



FAWL

FLORIDA ASSOCIATION FOR WOMEN LAWYERS

MIAMI-DADE CHAPTER NEWSLETTER WINTER 2010

A Publication of the Miami-Dade Chapter of the Florida Association for Women Lawyers

Five Tips from The Inside

By: **Kristy Johnson**, Miami-Dade FAWL President and **Yolanda Paschal**, Associate at Carlton Fields., P.A.

The Miami-Dade Chapter of the Florida Association for Women Lawyers hosted an In-House Counsel Panel Discussion at the Banker's Club on September 30th. This well-attended event featured several prominent, female in-house counsel, including: Diana Abril, General Counsel for eLandia International, Inc.; Monica Lewis Johnson, a Senior Attorney for Burger King Corporation; Amalia Papadimitriou, Division Counsel for D.R. Horton, Inc.; Flora R. Perez, General Counsel for Ryder System, Inc.; and Leslie Sharpe, Senior Litigation Counsel for Lennar Corporation. The discussion, as moderated by Deborah Baker, of Lipscomb, Brady & Eisenberg, PL, focused on the role of in-house counsel, the current issues facing in-house counsel, and how outside counsel and in-house counsel can work together to promote women in the legal profession. The panelists offered insight regarding in-house counsel's perspective on working with outside counsel and how the relationship between the two can be enhanced. The advice can be summarized in five very helpful tips for outside counsel.

1. Be Concise and Practical, not Theoretical

The panelists reiterated throughout the discussion that outside counsel needs to avoid the practice of "over-lawyering." Thus, do not produce a 30-page memo with several string cites when the client requires a short and concise answer addressing a particular matter. In many instances, in-house counsel must respond to business units of the client quickly, so a long, legally verbose memo will frustrate in-house counsel rather than assist them. If you are unclear about the context of a particular question posed to you, then contact in-house counsel to get clarification. In other words, do not provide legal answers in a vacuum. Instead, attempt to be as practical as possible in order to provide an accurate and helpful response to in-house counsel. Be mindful that business decision-makers often would rather employ counsel who is able to address concerns quickly and efficiently.

2. Communicate Constantly

It is critical for outside counsel to communicate with in-house counsel throughout the working relationship. There are different reasons why communication is key to developing a strong relationship with a client. First, as addressed in tip one, communication will reveal exactly what the client expects from outside counsel. Perhaps a quick memo providing the lay of the land in a certain area of the law is all that is needed, as opposed to an extended memo addressing several different, possibly meaningless hypotheticals. Communication is also required to avoid billing surprises. In the event that outside counsel exceeds some budgetary constraint, the client should be alerted so the client has an opportunity to adjust its expectations and plan accordingly. A forward-looking budget is not only helpful, but essential during these economic times. Finally, outside counsel may get valuable feedback from in-house counsel about performance if the two are communicating on a regular basis.

3. Know your Client

Businesses come in all shapes and sizes. Therefore, it is important for outside counsel to become familiar with a client's policies and procedures. For example, outside counsel should make every effort to conform bills and billing entries to the guidelines provided by the client. Indeed, in-house counsel is amazed by how often outside counsel ignores well-defined billing guidelines. In addition, an entity will appreciate outside counsel's effort to become familiar with its industry and business practices, and this will only foster a better relationship between in-house counsel and outside counsel.

4. Times have Changed

The economy's downturn impacts how legal departments in various industries are now operated. Legal departments, like every other division of a business, must now stay within certain budgetary parameters, as the legal budget comes from the business unit's bottom line. The panelists noted that the economy actually creates more legal issues; ranging from contractual-based litigation to learning and responding to new regulatory schemes. However, despite an increase in the need of outside counsel, businesses must meet this need within strict budgetary constraints. Thus, outside counsel should be cognizant of, and even consider, alternative billing arrangements, such as employing a fixed fee or blended rates. In addition, outside counsel should inform the client of the size or scope of a particular matter, as soon as such information is potentially available. This will allow the business to perform a cost-benefit analysis and create a proper budget. Finally, clients will review billing entries carefully, so be sure to provide accurate bills that reflect the value of the legal services provided to the business.

5. Staffing Matters

In-house counsel generally wants to know who is staffing its matters. This information is important for different reasons, depending on the industry. For example, corporate clients care about diversity so that the team of lawyers selected to staff a matter is prepared to address global and diverse issues that require differing perspectives. Also, in-house counsel should be informed if the lawyers working on a project change. This is critical because businesses prefer to not pay for a different lawyer to learn the matter when someone in the firm already knows this information.

Ultimately, all of these tips are interconnected and help to foster a strong working-relationship with in-house counsel. Overall, the goal of outside counsel should be to assist in-house counsel address the various legal concerns that arise among business decision-makers in an efficient and practical manner. The FAWL panelists' tips are designed to help outside counsel achieve that goal.

Judge Mattie Belle Davis Honored With Prestigious Legal Legends Award

By: **Kristy Johnson**, Miami-Dade FAWL President

On November 20, 2010, Judge Mattie Belle Davis was honored with the 2010 Legal Legend Award by the 11th Judicial Circuit Historical Society of History Miami. The award is given to legal professionals who have shown commitment to the South Florida legal system for at least 25 years. Miami-Dade FAWL nominated Judge Davis for this prestigious award. The award ceremony was held at the Epic Hotel in downtown Miami.

In 1959, Judge Davis became the first woman judge of Metropolitan Dade County Court. She was the only woman judge in the county-wide district from 1959-65. Under a constitutional revision, she became a Dade County Court Judge in 1973.

She was a founding member of and instrumental in forming the Florida Association for Women Lawyers ("FAWL"). The Founding Convention of FAWL was held in Miami Beach on June 30, 1951, with 27 women lawyers assembled from across Florida. She was FAWL's president in 1957-58, was FAWL's historian for life, and wrote FAWL's history in *A History of Florida Association for Women Lawyers - 1951-2002*, which was published in 2002. She made 2,500 copies of FAWL's history for every FAWL member and paid for the copies with her own money. She received FAWL's Lifetime Achievement Award in 2002. Judge Davis remained active in FAWL until her death. In 2004, FAWL established the Mattie Belle Davis Society in her honor. The Miami-Dade Chapter of FAWL has also given an award in honor of Mattie Belle Davis for approximately 15 years. This award is given annually to outstanding women lawyers.

Judge Davis was also the President of the National Association of Women Lawyers in 1965-66. She was a regular contributor to the Women Lawyers Journal, the publication of the National Association of Women Lawyers. She was a founding member and active member of the National Association of Women Judges ("NAWJ"). She presided over one session of the business meeting at the 1979 NAWJ founding conference. After her retirement, she served as chair of the Retired Judges Committee of the NAWJ, and became a lifetime member of NAWJ. Judge Davis was inducted into the Florida Women's Hall of Fame in 1998.

Other 2010 award recipients include:

-the late Miami-Dade Circuit Judge Irving Cypen, the county's first Jewish judge elected to the bench.

-Martin Fine, a partner with Holland & Knight, former chairman of the Miami Housing Authority

-George Knox, senior principal of Knox Seaton, who facilitated public-private joint ventures to help revitalize downtown Miami.

-Aaron S. Podhurst, managing partner of Podhurst Orseck.

-U.S. District Florida Judge Patricia A. Seitz, first woman president of The Florida Bar.

-Stephen N. Zack, administrative partner of Boies Schiller & Flexner in Miami and the first Hispanic president-elect of the American Bar Association.



SAVE THE DATE:

Miami-Dade FAWL proudly co-sponsors the mid-year meeting of the National Association of Women Lawyers (NAWL) to be held on **February 16-17, 2011**, at the Epic Hotel in Miami.

Send comments, articles, ideas or questions to:

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Miami-Dade FAWL Newsletter Editor

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President's Column

By: **Kristy Johnson**, Miami-Dade FAWL President

People often ask me why I became involved with Miami-Dade FAWL. The answer is two-fold: 1) my involvement with Miami-Dade FAWL provides an opportunity to work in a positive and collaborative way with other fantastic women who share a common goal – to promote women lawyers in our community; and 2) I always have fun doing this.

But, I was able to become President (and a partner at Carlton Fields, P.A. because a number of wonderful people (a list too long for this column) have supported me both personally and professionally throughout the years. Essentially, people opened doors for me to leadership – for which I am eternally grateful.

For this reason, when I was installed as Miami-Dade FAWL President in July, I asked those who attended the Pearl Anniversary Gala to open a door to leadership for a young lawyer. Indeed, everyone holds the key to a door. You can give career advice, make an introduction, mentor someone, or simply encourage a young lawyer to take a leadership role in a professional or community organization.

Indeed, Miami-Dade FAWL also opens doors to leadership for our members in many ways, such as coordinating a mentoring program and offering opportunities to network with other attorneys at numerous events including our popular "Table for 8" dinners and our annual Judicial Reception. We also provide educational opportunities to the legal community, such as the recent in-house counsel panel discussion. You can read about many of Miami-Dade FAWL's events in this newsletter. Plus, we will have more great events next year, including panel discussions on marketing, diversity and how to become a judge, as well as our annual Women's History Month reception in March, 2011.

Miami-Dade FAWL also works behind the scenes to locate and open doors for women lawyers. Our board members routinely seek out and encourage women to apply for leadership positions, as well as lobby those in power to appoint women candidates. Miami-Dade FAWL does not advocate for individuals; instead, we urge those in positions of power to appoint qualified women. We have heard for a long time that "there are just not enough qualified women candidates." That excuse simply does not apply anymore, but we still need to endeavor to ensure that women are standing at the right door when it opens.

Please join Miami-Dade FAWL by opening a door to leadership for a women lawyer. Imagine the success stories that our collective efforts can generate!

Table for 8

September

By: **Kristy Johnson**, Miami-Dade FAWL President

On September 16, 2010, Judge Joel Brown, Chief Judge of the Eleventh Judicial Circuit, and Kristy Johnson, Miami-Dade FAWL President, hosted a Table for 8. We were also pleased to have Judge Flora Seff in attendance. As it was Mexican Independence Day, the event was held at Rosa Mexicana. Actually, it was not planned that way but everyone had a great time!

October

By: **Sherill Colombo**, Miami-Dade FAWL Treasurer

On October 26, 2010, Miami-Dade FAWL hosted the Table for 8 at "Dolores But You Can Call Me Lolita" in Miami. Edith Osman was the guest of honor for this fabulous event. Even though Edith had to return to the office after dinner, she graciously spent time dining with the attendees at the Table for 8 event. Thank you Edith! We were also very pleased to have Judge Beatrice Butchko in attendance. Everyone enjoyed the ambience, the food and the company.

November

By: **Deborah Baker**, Miami-Dade FAWL Director

On November 9, 2010, Miami-Dade FAWL held its November Table for 8 at Perricone's. The Honorable Gill Freeman, who presides over the Complex Business Litigation Division in the Eleventh Judicial Circuit attended the dinner. In addition to getting to know Judge Freeman, the attendees were able to ask Judge Freeman for courtroom advice, questions about the practice of law and challenges women face in the legal profession.

Miami-Dade FAWL Co-hosts Judicial Luncheon

By: **Linda Leali**, Miami-Dade FAWL Director

In special recognition of the more than 80 female judges serving the citizens of Miami-Dade County, Miami-Dade FAWL hosted a judicial luncheon on September 27th for local women judges and magistrate judges. The law firm of Stearns Weaver Miller Alhadeff & Sitterson, P.A. graciously co-hosted and co-sponsored the event. The luncheon was well-attended by nearly sixty members of the legal community, including over thirty members of the local judiciary.

The current president of Miami-Dade FAWL, Kristy Johnson of Carlton Fields, P.A., welcomed attendees by providing an overview of the importance of Miami-Dade FAWL in our legal community. Miami-Dade FAWL Board Member and Mentoring Co-chair, Carly Hammond of Lott & Friedland then described the mentoring program which matches women law students with attorneys or judges as mentors and encouraged participation in the program. The goal of the Miami-Dade FAWL mentoring program is to foster social and professional advancement of women lawyers through guidance and support of senior attorneys and judges to promote the social, political and professional empowerment of women. Next, Linda Leali of White & Case, LLP, as Miami-Dade FAWL's Board Member and Membership Chair, discussed the various exclusive benefits of membership in Miami-Dade FAWL, including the ability to participate in the wildly popular "Table for 8" dinners as well as "Lunch and Learns" which offer free CLE credits.

Miami-Dade FAWL and the Women's Initiative of Carlton Fields Launch Freedom Project

By: **Lisa Lehner**, Community Outreach Chair and
Kristy Johnson, Miami-Dade FAWL President

Miami-Dade FAWL is pleased to announce the start of the "Freedom Project" as part of its Community Outreach program. Chair of the Community Outreach Committee, Lisa Lehner, became informed of the plight of a group of women in Florida state prisons, many of whom were victims of domestic violence or sexual abuse, but their convictions predated the change in Florida law making these circumstances a defense. Because some of these women have been denied parole after serving 25 year sentences, Lisa applied to the Florida Bar Foundation for a grant through its Voluntary Bar Association Community Service Grant Program to investigate whether there is a disparate treatment of women and men in the Parole Commission's decision-making. Miami-Dade FAWL received a \$4,000 grant to research this area, and if such disparity rises to a constitutional level, further legal action will be pursued on behalf of these prisoners. At the same time, Miami-Dade FAWL President, Kristy Johnson approached the Women's Initiative at her firm - Carlton Fields, P.A. - for support. Carlton Fields has generously offered to support Miami-Dade FAWL's Freedom Project and several attorneys at Carlton Fields have agreed to provide legal assistance for clemency petitions, as well as assist with the legal efforts focused on the Parole Commission's treatment of women prisoners. It is hoped that this two-prong approach, one that gives representation to women who could not afford an attorney, as well as the study of what could be systemic unfair treatment of women throughout the state will provide a voice to these women who have never been heard. Anyone who is interested in helping with the Freedom Project should contact either Lisa Lehner at lblehner@aol.com or Kristy Johnson at kjohnson@carltonfields.com

PEARL ANNIVERSARY GALA

By: **Kristy Johnson**, Miami-Dade FAWL President

On July 24, 2010, Miami-Dade FAWL celebrated its 30th Anniversary at our Pearl Anniversary Gala. The event was held at the Doral Golf Resort & Spa in Miami, with approximately 300 attendees including judges, local dignitaries, attorneys and other members of the community. At the event, Miami-Dade FAWL highlighted the chapter's history, honored the 30 past-presidents of Miami-Dade FAWL, installed the 2010-2011 officers and directors of Miami-Dade FAWL, and honored the 2010 Recipient of the Mattie Belle Davis Award.

As part of the night's festivities, City of Miami Commissioner Marc D. Sarnoff was the Master of Ceremonies, the Honorable Jennifer D. Bailey performed the invocation, and the Honorable Patricia Seitz installed the 2010-2011 officers and directors of Miami-Dade FAWL. The 2010 Mattie Belle Davis Award was presented to Marcia Cypen, the Executive Director of Legal Services of Greater Miami, Inc. Ms. Cypen was honored for her lifelong commitment to promoting equal justice under the law.

In the weeks leading up to the Gala, the 2009-2010 Miami-Dade FAWL board worked diligently to gather historical information about the chapter. In order to highlight the history of the chapter, Miami-Dade FAWL produced a video compilation of interviews of past-presidents, prior Mattie Belle Davis award recipients and other trailblazing women in the local legal community. A written program was disseminated that highlighted the biographies of the past-presidents, and a slideshow was presented that included photographs of Miami-Dade FAWL events that spanned almost 20 years. As a result of the hard work of Miami-Dade FAWL, this historical information will be stored in repository with the Miami Historical Museum.



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Miami-Dade FAWL Mentoring Program Speeds Up

By: **Carly Hammond**, Miami-Dade FAWL Director

On October 6, 2010, Miami-Dade FAWL kicked off its Mentoring Program with its second annual "Speed Mentoring" event. Graciously hosted by Carlton Fields, P.A. local attorneys and judges mingled with students from four area law schools – University of Miami, Florida International University, Nova Southeastern University, and St. Thomas University. The Mentoring Committee, chaired by Madelin D'Arce and Carly Hammond, has matched forty students with mentors this year. The pairs will have at least one face to face meeting, such as a lunch date or attendance at a networking event, followed by phone and email contact throughout the school year. Miami-Dade FAWL thanks all of the participants for their time and energy, and looks forward to another successful year for this program.

