



# AMERICAN INNS *of* COURT

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**CRAIG S. BARNARD**  
**AMERICAN INN OF COURT LIV**

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**MEMBERSHIP HANDBOOK**  
**2022-2023**

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# **CRAIG S. BARNARD**

## **AMERICAN INN OF COURT LIV**

**2022-2023**

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**Rebecca McFadyen, Esq., President Elect Counselor**

### **Meetings Times**

Board Meeting Begins at 5:00 PM

Member Meet & Greet at 5:30 PM

Program Begins at 6:00 PM

### **Meeting Dates**

New Member Orientation:	August 9, 2022
Meet & Greet Happy Hour:	September 13, 2022
Group Meeting 1:	October 18, 2022
Group Meeting 2:	November 15, 2022
Group Meeting 3:	December 13, 2022
Group Meeting 4:	January 24, 2023
Group Meeting 5:	February 21, 2023
Group Meeting 6:	March 14, 2023
Group Meeting 7:	April 18, 2023
Inny Cup Gala:	May 9, 2023

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## **PURPOSE**

This Handbook will introduce you to the AMERICAN INNS OF COURT and to the CRAIG S. BARNARD AMERICAN INN OF COURT LIV. Its purpose is to acquaint you with the history of the Inns of Court movement in the United States and in Florida, the operation of the Craig S. Barnard American Inn of Court LIV and the 2022-2023 Activities and Programs.



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## SECTION I

### **An Introduction to The Craig S. Barnard Inns of Court**

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## AMERICAN INNS OF COURT

The American Inns of Court is the fastest growing legal organization in the country. Today, there are nearly 400 chartered American Inns of Court in forty-eight states, the District of Columbia, Guam, and Tokyo. More than 30,000 judges, lawyers, law professors and law students are currently members of the American Inns of Court, encompassing a wide cross-section of the legal community.

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 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 an 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 decorum, civility and professional standards 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 first American Inn 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 Inns increased slowly at first, but the growth of the movement began to accelerate in 1985 with the creation of the American Inns of Court Foundation.

The Chester Bedell American Inn of Court, Florida's first American Inn of Court, was founded in 1985 in Jacksonville, Florida. The Craig S. Barnard American Inn of Court LIV, Florida's fifth Inn, was formed in 1988. There are currently more than 41 Inns in the State of Florida.

The American Inns of Court are designed to improve the skills, professionalism and legal ethics of the bench and bar. They help lawyers become more effective advocates with a keener ethical awareness by providing them the opportunity to learn side-by-side with the most experienced judges and lawyers in their community.

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 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 experiences that will improve and enhance the abilities of lawyers as counselors and advocates and of judges as adjudicators and 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 and to renew and inspire joy and zest in legal advocacy as a service worthy of constant effort and learning.

The formation of an American Inn of Court based in West Palm Beach began in 1988 when a group consisting of then Fourth District Court of Appeal Judge Harry Lee Anstead (now a retired Justice of the Florida Supreme Court), 15th Judicial Circuit, Chief Judge Daniel T.K. Hurley (now a United States District Court Judge), Bruce Rogow (former Dean of Nova Southeastern University School of Law), and lawyers Sidney Stubbs, John Beranek, Ted Babbitt, and Kirk Friedland applied to the American Inns of Court Foundation for a charter to form the Inn. Federal District Court Judge Susan Black, a trustee of the National American Inns Of Court Foundation, and John DeVault of the Chester Bedell Inn of Court in Jacksonville, assisted the group. On June 10, 1988, the National Foundation awarded the Inn chapter number LIV. Supreme Court Justice Sandra Day O'Connor presented the charter at the annual American Inns of Court meeting in Washington, D.C., and invitations to membership were sent out to a cross section of the legal community, including a group of Nova Southeastern University Law students and four of their professors, which linked the law school to the Inn.

PUBLIC DEFENDER Craig S. Barnard, a charter member of the Inn, was nationally recognized for his work defending death row prisoners. After his untimely death at the age of 39, the Inn membership spontaneously and unanimously named the Inn in his honor. Thus, the West Palm Beach American Inn of Court LIV became known as the Craig S. Barnard American Inn of Court LIV the following year.

## 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 have preserved, protected and defended the Rule of Law in order to ensure justice for all; and Whereas, preservation and promulgation of the 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 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 knowledge and skill in the areas of the law in which I practice.
- I will contribute time and resources to public service, 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.

# **VISION, MISSION, AND STRATEGIC GOALS OF THE INNS OF COURT**

## **THE VISION OF THE AMERICAN INNS OF COURT**

A legal profession and judiciary dedicated to professionalism, ethics, civility and excellence.

## **THE MISSION OF THE AMERICAN INNS OF COURT**

The American Inns of Court inspire the legal community to advance the rule of law by achieving the highest level of professionalism through example, education and mentoring.

## **OUR STRATEGIC GOALS**

**GOAL: TO PROMOTE A HIGH-QUALITY MEMBER EXPERIENCE**

- A. Identify the earmarks/components of a high-quality member experience and determine how to assess whether an Inn is providing this experience to its members.
- B. Empower and enable local Inns to provide a high-quality member experience
- C. Enhance the quality of programs provided directly to members.

**GOAL: TO HAVE A GREATER IMPACT ON THE PROFESSION**

- A. Identify opportunities to expand and increase membership in Inns.
- B. Assess and re-define the American Inns of Court's relationship with law schools for the purpose of increasing student and faculty awareness of and involvement in the Inns of Court.
- C. Develop strategies to recruit and retain judges at all levels.
- D. Re-engage the alumni in the strategic planning and goals of the American Inns of Court.
- E. Develop new programs and expand existing programs to use the American Inns of Court Foundation's national and international reach to make a greater impact on the profession.

**GOAL: TO BE A PRIMARY RESOURCE FOR MENTORING AND EDUCATION FOCUSED ON PROFESSIONALISM, WHICH INCLUDES ETHICS, CIVILITY, AND EXCELLENCE**

- A. Have more Inns of Court with mentoring programs.
- B. Assist new lawyers in finding a mentor.
- C. Encourage more education opportunities focused on professionalism for small firm lawyers, solo practitioners, and other underserved areas of the profession.
- D. Expand our branded program offerings to non-members.

**GOAL: TO BE WIDELY RECOGNIZED AS A LEADER IN PROMOTING PROFESSIONALISM, WHICH INCLUDES ETHICS, CIVILITY, AND EXCELLENCE**

- A. Have a clearly defined brand.
- B. Communicate our brand widely and consistently.
- C. Partner with other national legal organizations to promote professionalism.
- D. Increase the visibility of the American Inns of Court by developing an organizational communications plan.

GOAL: TO HAVE EFFECTIVE ONGOING COMMUNICATIONS WITH MEMBERS AND ALUMNI OF THE AMERICAN INNS OF COURT

- A. Analyze current communication methods, and the relative effectiveness of each of those methods.
- B. Develop a plan for improving communications generally and incorporate improved communications into the ongoing operations of the organization, including each of its programs and services.
- C. Establish a clear methodology for ongoing evaluations of the effectiveness of communications.

GOAL: TO ESTABLISH A HIGHLY EFFECTIVE GOVERNANCE STRUCTURE AND CULTURE

- A. Define and implement the ideal board of trustees for the future of the American Inns of Court.
- B. Implement a strategic, efficient, and effective committee structure.
- C. Review board member, officer, and staff roles.
- D. Implement a continuing board and staff education program.

GOAL: TO GROW AND DIVERSIFY AMERICAN INNS OF COURT REVENUE STREAMS

- A. Create a permanent capital development structure.
- B. Implement the permanent capital development structure.

## **COMMITMENT TO DIVERSITY**

### **IDEALS OF THE MOVEMENT**

- A. Upholding the standards of the legal profession
- B. Practicing law with dignity and respect
- C. Encouraging respect for our system of justice
- D. Achieving a higher level of legal excellence
- E. Developing a deeper sense of professionalism

### **IDEALS OF DIVERSITY**

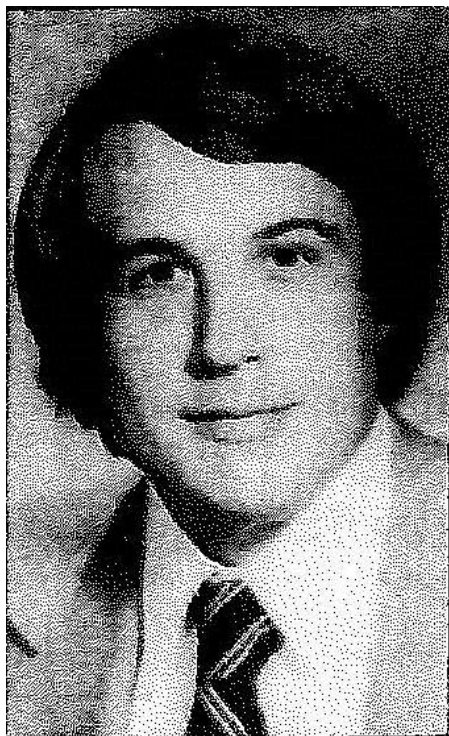
- A. The American Inns of Court firmly believes that personal diversity in all its aspects is essential to our ability to accomplish our mission.
- B. Diversity embodies all those differences that make us unique individuals.
- C. We value the differences in views and perspectives and the varied experiences that are part of a diverse membership.
- D. Diversity enriches and broadens our membership, which in turn leads to more creative and meaningful programs.

### **PROFESSIONAL DIVERSITY**

- A. Legal professionals and law school faculty, administrators, and students
- B. All practice types, from both the public and private sectors
- C. From the least experienced to the most seasoned are vital to maximizing the Inn experience

Only by drawing and retaining a diverse membership will we guarantee the success of our unique organization as well as our respective professional pursuits. Therefore, the American Inns of Court are committed to creating and maintaining a culture that promotes and supports diversity not only throughout our organization, but in our profession as well.

## THE STORY OF OUR NAMESAKE



*The following is excerpted from Among The Lowest of The Dead, David Von Drehle, Ballentine Books 1995. The paragraphs have occasionally been rearranged.*

Craig Barnard grew up in Portage, Michigan where his father was a conservative Republican accountant and his Uncle was a Republican State Representative. After high school he enrolled in a restaurant and hotel management course at Michigan State. Then the sixties caught up with Craig Barnard. The dutiful young Republican grew his hair long, fell in love with Bob Dylan's music, and began protesting the war. (On his birthday in 1970, four antiwar protesters were killed at Kent State; Barnard never celebrated his birthday again.)

He wanted to do something to change the system, so he switched majors...to prelaw. By then, Barnard's father had moved to southwestern Florida, where he built a retirement village. Craig followed him south, graduating from the University of Florida Law School in 1974.

Barnard joined the public defender's office in Palm Beach County...[and] ...was, very quickly, Jorandby's star assistant; naturally, Jorandby gave him authority over the region's death row cases. Barnard, with his studious bent and modest personality, was drawn to the detail-oriented, conceptual world of appeals. He never missed the hurly-burly of criminal trials.

Craig Barnard did the work of at least three men. As the leader of the death penalty team in Palm Beach, he was chief strategist and often lead litigator on more than a dozen capital cases in his own jurisdiction. Beyond his jurisdiction, he consulted frequently with lawyers for other death row inmates. If there was any coordinated strategy for fighting executions in Florida, Barnard was the strategist. And as Jorandby's chief assistant, he supervised the daily office drudgery, from drafting budgets to purchasing supplies, from hiring new lawyers to counseling old ones, from the lowliest prostitution case to the most complicated murder trial.

As a result, Barnard worked constantly. At his desk by 6:30 or 7 A.M., he labored steadily until eight or nine at night - then lugged a pile of papers home with him. He was the first one into the office and the last one out. A lawyer, under pressure from a big case, might show up bright and early on a Saturday morning, fully expecting to be alone. But the aroma of Barnard's pipe would be wafting down the corridor. On Sundays, Barnard worked to the sound of the Miami Dolphins games on the radio.

But for all his intensity, Barnard was never brusque, much less arrogant. The greenest young

attorneys, handling the smallest misdemeanors, felt welcome to poke their heads into his office for advice. Barnard would calmly stop his work, puff his pipe as he listened intently to the question, then patiently offer an answer. Or perhaps a lawyer across the state would call in a panic over an arcane death penalty issue. Barnard would quietly soothe the caller and steer through the problem - and if the question required some legal research, Barnard would drop what he was doing and pore over law books until he found the answer. Or a colleague would call from the public defender's office in another county, frantic at the prospect of preparing an annual budget. Barnard would take fifteen, twenty minutes, maybe half an hour - whatever time it took - to commiserate and offer advice.

Finding the lawyers to represent the flood of condemned men was like bailing out the *Titanic* with a teaspoon. The teaspoon had a name: Scharlette Holdman. Scharlette Holdman had a title: director of the Florida Clearinghouse on Criminal Justice.

Frequently, the emergencies came from Tallahassee, where friends of Scharlette Holdman kept Barnard apprised of her troubles. Her electricity had been shut off again. She was late with her rent. Life was always a crisis with Scharlette. Every time, Barnard would put his own work aside long enough to get Holdman straightened out. Often this involved sending a check drawn on his personal account.

He kept the more substantive facts of his personal life almost entirely to himself. His epilepsy, for instance. The disease had revealed itself only after Barnard was grown. With medication, the seizures were brought under control. (Barnard never had to surrender his precious driver's license.) Still, he lived with the knowledge that the day might come when he would black out and never awaken. Grand mal seizures can be fatal. So it was that Craig Barnard shared something very personal with his death row clients. Like them, he knew the sense of something powerful waiting to snuff you out.

Craig Barnard loved the law, and this love was his deep keel; it kept him on a steady course when he lost so many fights. His love kept him on track, and balanced, as people were melting down around him. The law, at its best, promised rationality in an irrational time, dispassion amid raging emotions, predictability in place of wanton chance.

Even many of his opponents recognized Barnard's devotion and admired him for it. At the attorney general's office, there was a lot of contempt for most of the lawyers who opposed the death penalty, but in general the prosecutors made an exception for Barnard because he stuck to the law. "Always on target, always compelling", said Carolyn Snurkowski, the rising star of Florida's capital prosecutors.

One time the attorney general caught wind of two lawyers from the Miami public defender's office going outside their jurisdiction to aid a death row inmate and the prosecutors cracked down hard on the violation. But Barnard did the same thing all the time; he had a finger, at least, in nearly every Florida death case. Dick Burr, Barnard's assistant, had a capital appeal in North Carolina! The prosecutors let Barnard get away with such things because they respected him. As one explained, "We didn't feel the need to yank his chain."

Judges mostly appreciated him too, even as they complained about all the repetitive work he generated. Barnard was always cordial and well prepared; his demeanor was not fiery or confrontational. He argued cases lawyer to lawyer, as if the courtroom were a symposium where everyone had gathered to seek good answers to hard questions. And he was gentle with everyone, from chief judges to file clerks. Barnard felt so comfortable in the Florida Supreme Court that he often called it "my court", and folks in the white marble building on Duval Street liked him right back.

Barnard finished writing in time for the 1989 hiring season at the nation's law schools. God, how he loved it - picking plums from the ranks of fresh young lawyers, boring into them with his probing eyes, seeking a glimmer of the future. Administrative work could be a terrible drag; the budgets, the worksheets, the office squabbles. But this was wonderful. Despite a ferocious cold, he went to a job fair in New York.

His plane touched down back in West Palm Beach the evening of February 26. Exhausted, Barnard drove home from the airport in his sporty little Dodge. The fence outside his condominium was a jumbled heap, just as he had left it. But on his desk at work was a rough draft of the annual budget, and he expected a ruling any day that might put the next prisoner into the chair. Who had time to fix a fence?

He went inside, where he picked up the phone and dialed his father. Ronald Barnard was surprised to hear his son complaining of a cold. Craig was not a complainer. He listened as Craig said that he couldn't sleep, he had no appetite. "I thought I was gonna die on that plane," Craig said.

"Take a day off," his father counseled. "Stay home, eat some chicken soup."

Of course, Ronald Barnard knew that his son never took days off. They talked some more about this and that.

Later, Craig Barnard phoned his friend Susan Cary and his boss Dick Jorandby, and in both conversations he mentioned his cold and his exhaustion. Then he tried to get some sleep. As always, he was up before dawn, and when he rose he shut off the burglar alarm, collected the Palm Beach Post from the porch, stripped, and climbed into the shower.

By 9 A.M., everyone sensed something strange at the West Palm Beach public defender's office. Craig Barnard's office was empty, and there was no trace of his pipe smoke in the hallways. He was never that late. "Where's Craig?" people asked. Maybe his flight was canceled.

In Tallahassee, Scharlette Holdman was wondering the same thing. Where's Craig? She greeted every morning with a phone call to her counselor and friend, but when she called his house that morning, the phone just rang and rang. She called Barnard's office, and got no answer there either. Her next call was to Susan Cary. As they talked, it dawned on them that Craig had once said cold medicine, combined with his epilepsy treatment, made him sick. Then came a more chilling thought. Could he have skipped the treatment in favor of a good night's sleep?

Holdman dialed Dick Jorandby, who immediately dispatched an investigator to Barnard's house. The alarm was off, the paper was inside. The investigator heard the shower running. Craig Stewart Barnard, thirty-nine, was dead in the tub, having drowned after an epileptic seizure. The calm eye of the capital punishment storm, the rock and rabbi, Florida's dean of death penalty law, was gone.

Dick Jorandby left Craig's office just as it was, a shuttered shrine above the sparkling blue of the Intercoastal Waterway. Barnard's estate collected \$30,000 worth of forsaken vacation and unused sick days. Posthumous honors continued throughout the year: The old grand jury room of the Palm Beach courthouse was named in his honor, and the local Inns of Court chapter - a prestigious organization made up of judges and lawyers - became the Craig S. Barnard chapter. The annual award for distinguished service by Florida public defenders became the Craig Barnard Award. And so forth.

There might never be another figure like him - but he had developed so many other lawyers, each ready to fill a piece of void; he had spread the knowledge, so another was not needed. Death penalty defense in Florida was no longer a matter of Scharlette Holdman's charisma and Craig Barnard's brains. It had been institutionalized.

#### **THE TRAITS OF OUR NAMESAKE THAT WE SEEK TO ENCOURATE & EMULATE**

- Generous with his time and talents;
- Loved the Law;
- Humble and hardworking;
- Never brusque or arrogant;
- Kind and courteous to his superiors, subordinates and adversaries.



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## **SECTION II**

### **Rules and Procedures Governing the Inn**

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## MEMBERSHIP GUIDELINES

The membership of the CRAIG S. BARNARD AMERICAN INN OF COURT LIV is divided into four classifications.

MASTER	More than 15+ years of experience; federal, state, and local judges; and law professors
BARRISTER	Lawyers with 5-15 years of experience
ASSOCIATE	Lawyers with up to 5 years of experience
PUPILS	Law students

The Inn's members are drawn primarily from PALM BEACH COUNTY, with the exception of pupils, who are drawn from Nova Southeastern University Shepard Broad College of Law in Broward County. Membership is open to all qualified persons, regardless of race, color, sex, age, religion, national origin, or handicap. Thus, the Craig S. Barnard American Inn of Court LIV reflects the rich diversity of the bench and bar and includes representatives of the plaintiffs' bar, defense counsel, solo practitioners, government lawyers, corporate counsel, law professors, persons working in large and small firms, and federal, state, and local trial and appellate judges. Efforts are made to ensure that no law firm or type of practice is disproportionately represented.

In addition to the active members, the Inn extends emeritus membership to Masters, Barristers, and Associates who have completed a minimum of five years of membership in good standing. Emeritus members may participate in the Inn's education and social programs at their own expense. Many emeritus members regularly attend Inn meetings, and some choose to be assigned to a Pupillage group.

The Inn may also extend Amicus Memberships to those who wish to participate in monthly meetings as a "friend" of the Inn. Amicus members are not assigned to a pupillage group of the Inn.

### Selection

In the summer of each year, the Inn solicits applications from its existing members and any other persons interested in becoming members of the Inn. After the applications have been returned, the Inn's Executive Board and Board of Trustees review the applications. The Executive Board and Board of Trustees then extend the invitations to join the Inn.

The Inn also requests that Shepard Broad College of Law recommend students who are in their second and third year of studies for membership in the Inn. The students, by their academic performance and participation in extracurricular activities, must demonstrate an active interest in the practice of law.

## GOVERNANCE AND RULES OF THE INN

Governance of the Craig S. Barnard American Inns of Court LIV is entrusted to the Executive Board and Board of Trustees.

The Executive Board Officers include: President, President-Elect/Counselor, Secretary/Reporter(s), Treasurer(s), and Immediate Past President.

The Board of Trustees consists of the Program Chair(s), the Membership Chair(s), the Mentor Program Chair(s), the Member Experience Chair(s), the Education Chair(s), the Law School Liaison, the Digital Communication Chair(s), the Foundation Liaison(s), and at-large members.

The President and President-Elect/Counselor must be Masters or Barristers, and at least one of them should be a judge, although that is not required. The other officers and Board of Trustees members may be drawn from any membership category.

Generally speaking, the Executive Board Officers and Board of Trustees are chosen by the President, President-Elect, and Immediate Past President from a pool of members who expressed interest in serving as an officer or Board member. The President serves a minimum total of three years on the Board, first as Counselor/President-Elect, next as President, then as Immediate Past President. All other positions are filled at the discretion of the President and the Executive Board, but we strongly encourage new members to become involved with the Inn leadership. We review the survey results submitted by Inn members to determine if someone is interested in serving in a leadership capacity, and we advise members at meetings and by emails to notify the President or President-Elect if they would like to become active in a leadership role.

## ATTENDANCE POLICY

All active members are expected to attend and to actively participate in the Inn's meetings. **Two unexcused absences** during a program year will be deemed to be a resignation unless the Executive Board waives the provision for good cause. Persons who are unable to attend a particular meeting must inform the Secretaries **prior to the meeting** of the reasons for their absence. Absences without advance notice are considered to be unexcused. Members who desire to be excused from a meeting must indicate their absence via the online RSVP process. If you have any problems with the online RSVP process, please contact Co-Secretaries/Reporters Alison Baker or Susan Papagikos, Esq. at the following email addresses: [ABaker@goodwin.com](mailto:ABaker@goodwin.com) or [susan@papagikoslaw.com](mailto:susan@papagikoslaw.com). **While excused absences are not grounds for automatic resignation, all absences, whether excused or unexcused, are considered during the renewal application review process the following year.**

## **GUEST POLICY**

The Inn's programs are primarily for the members' benefit. However, members may invite guests from time to time. Members who wish to invite guests must inform the Secretaries in advance of the meeting of their guests' names. They must also agree to be responsible for the cost of the guests' dinner and attendance fee. Members may pay for their guests prior to the meeting or at the time agreed upon by contacting the Treasurers. The cost of attending a program and dinner during the 2022-2023 year is \$60.00 per person.

## **CONTINUING LEGAL EDUCATION CREDIT**

The Inn has been certified as a CLE provider by the Florida Bar Continuing Legal Education Committee. Members may earn as many as six hours of CLE credit, including three hours of ethics and professionalism credit, by attending and participating in all six of the Inn's programs. Members and guests desiring to obtain CLE credit must post their hours online at [FloridaBar.org](http://FloridaBar.org) at the conclusion of each program. The CLE course information is emailed to membership and posted to the Inn website.

## **MEETINGS AND PROGRAMS**

The program year begins in September with an orientation meeting for new members and a Meet & Greet Happy Hour Event. Thereafter, the Inn holds seven meetings, six of which have CLE programming presentation, an optional December mentoring event, as well as a final, end of year Gala. All meetings will be held in person at the Palm Beach County Courthouse in West Palm Beach. The Board of Directors reserves the right to change any in person meeting to a virtual platform should there be any health concerns, or any Administrative Orders issued affecting the availability of the courthouse, or any recommendations as provided in CDC guidelines.

Each of these meetings will begin with a happy hour at 5:30 pm in the Courthouse dining room area, followed by the meeting and programming presentation at 6:00 pm. After the program, members will return to the dining room for dinner. Meetings end at approximately 8:00 pm.

The programs are the heart of the monthly meetings. They involve practical legal skills with an emphasis on ethics, civility and professionalism in lawyering. They generally involve a demonstration or presentation of principles, skills, techniques, and relationships involved in trial or transactional proceedings as well as appellate court proceedings. The programs also incorporate opportunities for membership participation and discussion.

## **PUPILLAGE GROUPS**

The Inn's active members are divided into six pupillage groups of approximately 18-20 members each. Each Pupillage group includes Masters, Barristers, Associates and Pupils who generally would not otherwise encounter each other frequently in their daily work. Four Pupillage groups are named after an Old English Inn of Court -- Lincoln Inn, Gray's Inn, Inner Temple, and

Middle Temple. The other two Pupillage groups are named Magna Carta and Carbolic Smokeball. The Pupillage groups are encouraged to meet for “mentoring lunches” or other meetings outside of regular monthly meetings either in person or virtually based upon the preference and comfort level of the members to promote camaraderie among the Pupillage group members and to promote mentoring. Each Pupillage group is led by one leader.

The Pupillage groups provide Inn members an opportunity to become better acquainted with other lawyers practicing in Palm Beach County. The Pupillage groups are the principal component of the Inn's mentoring activities. Their diverse membership is intended to build an intergenerational relationship that encourages frank and personal discussion of matters of practice, ethics, civility, and all other aspects of the practice of law. The most experienced members of the Pupillage group are encouraged to pass on the best of the practice to the less experienced members. Accordingly, Masters and Barristers as mentors may be teamed with Associates and Pupils respectively and are encouraged to provide their Associates and Pupils with opportunities to observe them in court, in deposition, or in the office. Likewise, the Pupillage groups facilitate “reverse mentoring” where less experienced members can provide mentoring to more experienced members especially in areas such as technology and emerging areas of law. At the back of this handbook is a listing of this year's membership in both alphabetical order and by practice group.

The Pupillage groups can earn competition points through mentoring. Each member who participates in a mentoring session with a member of our Inn, whether from their Pupillage group or another Pupillage group, will receive points. In addition to one on one mentoring sessions, there are other ways in which you can earn mentoring points. The full list of eligible mentoring activities and the associated points will be distributed by the Mentor Program Chairs prior to the first meeting.

## ANNUAL DUES

The annual dues for 2022-2023 for members of the Inn are as follows:

Masters	\$480.00	Government Attorneys	\$335.00
Barristers	\$440.00	Judiciary	\$345.00
Associates	\$385.00	Pupils	\$220.00

The funds provided by the dues defray the Inn’s operating expenses, including the cost of the members’ dinners at the monthly Inn meetings and dues to the American Inns of Court Foundation. You will receive an electronic invoice that will provide payment instructions. **There will be a \$25 late fee assessed for any dues received after October 9, 2022.** Failure to pay dues by the first meeting on October 18, 2022, will result in the President’s discretion to exclude you from attending the meetings.

## BENEFITS FROM THE FOUNDATION

Members of the Craig S. Barnard American Inn of Court LIV receive benefits from the American Inns of Court Foundation. They receive a subscription to The Benchers, the

Foundation's bimonthly newsletter, and a national membership directory as well as access to resources at [InnsofCourt.org](http://InnsofCourt.org). Local Inns are also invited to send a representative to attend the annual Celebration of Excellence at the United States Supreme Court. Members may also participate in the annual trip to Washington, D.C. to be sworn in and admitted to practice in the United States Supreme Court.

For further information about your membership in the American Inns of Court Foundation, please contact the Foundation office at American Inns of Court Foundation, 225 Reinekers Lane, Suite 770, Alexandria, VA 22314, (703) 684-3590, (703) 684-3607 (fax) or [www.innsofcourt.org](http://www.innsofcourt.org). Information about the Craig S Barnard Inn and your membership profile can be found (and corrected if necessary) at: <http://www.innsofcourt.org/inns/barnardinn>.

## **INDEPENDENT NON-PARTISAN ORGANIZATION**

***Please, No Campaigning or Political Advocacy of Any Kind at Inn's Events.***

The Craig S. Barnard American Inn of Court LIV is a nonpartisan organization and strives to remain free from political affiliation, bias, or designation. Therefore, no campaign announcements should be made at any meeting. Those running for political or judicial office are free to attend the meetings but should refrain from mentioning any ongoing campaign during guest introductions or otherwise.

## **U.S. SUPREME COURT TRIP**

The Inn schedules a ceremony at the United States Supreme Court, where a maximum of twelve of our members will be sworn in and admitted to practice before the Court. As information regarding this activity is available, announcements will be made. To be eligible for admission to the United States Supreme Court, you must be a member of the Florida Bar in good standing for at least three years and must pay a \$200 admission fee. For more information, please contact the Foundation Liaisons Tammi Augen Rhodes, Esq, Jennifer Kramer, Esq. or The Honorable Jack S. Cox at the following e-mail addresses: [tami@tamiaugenlaw.com](mailto:tami@tamiaugenlaw.com), [jjk@jjkramer.com](mailto:jjk@jjkramer.com), and [jscoxpa@gmail.com](mailto:jscoxpa@gmail.com).

Admission instructions for the Supreme Court of the United States can be found at: <http://www.supremecourt.gov/bar/baradmissions.aspx>

## MENTORSHIP AND MEMBER EXPERIENCE PROGRAM

The Inn formalizes their efforts to encourage civility and the positive growth of its members through a number of initiatives lead by the Mentorship and the Member Experience teams. These groups facilitate an increased relationship between experienced members and newer attorneys while also focusing on making sure each member's experience is positive.

For the 2022 –23 year, the Mentoring Committee has organized a number of voluntary special events for those who would like to attend different live events with best practices in place for facial coverings and social distancing. Each member should watch for announcements on the following valuable education, mentoring and development opportunities:

***Most events will require advanced registration and they do close out!***

**4<sup>th</sup> DCA Oral Argument Day:** Participants will have the opportunity to observe an oral argument (OA) docket, which may consist of three (3) to four (4) cases, both civil and/or criminal. At the conclusion of the docket, participants will be permitted to briefly ask procedural questions of one or more of the Judges on the panel.

**Jury Experience Seminar:** Spend a full day as a juror and experience the procedure we use for picking a Jury as an observer (and participant). Lead by our civil Judges, this is an excellent opportunity to gain insight into what a Jury really gets to experience as the trier of fact.

**Master Classes:** The Mentorship committee is currently working to organize high level classes for practitioners in key trial skills. Leveraging the wisdom and experience of our Inn to offer development opportunities in opening an closing arguments, injunctions, appeal preservation, deposition practice, and even advertising.

**Mentor Pairings:** The mentorship committee will facilitate pairings between attorneys for those seeking to establish a relationship with a mentor. The goal is for both parties to gain from this informal relationship and to increase the level of sharing throughout our Inn.

***An Important Note:*** Please remember your obligations for confidentiality. All communications between any mentor and mentee shall be kept strictly confidential, unless disclosure is required by federal or state statute, or the Florida Rules of Professional Conduct. Any detailed conversation between the mentor and mentee regarding a specific problem of a client may require the mentee to obtain consent from the client before the mentee makes any disclosure to the mentor. A mentee's failure to obtain this consent may violate the Florida Rules of Professional Conduct.

## THE INNY CUP COMPETITION

At the end of the Inns year, the pupillage group with the greatest total points will be awarded the prestigious **Inny Cup**. The competition requires a group to focus on all of the Inn's Objectives, not just their Presentation. The final winner of the Inny Cup will have demonstrated strong performance in each of the following areas:

60%    **GROUP PRESENTATION**

The peer review scores for the group's presentation (see the programming guide for details) will be scaled and represent 60% of the final score.

15%    **MENTORING**

Mentoring includes formal discussions by phone or in person between members for the purposes of development and expansion of the Inn's mission. (In general, this does not include group meetings, dinners, program planning/rehearsal meetings, etc.). However, Pupillage group leaders are encouraged to create group opportunities where the team members can interact and develop relationships that otherwise would not have taken place.

15%    **OUTREACH**

Track and report all member attendance and participation in any Craig S. Barnard Inn sponsored outreach event. Outreach includes, but is not limited to, Inn community partnership events and programs with Nova Law School, our charities, our mentoring events, etc..

10%    **ATTENDANCE**

Score points simply by encouraging your team to attend each meeting and to invite guests to learn more about the Inn.

The Pupillage Group Leader is responsible for reporting this information at the Inn Meetings to the Programming Committee and Mentoring Committee. The score will be accumulated by the Board and the final accounting submitted to award the Inny Cup.

**Because we are committed to the highest form of ethics and civility, the Executive Committee will be the ultimate authority in awarding the Inny Cup each season. They reserve the right to make any necessary subjective adjustments to ensure that the awarding of the Inny Cup reflects the highest ideals of the Inns of Court.**



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## SECTION III

### **2022-2023 Programming Guide**

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## 2022-2023 PROGRAMMING GUIDE

The Monthly Inns meeting and the Pupillage Group Program represent the heart of the Inns efforts. At each meeting, a pupillage group will be assigned to present an entertaining skit designed to educate the inn about an interesting legal topic, and related professionalism issues in a creative way. The Program is designed to illustrate hypotheticals highlighting areas of substantive law, ethics and procedure that lawyers and judges should recognize are fundamental to the practice of law.

**This year the programming team has selected “*Battle of the Board Games*” as our theme.**

The skits provide for a light and entertaining forum to remind us of the subtle ways ethical pitfalls present themselves in the course of serving our clients, while also educating the Inn’s members. Our Inn has increasingly added the context of a substantive area of law to bolster the presentation with positive results.

Monthly programs should generally focus on practical legal skills and include presentations of principles, techniques, and relationships involved in daily practice. They should also promote, incorporate, and emphasize elements of the American Inns of Court mission: ethics, civility and professionalism in the practice of law.

**Mission:** Address New Areas of Law, practical legal skills, and topics in professionalism which Transcend State Borders and Effect All Lawyers, not just Lawyers in Florida.

**Your Goal:** Raise Noteworthy Current Legal Issues in a new, entertaining, and captivating way while also promoting and emphasizing elements of the American Inns of Court mission: ethics, civility and professionalism in the practice of law.

**A Reminder:** The goal of the presentation is to educate and evoke discussion. Great programs allow ample time for discussion by all Inn members. Therefore, create scenarios that have no clear answer but allow for audience members to share their own experiences, conclusions and/or opinions.

## GETTING READY

Developing the skit is a demanding task and will require the involvement of each and every pupillage group member. The judges, lawyers, and law students comprising each pupillage group work together to research their topic, develop ideas, write scripts, and present a program that is both informative and entertaining.

The planning sessions and meetings of the pupillage groups as they prepare the program bring together a diverse group of legal practitioners who bond and get to know each other while exploring ethical and legal conundrums.

We encourage each pupillage group to begin preparations and script writing for their program at a reasonable time. Most teams find that they needed at least six weeks of focused team time to make sure they were able to present an acceptable presentation.

By the time of the performance, the people presenting the program should be familiar with the script, the underlying legal issues, and their roles in the production. This is critical as your group can best facilitate audience discussion on the underlying theme only when each member of your group is well educated, and there is a plan in place to facilitate that group discussion

We hope that by creating, writing, and performing a program that explores an important legal and ethical issue, our members will further appreciate the importance of civil and ethical behavior in the legal profession, while building good relationships with the judges, attorneys, and law students in their pupillage group. It is important to us that each person in the group becomes involved in the program and plays a role in the group's presentation.

- DURATION:** 45 Minutes
- STRUCTURE:** 2-3 "acts" of a hypothetical presented in a total of 25-30 minutes.
- DISCUSSION:** You should plan on at least 15 minutes of discussion.
- VENUE:** Each presentation will be performed live, in-person. The pupillage group presenting the program will be able to use PowerPoint, videos, polls, music, interactive discussions with the audience, etc. Unless notified otherwise, your presentation will take place in one of the larger courtrooms. Your "stage" will be the area that includes the attorney desks and podiums facing the audience seating.
- AUDIO/VISUAL:** Upon request, you may have a laptop and projector cart capable of showing videos and projecting PowerPoint slides available within the courtroom for your skit. We highly recommend that you consider the effectiveness of the screen position, the sound, etc. to make sure that the entire audience can see and hear any audio-visual information you bring to the room as well as visibility by the recording.
- MEETINGS:** As early as possible, we recommend holding a "kickoff" party. It is up to you how much planning detail should take place at this meeting, but the more quickly your team is able to work together formally the better. Do not underestimate the need to meet as a group to make sure the skit is progressing, most teams believe that at least three sessions before their program presentation are required to make assignments, review (and perhaps revise) the script, rehearse, and coordinate the production and plan for an excellent production.

**REHEARSAL:** Traditionally groups will get together the day of the skit as early as 3:00 to ensure that they are ready to go. As with any production, the dress rehearsal works out the bugs and makes sure you are ready to go.

## **THE COVETED INNY CUP AND SCORING THE PROGRAM**

Each year, the pupillage groups compete for the honor of winning the Inny Cup. Winning is a profound and moving experience – you will remember the day for a very long time, and you might even add a picture of it to your Facebook story! Well, maybe not, but we are lawyers, competing is in our DNA, and make no mistake, this is a competition. You are doing this in front of your professional community, and doing a great job is recognized by the entire Inn. Put the attention into nailing your skit. We have included the scorecard on which you will be evaluated as an exhibit. It will provide you with insight into what we believe are the important elements of your presentation, and includes the following key areas of evaluation:

### **Substantive Law & Professionalism Issues**

- Provide a coherent and comprehensive presentation of the law, procedure and ethics involved in your area.
- Make sure that the audience understands the context and framework of the law involved.
- Leave the audience educated and trained on the issues and law within the area. Ensure that the presentation is relevant and interesting to all levels of Inn membership.

### **Facilitated Discussion**

- Provide a forum for healthy debate and discussion.
- Ensure the audience understands the law enough to apply it to the facts.
- Encourage participation from all audience members.
- Keep the audience engaged.

### **Staging & Presentation**

- The Skit is a production, not a presentation.
- Use a compelling script.
- Illustrate your theme
- Be entertaining
- Use effects for example video, music, singing, dancing, electronics, props, costumes, etc.

### **Team Delivery**

- Demonstrate broad team participation.
- Highlight the hidden talents of the team.
- Demonstrate preparation and effort.

### **Earn Bonus Points**

- Be memorable.

- Have fun and make sure the audience has fun.
- Be novel and eloquent in the presentation.
- Entertain and educate.
- Make use of multimedia elements, create a printed/digital program (maybe even a QR code!), be creative with costumes, include musical element(s).
- Incorporate federal and multi-state information in your presentation.

## **ESTABLISH YOUR VISION & OUTCOMES**

**You will notice that this year's Skit Concepts do not contain a lot of specific case law or Ethical Rules that you must follow. The goal for this year is to create a presentation that teaches all levels of membership about a specific area of law, while incorporating ethical pitfalls that may be faced along the way. Your group's first step should be to come up with a general storyline and then research cases and ethical rules to incorporate into the presentation.**

**The goal of providing this framework is to encourage the groups to research thoroughly and focus on making a cohesive presentation, rather than trying to pigeonhole specific case law and rules into a presentation where it may not fit. You should aim to include 3-5 cases and 2-4 rules of professionalism in your presentation. If the issue you are presenting is treated differently in other jurisdictions, be sure to point that out and provide the citations in your PowerPoint or printed materials.**

We highly recommend you take time with your team to establish your Vision and Objectives/Outcomes you hope to accomplish with you Skit. The Vision refers to the broader concept and context your Skit will achieve, while using your own style and experience to establish the objectives/outcomes the skit will deliver. Remember, an objective or outcome should be something that is measurable and clear, and you can check off at the end of the presentation and be confident it was achieved.

Use your Vision & Outcomes to guide your choices in what to include, how to focus on your script and how to facilitate your discussion.

## **UNLOCK YOUR CREATIVITY!**

Frequently, the Programming team recommends specific elements that we want to see within the presentation, whether it is **Music, Song, Custom Videos, Poetry, Costumes, Props, Decorations, Electronic Questioning**, or any other creative element. This year, we want you to put on a fantastic production that reflects your group's creativity. Remember, the benchmark is a comic skit that is educational, entertaining and will relate well on the video we send to National. Your goal should be a well thought out, fun and exciting presentation with as many visual and artistic elements as you can add to support your message without becoming distracting. This is intended to be a professional demonstration of the issues we routinely encounter in practice.

## **BEST PRACTICE: THE RESEARCH AND WRITING TEAM**

The pupillage group leader should quickly request team members to perform the research around the topics presented. This should then very quickly be followed up by identifying the general “story line” of the skit and assigning the script writing. This element is often more complicated than teams anticipate, and we recommend starting on this effort immediately.

## **PRODUCING YOUR SKIT**

Congratulations! You are a cast member on a very complicated effort. Your Pupillage Group Leader is the “Executive Producer” of the effort. That means that the rest of the team has to complete all the other activities required to put on a great production. Based upon years past, we have found the following functional areas should be assigned across the team;

1. Executive Producer: The Pupillage Group Leader is responsible for all activities of the group and will manage the overall timeline of efforts to produce the show.
2. Director: It is helpful to have someone focused on how the skit will come together and ensuring that all elements are being addressed fully by the team. Having someone other than the pupillage leader focused upon the specific details of the stage presentation has been very successful in the past.
3. Facilitator/Narrator: This person will lead the discussion during the Q & A portion of the presentation.
4. Researchers: Understanding the law presented in the skit is the very first activity required of the team. Even before your first meeting someone should take this on and make it happen.
5. Script Writers: We recommend at least three individuals dedicated to drafting the “screen play”. They need to very quickly develop a script that the team can develop into the final production.
6. Special Effects: Coordinating any visual aids, music, videos, PowerPoints, etc. is a lot of work and someone should be assigned to make sure this work moves along at an effective speed.
7. Grips, Costumes & Props: Decorating the room and identifying and sourcing props is an effort you should not overlook.
8. Recipe Developer: Each group may choose to develop a cocktail/mocktail. Pupilage groups would be responsible for providing liquor and mixers for consumption during the happy hour. The recipe must be emailed to programming chair at least 24 hours in advance of the skit in order for it to be disseminated to the organization.

By necessity, team members will play multiple roles and should be prepared to support the team across all functional areas.

## **LEADING THE AUDIENCE: THE KEYS TO A GREAT FACILITATION**

Perhaps the most significant challenge faced by each Pupillage Team is facilitating the conversation with the Audience. Your mission is to facilitate an exciting and inspirational discussion while you excite and inspire a room full of highly trained, experienced and accomplished professionals.

A successful facilitation requires a reasonable amount of planning to accomplish, and you must avoid overwhelming the audience or stumping them with arcane or trivial content questions. You must think through how the conversation will unfold and provide a roadmap to get there. A great facilitation is simply a well-designed fill in the blank conversation.

While this may feel a little daunting, there are a few facilitation tricks we want to share with you to make the job much, much easier. In short, it is very important to remember, you are not so much “teaching content,” as queuing up a discussion or argument between the participants. You should think of your job to lay out the law and facts that might apply, and then let the audience let you know how they believe they will apply.

Over the years we find that groups that fail to avoid the common pitfalls have a difficult time facilitating the discussion.

### **Common Pitfalls...**

- Presenting too many rules and too much information in the time allotted.
- Using crowded PowerPoint presentations that add too much detail to the law.
- Pop Quizzes that test the content knowledge of the audience.
- Asking about arcane elements of the law or asking anyone outright what the law is in a particular area.
- Focusing on the novel or pedantic, rather than illustrate what makes something interesting.
- Providing a large number of case and statute citations without telling the story of why they are relevant.

### **Better Practices...**

Ultimately, your job is to lead the audience, in the same manner you would lead a witness. By providing them with the information you are asking them to react to and avoiding leaving the audience searching for information they may not be aware of for a long time.

No matter how simple or common place the knowledge should be, make sure that everyone has the context and foundation of the key legal points before you ask them a question. Give them the information you are going to ask about the law, rules or ethics immediately before the question. Prime the pump! Never use the audience’s ability to recall a topic from the bar exam to start a discussion.

As professionals, we are all very worried about saying things that are wrong. Lawyers are in the unique position that what we say tends to be over weighted by the people who hear

it, and we are in a business that is changing and dependent upon varying circumstances. So, in a group situation, it is a risk to speak out about something that we are not very familiar with.

For example, “Does rule 4.1 prohibit this relationship?” versus “Rule 4.1 states that an attorney may not retain a client who does X, does that apply here?”

That’s it, that simple. Teach the law, summarize what the audience should be learning and then ask them to apply the rule to the facts at hand rather than recall something specific.

There is a construct that we believe will assist you and is contrary to many of our legacy skits, it is your choice as a group to make this selection as you see fit, but consider this construct:

**Typical Practice...**

1. Present the scenario/hypothetical in the skit.
2. Ask a question.
3. Explain the answer by providing lots of statutes and information.

**Better Practice...**

1. Introduce the law and the issues you are presenting with sufficient information that the audience is watching for certain behaviors.
2. Present the scenario/hypothetical in the skit.
3. Ask the audience what they saw that presents an issue regarding a narrow area of the law presented.

## **2022-2023 SKIT CONCEPTS**

The following concepts are the core ideas for each pupillage group skit. Each concept presents a core scenario that we invite you to flesh out and expand to an extraordinary presentation. We have provided initial thoughts on the applicable law, but each pupillage group should spend time to develop the legal, procedural and ethical principles that they believe are most important to the scenario.

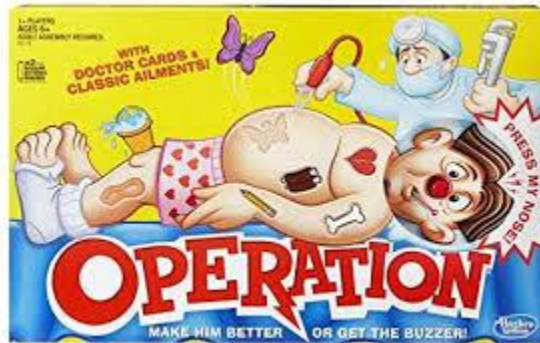
It is up to the group to select the elements they believe will allow them to create the presentation in a manner that meets the goals outlined above. Choose the characters/elements/scenes based upon the objective of each board game. Create your own characters and put them into the scenarios that make the most sense for your desired outcomes.

**GOOD LUCK!!! May the Games begin...**

### **Meeting Dates**

October 18, 2022:	Middle Temple.....Dungeons & Dragons
November 15, 2022:	Magna Carta.....Chess
January 24, 2023:	Inner Temple.....Life
February 21, 2023:	Carbolic Smokeball....Monopoly
March 14, 2023:	Gray's Inn.....Operation
April 18, 2023:	Lincoln Inn.....Clue

## OPERATION



### (MEDICAL MALPRACTICE)

Object of the Game: A patient with 13 ailments, from writer's cramp to brain freeze needs surgical intervention. When removing the ailment, if you hit the sides of the patient, a specialist is sent in to finish the surgery. After a successful surgery, the surgeon gets paid. Once all 13 procedures are complete, the surgeon with the most money wins.

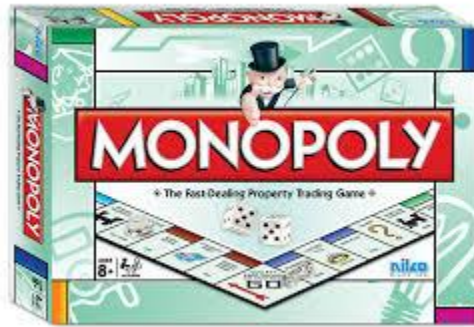
Pitfalls: Surgeons aren't always successful and hitting the sides of the patient causes the surgeon to miss out on earning money and they lose a turn to operate.

Characters: Surgeons, patient(s), attorneys

Concept: A surgeon is performing surgery on a patient, and something goes wrong. A specialist is called in to help and either also fails or successfully completes the procedure. The patient regains consciousness and learns of the issue(s) with the procedure. After being discharged, the patient begins experiencing complications while healing. There may be more than one patient.

The patient consults with an attorney regarding the likelihood of success on a malpractice case. Address the medical malpractice implications of the procedural failure(s), including notice, expert witness, and evidentiary issues. Is there any liability on the hospital or surgical center?

## **MONOPOLY**



### **(REAL PROPERTY)**

Object of the Game: Become the wealthiest player through buying, renting, and selling property.

Pitfalls: Going bankrupt, going to jail

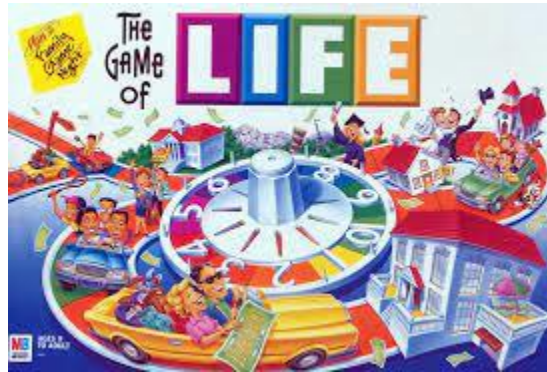
Characters: Iron, Thimble, Shoe, Wheelbarrow, Top Hat, Battleship, Racecar, Scottish Terrier, Banker

Concept: An attorney, whose practice includes handling real estate closings, title insurance, and litigation takes on a new client, the Banker. The Banker needs assistance with preparing new loan documents and enforcing mortgages that have defaulted. The Banker wants to negotiate discounted rates with the attorney for handling the foreclosures and wants to pass all loan fees to the Borrowers for the loan packages. The Banker doesn't care what fee the attorney charges for the loans since the Borrower is paying it. The attorney must determine a reasonable fee and the implications of someone other than the client paying their fees.

At the same time, the attorney has a consultation with a potential new client who is a real estate investor. The investor is purchasing properties in Atlantic City, Florida and is putting hotels and rental houses on the properties. They need help with drafting leases, handling evictions and holding security deposits and advance rent payments from the tenants. The investor is also considering running one of the buildings as a vacation rental and needs advice on local tax rules and risks of this type of arrangement.

Underlying these client interactions are the attorney's need to pass Go and collect their salary while staying out of jail. Along the way there are Chance ethical questions and Community Chest directives that guide the attorney's choices.

## LIFE



### **(FAMILY LAW)**

Object of the Game: Go through Life making smart decisions with the goal of retiring first, with the most money and least amount of debt. Along the way you will choose a career, you may get married or have children and there will be obstacles and opportunities along the way.

Pitfalls: Accidents, bankruptcy, and unexpected expenses

Characters: Only limited by your imagination

Concept: The main characters are navigating life and along the way have issues and opportunities they need legal counsel for. The two main characters meet after high school and are choosing their next paths. Player One chooses to go to college and Player Two chooses the career path. Player Two can draw any career the group would like where no degree is required. Player One graduates college and chooses from the available careers for which a degree is required. The Players decide to get married and end up having children but over time career pressure and salary differences wear on the couple and they consider divorce.

They approach a law firm for prenuptial advice before the wedding and a different firm for advice when contemplating the divorce.

Explore prenuptial and postnuptial agreements, separation and divorce, and post-judgment relief in marital dissolution cases. Address ethical and professional obligations when advising a client who has previously received counsel from another attorney whose advice you may not think was appropriate or thorough.

## CLUE



### **(CRIMINAL LAW AND MARSY'S LAW)**

Object of the Game: Use clues to determine the killer, the murder weapon, and the room in which the crime occurred.

Pitfalls: Making an incorrect guess about the suspect

Characters: Judge Peacock, Plum, Boddy, Colonel Mustard, Miss Scarlet, Mr. Green, Miss White, Dr. Orchid, Inspector Hercule Poirot

Concept: A contentious trial is taking place in the courtroom of Judge Peacock. The parties and their attorneys are at each other's throats. The key witness is about to testify. Given the case's notoriety, several people have decided to spectate the trial—including the esteemed Inspector Hercule Poirot.

Before the trial can begin, however, it is discovered the witness was murdered! Law enforcement refuses to disclose the witness's name, where the murder occurred, or the manner in which the witness was killed. The parties and their lawyers, of course, accuse each other. A family member of the decedent has hired Inspector Poirot to solve the murder and insists on a speedy trial against the culprit responsible for the murder.

Discuss the rights of crime victims provided by Marsy's Law, which was an amendment to the Florida Constitution in 2018. Pupilage groups can also discuss other aspects of criminal law such as the elements of murder, potential defenses, and discovery rules for criminal cases.

## **DUNGEONS & DRAGONS**



### **(JUDICIAL CLE)**

Object of the Game: D&D is a cooperative game, rather than a competitive one. If you achieve the objective of the adventure, the group wins. The Dungeon Master is the group's lead storyteller and referee and is in charge of the adventure.

Pitfalls: Rolling a low number on the twenty-sided die could lead your character to fail in its action.

Characters: Dungeon Master, Monsters, Build your own characters from the following Classes: Attorney, Paralegal, Client, and Witness; and Traits: Ethical, Professional, Ambitious, and Deceitful

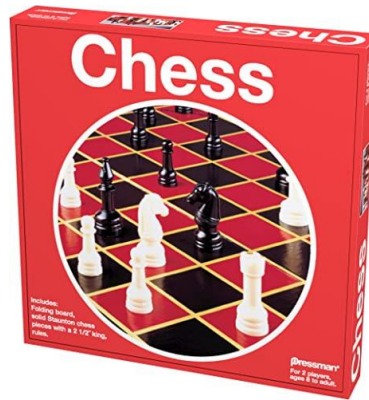
Concept: The Judge is the Dungeon Master exploring the Florida judicial system with a group of adventurer attorneys. Along the way, the attorneys present different scenarios to the Judge, who has to navigate the rules of procedure and the Canons of Judicial Conduct to rule appropriately. Use the Judicial Canons to guide your script. The area of law for the trial or hearing is not as important as incorporating the judicial conduct elements so use whichever area of law is most comfortable for your group.

Incorporate current issues with the judiciary, such as management of evidence in remote hearings, judicial efficiency, e-filing, the new summary judgment standard, and case management issues. If there isn't clear case law or JQC decisions on an issue, use your best judgment to anticipate how the matter would be resolved.

#### References:

<https://www.jud6.org/legalcommunity/legalpractice/opinions/jeacopinions/subjectopinions/Conduct/conduct.html>

## CHESS



### **(CIVIL LAW AND RULEMAKING)**

Object of the Game: Use chess pieces to capture the opponent's king

Pitfalls: Checkmate, losing pieces, which provide defenses

Characters: Kings, Queens, Bishops, Knights, Rooks, Pawns, Scorekeeper

Concept: In life, as in chess, forethought wins. Never more is that true than in the battlegrounds of civil litigation.

The kings and queens of industries are locked in a protracted civil lawsuit. Just when checkmate feels assured, the Florida Supreme Court adopts a rule of civil procedure that changes the standard for summary judgment. The knights (associates) and pawns (interns) tirelessly research whether the summary judgment standard applies to their pending lawsuit and how it will affect the case. The losing party plans to appeal.

Further disrupting the parties' strategic planning is that the supreme court established a Workgroup on Improved Resolution of Civil Cases, which has proposed more changes to the rules of civil procedure that will significantly affect the scorekeeper's (trial court) ability to extend time. This could force the parties to make their litigation moves faster than anticipated.

Discuss the Florida Supreme Court's ability to adopt rules of procedure and whether such procedural rule changes apply to pending cases. In addition, the pupillage group should discuss the new summary judgment standard, the ability to appeal from a summary judgment order, and the Workgroup on Improved Resolution of Civil Cases' proposed changes to the rules of civil procedure. *See* FL SC Docket: SC22-122

## PUPILLAGE GROUP SCORECARD

\_\_\_\_\_ presented by \_\_\_\_\_

Date: \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_

Pupillage Group: \_\_\_\_\_

Members in Attendance: \_\_\_\_\_ Paid Guests: \_\_\_\_\_

### Please Score Tonight's Presentation

#### Substantive Law & Professionalism Issues (40 Points) \_\_\_\_\_

Did the group provide a clear and effective overview of a relevant area of law practice? Did the audience leave with a deeper understanding? Was the presentation relevant and interesting to all members of the Inn?

#### Facilitated Discussion (40 Points) \_\_\_\_\_

Was the discussion active and lively? Did the audience stay focused on the issues and challenges presented? Was the debate effectively managed? Was the audience engaged?

#### Staging & Presentation (30 Points) \_\_\_\_\_

Was the team prepared? Did they provide a professional level presentation? How was their "stage craft"? Did they make use of multiple artistic elements to strengthen their presentation (music, videos, costumes, decorations, etc.)

#### Team Delivery (10 Points) \_\_\_\_\_

Was it clear that the team was participating in the effort as a group? Did the program include the whole team?

#### Bonus Points (Up to 30 Points)

Award points for each category below based on creativity, effectiveness, and overall impression

Entertainment Value (0-5 points) \_\_\_\_\_

Incorporated Federal and multi-state information (0-10 points) \_\_\_\_\_

Educational Value (0-10 points) \_\_\_\_\_

Program Materials for Audience (0-5 points) \_\_\_\_\_

**TOTAL SCORE** (150 Total Possible Points) \_\_\_\_\_

Additional Comments: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_



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## **SECTION IV**

### **Pupillage Groups**

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## CARBOLIC SMOKEBALL

Alexander C.	Cohen	561-302-3255	alexcohenesq@gmail.com	Pupillage Group Leader
Mark R.	Osherow	561-257-0880	mark@osherowpllc.com	Deputy Leader
Elise S.	Allison	561-686-6300	eallison@searcylaw.com	
Tami L.	Augen Rhodes	561-932-1700	tami@tamiaugenlaw.com	
Heather	Beale	561-750-3850	hbeale@cozen.com	
Carolyn	Bell	561-355-1950	Cbell1@pbcgov.org	
Chaimov	Diana	347-361-1801	Dc2364@mynsu.nova.edu	
Andres	Escalante	317-509-9454	ANDESCAL.LAW@GMAIL.COM	
Evan M.	Ezray	561-268-5239	evan.ezray@myfloridalegal.com	
Julie	Farach	561-401-5752	Juliefarach@yahoo.com	
Daniel E.	Funk	305-905-7509	daniel.funk@usdoj.gov	
Ashley D.	Houlihan	321-412-5384	ahoulihan07@gmail.com	
Mark Anthony	Kieslor	561-478-4500	Mkieslor@adamscoogler.com	
Elizabeth	Kraus	561-308-1177	Elizabeth.kraus@gtlaw.com	
Kenneth A.	Marra	561-514-3760	kenneth_marra@flsd.uscourts.gov	
Kyle	Mimbs	863-738-4500	Km3084@mynsu.nova.edu	
Shana P.	Nogues	561-899-2180	snogues@clarkfountain.com	
Paul J	Polito	561-701-8538	ppolito@llw-law.com	
Steven L.	Schwarzberg	561-659-3300	Steven@schwarzberglaw.com	
Victoria M.	Suarez	561-355-7053	vsuarez@sa15.org	

## GRAY'S INN

<b>Phillip G.</b>	<b>Thompson</b>	<b>561-651-4150</b>	<b>pthompson@tntlegal.com</b>	<b>Pupillage Group Leader</b>
Matthew	Zimmerman	561-650-8365	Matthew.zimmerman@hklaw.com	Deputy Leader
Cynthia L.	Anderson	206-354-2243	canderson@pd15.org	
Alison P.	Baker	917-710-7390	abaker@goodwin.com	
Genny	Bernstein	561-650-0469	gbernstein@jonesfoster.com	
*Catherine	Byron-Velazquez	561-906-2952	Catherine@CByronLaw.com	
Agnieszka	Chiapperini	561-827-0265	Achiapperini@smsm.com	
G. Joseph	Curley	561-355-7848	jcurley@pbcgov.org	
Jennifer E.	Dale	561-206-7268	jedale0627@gmail.com	
Shawn J.	Davis	561-367-2510	sdavis@falkwaas.com	
Tina	El Fadel	561-939-8042	tina@ks-law.com	
Daniella E.	Margetic	561-385-9715	daniella.margetic@gmail.com	
Stephanie L.	Serafin	561-659-5455	sserafin@kwvsappeals.com	
Jason D.	Silver	561-684-5956	jdsilver@kelleykroneneberg.com	
Ori	Silver	561-355-7573	Osilver@pbcgov.org	
Lindsey H.	Taylor	973-422-5553	ltaylor@carellabyme.com	
Rachel	Trotogott	954-288-1093	Rt822@mynsu.nova.edu	
Blaze J.	Walsh	772-224-5626	bwalsh@sa15.org	

## INNER TEMPLE

<b>Daniel</b>	<b>Gross</b>	<b>561-267-9492</b>	<b>dgross@sa15.org</b>	<b>Pupillage Group Leader</b>
Alexandria	Romano	561-371-7721	Alex@matrixmediation.com	Deputy Leader
Ian	Berkowitz	561-982-7800	ian@businesscounselor.com	
Violette	Bishai	561-293-5489	vb631@mynsu.nova.edu	
Tyler J	Cade	561-507-5888	Tyler@Obsidian.Law	
Adriana	Clamens	561-844-3600	acc@cohennorris.com	
Howard	Coates Jr.	561-355-3730	hcoates@pbcgov.org	
Jacob A.	Cohen	561-715-7866	Jacob@jacobcohenlaw.com	
Jessica	Gregory	561-715-8131	jgregory@wlclaw.com	
Jeanette M.	Lugo	561-615-6775	jlugo@wmrfla.com	
Riona	Maharaj	561-281-2391	maharaj@legalaiddpbc.org	
Jeffrey A.	Martz	954-803-5580	martz.jeff@gmail.com	
Adam M.	Myron	561-421-2788	amyron@cagnetmyronlaw.com	
Taylor L.	Norris	561-844-3600	tln@cohennorris.com	
James	Sherman	854-850-0442	Jsherman@pbcgov.org	
Sorraya M.	Solages-Jones	561-837-5016	Sorraya.solagesjones@myfloridalegal.com	
William A.	Stetson	561-265-5053	bill@finleystetson.com	
Stephanie F.	Tew	561-837-5829	Stephanie.tew@myfloridalegal.com	
Gemma	Torcivia	561-602-6222	torcivia@gmail.com	

## LINCOLN INN

<b>Freddelle</b>	<b>Menard</b>	<b>914-343-3404</b>	<b>fmenard@sa15.org</b>	<b>Pupillage Group Leader</b>
Corey	O'Neal	561-355-7357	coneal@sa15.org	Deputy Leader
Kenyetta N.	Alexander	954-803-0585	kenyetta@osherowpllc.com	
Carlos Brandon	Arzabe	561-964-7501	jalper@sbwh.law	
Aaron	Bass	561-659-0551	abass@flitigation.com	
Lauren	Burke	561-414-5739	lgburke@pbcgov.org	
Paige M.	Coles	561-436-8412	paigemariecoles@gmail.com	
Beth A.	Crews	561-999-7360	Beth.crews@geogroup.com	
Jennifer L.	Delgado	561-910-5700	jennifer.delgado@katzbaskies.com	
Luis	Delgado	561-274-1564	Ldelgado@pbcgov.org	
Joshua S.	Horton	404-421-2178	josh@joshuahorton.attorney	
Allison	Lovelady	954-654-1969	alovelady@shullmanfugate.com	
Gregg Y.	Neal	502-633-6002	gregg@nealanddavislaw.com	
Susan	Papagikos	561-866-8268	susan@papagikoslaw.com	
Jerrad L.	Patterson	561-701-5139	Jpatterson@oigfl.com	
Jonathon P.	Picard	561-252-9986	jonpicard1@gmail.com	
Lillian R.	Sharpe	561-951-5993	lsharpe@rosenbaumpllc.com	
Davina S.	Tala	561-909-9320	dt@talalegal.com	
Hannah	Treieschmann	561-221-3831	Ht278@mynsu.nova.edu	
Adam	Wolek	312-860-9006	awolek@foxrothschild.com	

## MAGNA CARTA

<b>Marc B.</b>	<b>Hernandez</b>	<b>561-716-5060</b>	<b>marcbhernandez@gmail.com</b>	<b>Pupillage Group Leader</b>
Melanie D.	Surber	561-355-7885	msurber@pbcgov.org	Deputy Leader
Joshua B.	Alper	561-353-9861	jalper@sbwh.law	
James B.	Baldinger	561-805-1545	baldingermediation@gmail.com	
April	Bristow	561-355-1985	abristow@pbcgov.org	
Lindsey A.	Daniels	561-744-4600	lad@jupiterlawcenter.com	
Garrick	Harding	321-626-9984	Garrick@seniorjustice.com	
Jaime W.	Kehoe	561-399-7930	jkehoe@rrbpa.com	
Lisa	Kohring	561-512-9572	lisa.kohring@hklaw.com	
Richard	Llerena	561-247-1539	llerena.law@gmail.com	
Sara	Marino	954-892-9162	Sm2797@mynsu.nova.edu	
Samir	Margetic	561-985-4114	Sam.margetic@gmail.com	
Taylor N.	Patton	561-650-7907	Taylor.patton@gtlaw.com	
Cheyenne	Riker	812-606-2216	cheyenneriker@gmail.com	
Megan A.	Rosenberg	561-820-0010	megan@affordabledivorce.com	
Daren L.	Rubenfeld	561-749-2136	daren@darenlaw.com	
Gail C.	Silver	561-659-0551	gsilver@flitigation.com	
Susan L.	St. John	850-320-2541	sstjohn@garfunkelwild.com	
Jorge E.	Torres-Puig	352-360-3309	jetorres@barfieldpa.com	
Daniel D.	Walker	321-917-1680	dwalker@clarkfountain.com	

## MIDDLE TEMPLE

<b>Marcus</b>	<b>Kelly</b>	<b>561-308-2073</b>	<b>marcuskelly@att.net</b>	<b>Pupillage Group Leader</b>
Christopher	Olowin	561-427-9711	colowin@sa15.org	Deputy Leader
Laura	Arruda	954-673-2769	La1241@mynsu.nova.edu	
Michael	Barnett	561-777-7700	michael.barnett1@gmail.com	
Alison K.	Brown	561-686-8800	albrown@sfwmd.gov	
Jennifer	Chapkin	561-203-5215	jennifer@chapkinlaw.com	
Thomas E.	Coverstone	561-775-0055	patpend@sbcglobal.net	
Samuel	Farot	561-355-7202	sfarot@sa15.org	
Wendy A.	Hausmann	561-702-5247	hausmannw@aol.com	
Cassandra A.	Jelincic	561-750-3850	cjelincic@elderlawassociates.com	
Mary Kathryn	King	850-321-6617	mking@gunster.com	
Adriana M.	Lopez	561-352-6656	Alopez@Injurylawyers.com	
Kenneth	Minerley	561-362-6699	ken@Minerleyfein.com	
Jason M.	Nolan	888-488-0858	<a href="mailto:jason@nolaniplaw.com">jason@nolaniplaw.com</a>	
James	Nutt	561-355-2956	jnut@pbcgov.org	
Bruce	Reinhart	561-514-3710	bruce_reinhart@flsd.uscourts.gov	
Kimberly L.	Rothenburg	561-822-1360	krothenburg@wpb.org	
Sarah M.	Sherman	954-850-0445	ssherman@tka.net	
Kaitlyn N.	Silverberg	561-222-4212	kaitlynsilverberg@gmail.com	
Tamara K.	Solarin	561-210-8598	tamar@tgslawoffice.com	



---

## SECTION V

### INN'S CONTACT LIST

---

Name		Phone	Email	Board Role
Kenyetta N.	Alexander	954-803-0585	kenyetta@osherowpllc.com	
Elise S.	Allison	561-686-6300	eallison@searcylaw.com	
Joshua B.	Alper	561-353-9861	jalper@sbwh.law	
Cynthia L.	Anderson	206-354-2243	canderson@pd15.org	
Laura	Arruda	954-673-2769	La1241@mynsu.nova.edu	
Carlos Brandon	Arzabe	561-964-7501	barzabeesq@gmail.com	
Tami L.	Augen Rhodes	561-932-1700	tami@tamiaugenlaw.com	Foundation Liaisons
Michelle	Azar	561-832-5566	azarlaw@msn.com	Special Projects Chair
Alison P.	Baker	917-710-7390	abaker@goodwin.com	Secretary
James B	Baldinger	561-805-1545	baldingermediation@gmail.com	
Michael A	Barnett	561-777-7700	michael.barnett1@gmail.com	
Aaron	Bass	561-659-0551	abass@flitigation.com	Mentor Program Chair
Heather	Beale	954-247-1841	heatherfbeale@gmail.com	
Carolyn R.	Bell	561-355-1950	cbell1@pbcgov.org	
Elizabeth R.	Berkowitz	561-633-5548	elizabeth@adoptionworks.net	Programming Chair
Ian	Berkowitz	561-982-7800	ian@businesscounselor.com	Achieving Excellence Chair
Genny	Bernstein	561-650-0469	gbernstein@jonesfoster.com	
Violette	Bishai	561-293-5489	vb631@mynsu.nova.edu	
April	Bristow	561-355-1985	abristow@pbcgov.org	Member at Large
Alison K	Brown	561-650-8361	alisonkbrown@gmail.com	
Lauren	Burke	561-414-5739	lgburke@pbcgov.org	
Tyler J	Cade	561-507-5888	Tyler@Obsidian.Law	
Diana	Chaimov	347-361-1801	Dc2364@mynsu.nova.edu	
Jennifer M.	Chapkin	561-203-5215	jennifer@chapkinlaw.com	
Agnieszka N.	Chiapperini	561-827-0265	Achiapperini@smsm.com	
Adriana C.	Clamens	561-844-3600	acc@cohenhorris.com	
Howard	Coates Jr.	561-355-3730	hcoates@pbcgov.org	Judicial Liaison

Alexander C.	Cohen	561-302-3255	alexcohenesq@gmail.com	Pupillage Group Leader
Jacob A.	Cohen	561-715-7866	jacob@jacobcohenlaw.com	
Paige M.	Coles	772-236-4046	paigemariecoles@gmail.com	
Sherri L.	Collins	561-996-4841	scollins@pbcgov.org	President
Thomas E.	Coverstone	561-444-7020	patpend@sbcglobal.net	
*Jack S.	Cox	561-355-3607	jscoxa@gmail.com	Foundation Liaisons
Beth A.	Crews	561-999-7360	beth.crews@geogroup.com	
G. Joseph	Curley	561-355-7848	jcurley@pbcgov.org	
Jennifer E.	Dale	561-206-7268	jedale0627@gmail.com	Communication & Tech. Chair
Lindsey A.	Daniels	561-744-4600	lad@jupiterlawcenter.com	
Shawn J.	Davis	561-367-2510	sdavis@falkwaas.com	
Jennifer L.	Delgado	561-910-5700	jennifer.delgado@katzbaskies.com	
Luis	Delgado	561-274-1564	ldelgado@pbcgov.org	Member at Large
Benjamin H	Eisenberg	561-386-0409	beisenberg@pd15.org	Programming Chair
Tina	El Fadel	561-939-8042	tina@ks-law.com	Outreach Chair
Andres	Escalante	317-509-9454	ANDESCAL.LAW@GMAIL.COM	
Evan M.	Ezray	561-268-5239	evan.ezray@myfloridalegal.com	
Julie	Farach	561-401-5752	Juliefarach@yahoo.com	
Samuel	Farot	561-355-7202	sfarot@sa15.org	
Daniel E.	Funk	561-236-6186	daniel.funk@usdoj.gov	
Jessica	Gregory	561-715-8131	jgregory@wlclaw.com	
Daniel	Gross	561-267-9492	dgross@sa15.org	Pupillage Group Leader
Garrick	Harding	321-626-9984	Garrick@seniorjustice.com	Outreach Chair
Wendy A.	Hausmann	561-702-5247	hausmannw@aol.com	
Marc B.	Hernandez	561-716-5060	marcbhernandez@gmail.com	Pupillage Group Leader
Joshua S.	Horton	404-421-2178	josh@joshuahorton.attorney	
Ashley D.	Houlihan	321-412-5384	ahoulihan07@gmail.com	Judicial Liaison
Cassandra A.	Jelincic	305-804-6290	cjelincic@gmail.com	

Sabrina	Jerome	407-600-3837	Sj1550@mynsu.nova.edu	
Jamie W.	Kehoe	561-339-7930	jkehoe@rrbpa.com	
Marcus	Kelly	561-308-2073	marcuskelly@att.net	Pupillage Group Leader
Mark Anthony	Kieslor	561-478-4500	MKieslor@adamscoogler.com	Law School Liaison
Mary Kathryn	King	850-321-6617	mking@gunster.com	
Lisa M.	Kohring	561-512-9572	lisa.kohring@hklaw.com	Membership Chair
Elizabeth S.	Kraus	561-308-1177	elizabeth.kraus@gtlaw.com	
Jennifer	Kramer	888-974-0009	jjk@jjkramer.com	Foundation Liaisons
Richard	Llerena	561-247-1539	llerena.law@gmail.com	
Adriana M.	Lopez	561-352-6656	Alopez@Injurylawyers.com	
Allison	Lovelady	954-654-1969	alovelady@shullmanfugate.com	Treasurer
Jeanette M.	Lugo	561-615-6775	jlugo@wmrfla.com	
Dayna	Maeder	561-492-0453	dayna@maederlawfirm.com	
Riona L.	Maharaj	561-281-2391	rmaharaj@legalaidpbc.org	
Daniella E.	Margetic	561-385-9715	daniella.margetic@gmail.com	Communication & Tech. Chair
Samir	Margetic	561-985-4114	sam.margetic@gmail.com	
Sara	Marino	954-892-9162	Sm2797@mynsu.nova.edu	
Kenneth A.	Marra	561-514-3760	kenneth_marra@flsd.uscourts.gov	
Jeffrey A.	Martz	954-803-5580	martz.jeff@gmail.com	
*Jani E.	Maurer	561-392-4142	mauerj@nova.edu	Law School Liaison
Rebecca	McFadyen	404-477-7472	rebeccamcfadyen@gmail.com	President Elect
Freddelle	Menard	914-343-3404	fmenard@sa15.org	Pupillage Group Leader
Mimbs	Kyle	863-738-4500	Km3084@mynsu.nova.edu	
Kenneth L.	Minerley	561-362-6699	ken@Minerleyfein.com	
Adam M.	Myron	561-421-2788	amyron@cagnetmyronlaw.com	
Gregg Y.	Neal	502-633-6002	gregg@nealanddavislaw.com	
Shana P.	Nogues	561-215-0841	snogues@clarkfountain.com	
Jason M.	Nolan	888-488-0858	jason@nolaniplaw.com	

Taylor L.	Norris	561-844-3600	tln@cohennorris.com	
James	Nutt	561-355-2956	jnuttt@pbcgov.org	
Corey R.	O'Neal	561-355-7357	coneal@sa15.org	
Christopher	Olowin	561-427-9711	colowin@sa15.org	
Mark R.	Osherow	561-257-0880	mark@osherowpllc.com	
Susan	Papagikos	561-866-8268	susan@papagikoslaw.com	Secretary
Jerrad L.	Patterson	561-701-5139	jpatterson@oigfl.com	
Taylor N.	Patton	561-650-7907	Taylor.patton@gtlaw.com	
Jonathon P.	Picard	561-252-9986	jonpicard1@gmail.com	
Paul J.	Polito	561-701-8538	ppolito@llw-law.com	
Bruce E.	Reinhart	561-514-3710	bruce_reinhart@flsd.uscourts.gov	
Cheyenne	Riker	812-606-2216	cheyenneriker@gmail.com	
Alexandria K.	Romano	561-371-7721	alex.romano.nsu@gmail.com	
Megan A.	Rosenberg	561-820-0010	mrosenberg@affordabledivorceattorneysgroup.com	
Kimberly L.	Rothenburg	561-267-8055	kim.roth.law@gmail.com	
Daren L.	Rubenfeld	561-749-2136	daren@darenlaw.com	
Steven L.	Schwarzberg	561-659-3300	Steve@schwarzberglaw.com	
Stephanie L.	Serafin	561-659-5455	sserafin@kwvsappeals.com	Mentor Program Chair
Lillian R.	Sharpe	561-951-5993	lsharpe@rosenbaumpllc.com	Membership Chair
James	Sherman	954-850-0442	Jsherman@pbcgov.org	
Sarah M.	Sherman	954-850-0445	ssherman@tka.net	
Jason D.	Silver	561-684-5956	jdsilver@kelleykronenberg.com	
Gail C.	Silver	561-659-0551	gsilver@flitigation.com	
Ori	Silver	561-355-7573	Osilver@pbcgov.org	
Kaitlyn N.	Silverberg	561-222-4212	kaitlynsilverberg@gmail.com	
Sorraya M.	Solages-Jones	561-837-5016	sorraya.solagesjones@myfloridalegal.com	
Tamar K.	Solarin	561-210-8598	tamar@tgslawoffice.com	
Susan L.	St. John	850-320-2541	sstjohn@garfunkelwild.com	

William A.	Stetson	561-265-5053	bill@finleystetson.com	
Victoria M.	Suarez	561-355-7053	vsuarez@sa15.org	Education Chair
Melanie D.	Surber	561-445-8807	msurber@pbcgov.org	Mentor Program Chair
Davina S.	Tala	561-909-9320	dt@talalegal.com	
Lindsey H.	Taylor	973-422-5553	ltaylor@carellabyrne.com	
Stephanie F	Tew	561-837-5829	stephanie.tew@myfloridalegal.com	Treasurer
Philip G.	Thompson	561-651-4150	pthompson@tntlegal.com	Pupillage Group Leader
Gemma	Torcivia	561-602-6222	gtorcivia@tgjustice.com	
Jorge E.	Torres-Puig	561-650-8139	jetorres@barfieldpa.com	
Hannah	Trieschmann	561-221-3831	Ht278@mynsu.nova.edu	
Alicia M.	Trinley	561-644-0065	alicia.trinley@officedepot.com	Immediate Past President
Rachel	Trotogott	954-288-1093	Rt822@mynsu.nova.edu	
Daniel D.	Walker	561-899-2138	dwalker@clarkfountain.com	
Sandra R.B.	Wallace	561-682-6257	Sbrooksw@sfwmd.gov	Programming Chair
Blaze J.	Walsh	772-224-5626	bwalsh@sa15.org	
Adam	Wolek	312-860-9006	awolek@foxrothschild.com	
Matthew Z.	Zimmerman	561-650-8365	matthew.zimmerman@hklaw.com	Member Experience Chair

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Michelle Azar  
Hon. Thomas Barkdull  
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Elizabeth R. Berkowitz

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Benjamin H. Eisenberg

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Jon Picard

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Carlos Brandon Arzabe

#### Commercial Litigation

Kenyetta Alexander

Joshua Alper

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Lindsey Taylor

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Jacob A. Cohen

Samuel Farot

Daniel E. Funk

Daniel Gross

Marcus Kelly

Daniella E. Margetic

Samir Margetic

Jeffrey A. Martz

Freddelle Menard

Corey R. O'Neal

Christopher M. Olowin

Victoria Suarez

Stephanie Tew

Gemma Torcivia

Blaze Walsh

#### Education/Consultant/Professor

Riona Maharaj

Sarah M. Sherman

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Genny Bernstein

Garrick Harding

#### Elections Law

Ashley D. Houlihan

#### Employment & Labor Law

Lisa M. Kohring

Steve Schwarzberg

#### Family Law

Tami L. Augen Rhodes

Tyler J. Cade

Tina El Fadel

Julie Farach

Wendy Hausmann

Megan Rosenberg

Tamar K. Solarin

Davina Tala

#### Government

Kimberly Rothenburg

#### Healthcare Law

Jennifer E. Dale

Susan L. St. John

#### Immigration

Susan Papagikos

#### Insurance Law and Defense

Aaron Bass

Agnieszka Chiapperini

Jessica L. Gregory

Jaime Kehoe  
Mark Anthony Kieslor  
Jeanette Lugo  
Jerrad Patterson

#### Intellectual Property

Andres Escalante  
Allison Lovelady  
Rebecca McFadyen  
Jason M. Nolan  
Adam Wolek

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Judge Carolyn Bell  
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Tom Coverstone

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Michael A. Barnett  
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Jennifer M. Chapkin  
Paige M. Coles  
Taylor Norris  
Paul Polito  
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Taylor Patton

#### Trust & Estate Planning /Transactional

Heather Beale  
Catherine Byron-Velazquez  
Lindsey A. Daniels  
Jennifer L. Delgado  
Cassandra Jelincic  
Bill Stetson

#### Students

Laura Arruda  
Violette Bishai  
Diana Chaimov  
Sabrina Jerome  
Sara Marino  
Kyle Mimbs  
Hannah Trieschmann  
Rachel Trotogott