are primarily for the benefit of its members. However, members may invite guests from time to time. Members who wish to invite guests must inform the president and the secretary in advance of the meeting of their guests' names. They must also agree to be responsible for the cost of the guests' meals. Members may pay for their guests prior to or at the meeting in question. The cost for a guest is \$30.

CONTINUING LEGAL EDUCATION CREDITS

The Inn is a CLE provider. Members earn CLE credit, including ethics credit, by attending and participating in the Inn's programs.

The CLE chair is responsible for obtaining a CLE course number for each of the Inn's programs. This information is provided to members, who are responsible for entering the CLE course number for credit with The Florida Bar.

MEETINGS AND PROGRAMS

Although each executive committee designs the Inn's programs differently, the program year usually begins in September with a social gathering. Thereafter, the Inn, as a whole, meets an additional eight times a year on the second Tuesday of every month, except December, when the meeting is traditionally a joint meeting of other Tampa Inns. Meetings are held at the Chester H. Ferguson Law Center, unless otherwise noticed. Each meeting begins with a cocktail reception (cash bar) from 5:30 to 6:15 p.m. Dinner follows the reception, and then one of the Inn's nine pupillage teams presents a 50- to 60-minute program dealing with the practical aspect of the practice of law. The program begins at 7:00 p.m. and concludes at 8:00 p.m., although members are welcome to remain informally afterward.

The programs are the heart of the monthly meetings. They involve practical legal skills with the emphasis on ethics, civility, and professionalism in lawyering. They are generally comprised of a demonstration or presentation of principles, skills, techniques, and relationships involved in trial or appellate court proceedings or in activities preliminary to courtroom appearances, although there is no set format. The programs also incorporate opportunities for critique and discussion.

Programs are prepared by the pupillage teams. It is not necessary for every member of the pupillage to have a speaking role in the program, although everyone in the pupillage usually has a contribution, a job to perform, whether it is research, or writing, or design, or demonstration, in order to ensure that the program is instructive and interesting.

Assignments of programs are prepared by the program committee during the summer before the Inn year. Although the general topics have been assigned, the format has not. Panel discussions, demonstrations, game-show formats, skits, or small-group discussions are ways in which a program can be presented. Some of the most memorable programs have been those involving frank and spirited disagreements among Inn members. Humor is also an effective teaching tool.

Another crucial aspect of the Inn's focus is the individual pupillage meetings, organized by a designated member of the pupillage at the judge's behest, that take place at lunch, at breakfast, or after work, both in preparation for that pupillage's program, and simply to encourage and manifest the relationships that develop among the pupillage members. These meetings take place anywhere from once a month to three times per year. Some pupillages organize meetings with other pupillages, as well. Once a year, in June, the masters of the Inn convene for the Annual Meeting of the Masters, to discuss Inn governance and to hold elections.

ORGANIZATION

The Inn's active members are divided into nine eight- or nine-person pupillage teams. The executive committee selects the teams and ensures that each team includes masters (one of whom is generally a judge and the team leader), barristers, and pupils who would not otherwise encounter each other frequently in their daily work. Team assignments may be altered for good cause.

Teams are encouraged to meet monthly, or more often, if necessary, to prepare their programs and to promote camaraderie among the pupillage members. Teams choose their own meeting places and times, usually selected and arranged by one of the barrister or pupil members of the group, at the judge's behest, but are expected to notify the president and executive director when their meetings are scheduled.

Each team is led by a pupillage leader, who is usually a judge. The team leader is responsible for convening the pupillage in its own meetings, for assuring that the members attend the Inn's meetings and activities, and for promoting contacts among pupillage team members between Inn meetings. He or she also supervises the preparation of the pupillage team's program and is responsible for all other team activities.

In addition to presenting a program, the pupillage teams provide Inn members with an opportunity to become better acquainted with other lawyers practicing in Tampa. The teams are the principal component of the Inn's mentoring activities. Their diverse membership is intended to build an inter-generational relationship that encourages frank and personal discussion of the matters of practice, ethics, civility, and all other aspects of the practice of law. The most experienced members of the team are encouraged to provide their barrister and pupil colleagues with opportunities to observe them in court, in deposition, or in the office.

ANNUAL DUES

The annual dues for master, barrister, and pupil members of the Inn range from \$245 to \$410, depending on the membership category and whether the member is in private practice or government employ. The funds provided by the dues defray the Inn's operating expenses, including the cost of the members' meals at the monthly Inn meetings, and the members' dues to the American Inns of Court Foundation.

BENEFITS FROM THE FOUNDATION

The J. Clifford Cheatwood Inn of Court members receive benefits from the American Inns of Court Foundation. They receive a subscription to *The Bench*, the bi-monthly newsletter, and access to the members-only section of the American Inns of Court website. Members traveling to England may also obtain letters of introduction to any of the four English Inns.

For further information about your membership in the American Inns of Court Foundation, please contact the foundation directly at:

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Facsimile: 703/684-3607
www.innsforcourt.org

ADDITIONAL INFORMATION

If you wish to be excused from an Inn meeting or if you desire other information concerning the Cheatwood Inn or the American Inns of Court Foundation, please contact:

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PROFESSIONAL CREED

of the

AMERICAN INNS OF COURT

WHEREAS, the Rule of Law is essential to preserving and protecting the rights and liberties of a free people; and

WHEREAS, throughout history, lawyers and judges ~~we~~ have preserved, protected and defended the Rule of Law in order to ensure justice for all; and

WHEREAS, preservation and promulgation of the ~~we~~ highest standards of excellence in professionalism, ethics, civility and legal skills are essential to achieving justice under the Rule of Law;

NOW THEREFORE, as a member of an American Inn of Court, I hereby adopt this professional creed with a pledge to honor its principles and practices:

I will treat the practice of law as a learned profession and will uphold the standards of the profession with dignity, civility and courtesy.

I will value my integrity above all. My word is my bond.

I will develop my practice with dignity and will be mindful in my communications with the public that what is constitutionally permissible may not be professionally appropriate.

I will serve as an officer of the court, encouraging respect for the law in all that I do and avoiding abuse or misuse of the law, its procedures, its participants and its ~~we~~ processes.

I will represent the interests of my client with vigor and will seek the most expeditious and least costly solutions to problems, resolving disputes through negotiation whenever possible.

I will work continuously to attain the highest level of ~~we~~ knowledge and skill in the areas of the law in which I practice.

I will contribute time and resources to public service, ~~as~~ charitable activities and *pro bono* work.

I will work to make the legal system more accessible, responsive and effective.

I will honor the requirements, the spirit and the intent of the applicable rules or codes of professional conduct for my jurisdiction, and will encourage others to do the same.

