

CENTER FOR ETHICS & PUBLIC SERVICE NEWS

University of Miami School of Law

Volume 2, Issue 1

Fall 2002 / Winter 2003

RICHARD MILSTEIN RECEIVES LAWYERS IN LEADERSHIP AWARD



Intern Wendy Blasius, Richard Milstein, Director Anthony Alfieri & Intern Michael Zanetti

The variety, breadth, and values inherent in Richard Milstein's decades of volunteer work inspired the Center law students to select him as the fall 2002 recipient of our Lawyers in Leadership Award on November 12, 2002. Richard has been a tireless advocate for the performing arts, the Save Dade initiative, and the rights of children and the elderly. A shareholder in Akerman, Senterfitt & Eidson, P. A., he has been honored for professionalism by the Dade County Bar Association, of which he is a past President. During the award ceremony,

he humbly recounted life lessons learned through years of lawyering and volunteering. Thanks to Richard for being an inspiration to us all.

MERRILL LYNCH HOSTS CENTER FALL RECEPTION

On Thursday, October 17, 2002, Merrill Lynch generously hosted the Fall Reception at the Law School. At the reception, the Friend of the Center Award was given to Holly Skolnick, a shareholder at Greenberg Traurig. The Center welcomed a distinguished and energetic group of new Advisory Board Members: Judge Jacqueline Hogan Scola, Chancellor Tad Foote, Elinor Catsman of the Jefferson Lee Ford III Foundation, attorneys Steve Chaykin of Zuckerman Spaeder, D. Porpoise Evans of McDermott, Will & Emery, United States Attorney Marcos Jimenez, and Senior Vice President Barry E. Johnson of AT&T. Welcome to this fabulous group and special thanks to Merrill Lynch's Louis Chivacchi, Senior Vice President, and Brian Sepe, Managing Director, for sponsoring the reception.



Palmer Trinity Principal, Laura Walker, Director Alfieri and Louis Chivacchi

FRIEND OF THE CENTER HOLLY SKOLNICK

Advisory Board member Holly Skolnick has been an ardent supporter of the Center's vision and projects for years. She has been instrumental in supporting the Community Economic Development & Design (CEDAD) project which aims to aid in the redevelopment of historic Coconut Grove [see article on page 6]. She has been an active and enthusiastic Advisory Board Member who is generous with her time, advice and service. The Center was pleased to award her the Friend of the Center Award. Thank you, Holly.



Holly Skolnick and Judge Jacqueline Scola

Ethics & Public Service News

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CENTER LAUDED AS PROFESSOR ALFIERI ELECTED TO UM HONOR SOCIETIES

In the fall, two UM honor societies initiated the Center's Founder and Director, Professor Tony Alfieri, into their leadership ranks. In making their election, both the University of Miami Circle of the Omicron Delta Kappa Honor Society and the University of Miami Beta Chapter of the Alpha Epsilon Lambda Graduate Honor Society cited Professor Alfieri's long-standing commitment to teaching, scholarship, and public service. Professor Alfieri accepted the awards on behalf of the Center.

ETHICS TRAINING

By and for the Bar and Bench

LAW FIRM ETHICS TRAINING AT GREENBERG TRAUIG

On December 12, 2002, Director Anthony Alfieri and Senior Fellow Harriet Rubin Roberts conducted this year's first CLE Ethics Training Session at Greenberg Traurig. The session concerned the new legal obligations of lawyers in reporting corporate wrongdoing as required by the recently passed Sarbanes-Oxley Act, the controversial Securities and Exchange Commission proposed rules for implementing the Act, and the much debated ABA Recommendations for amending the Ethical Rules in light of the Act and recent corporate scandals. The session was, as expected, particularly lively and controversial. Over 100 attorneys participated. The session originated out of the firm's Miami office and was also attended via conference call by Greenberg attorneys in 16 other offices of the firm. Greenberg attorneys received CLE Ethics credit for attending the session. Valuable research and logistical assistance was provided in preparation of the session materials by the Center's 3L Greenberg Fellow, Kirsten Brown.

BANKRUPTCY BAR ASSOCIATION PROJECT TEACHES AND PUBLISHES FOR THE BAR & BENCH

The Bankruptcy Bar Association Project has embarked upon another exciting year of collaboration with South Florida's Bankruptcy Bar and Bench. Under the supervision of Senior Fellow, Harriet Rubin Roberts, the Center's Bankruptcy Bar Association Fellow Robert Clary and Intern Stefanie Iles have prepared comprehensive CLE Training sessions for BBA's February Brown Bag Lunch series for judges and practitioners, to be held in Dade, Broward and Palm Beach, and also CLE training materials for the BBA's annual retreat to be held in May at the Breakers, Palm Beach.

This fall, for the first time, the Center has published articles for the Bankruptcy Bar. The Bankruptcy Bar Association Newsletter, a



Stefanie Iles and Rob Clary preparing Bankruptcy Bar material

bimonthly, has so far published two columns on ethics issues of particular interest to the Bankruptcy Bar written by Rob and Stefanie. The first concerns the ethical dilemmas surrounding the new federal bankruptcy legislation and its effect on the homestead exemption loophole. The second article concerns the troubling choice of counsel issues currently facing bankruptcy counsel and judges. This promises to be an ongoing publishing commitment of the Center's Bankruptcy Project. The Bankruptcy Bar Association Newsletter may be obtained by contacting Maria Zucker, at mzucker@budwicklaw.com.

ERIC BUERMANN AND BARTON SACHER MENTOR LAW STUDENTS AT LEADERSHIP BREAKFASTS



Eric Buermann of Steel, Hector & Davis

Advisory Board member Eric Buermann's September 12, 2002 talk to the students illustrated the winding roads one may take in the practice of law. For law students whose vision of a legal career may be limited to litigating at a large firm, his stories of real estate law and of his subsequent role as Counsel for the Republican Party of Florida were delightful and informative.

Barton Sacher's November 21st talk to Center graduates reviewed ethical cases he encountered as former Chief of Investigations and Enforcement for the Securities and Exchange Commission. His heartfelt speech illustrated numerous cases where attorneys had inadvertently lapsed into increasingly serious ethical violations. His practical emphasis on immediately confronting any possible ethical violation was invaluable.

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ETHICS TRAINING

By and for the Bar and Bench

ANNUAL CRIMINAL JUSTICE SYMPOSIUM GEARS UP FOR SPRING

The 2nd Annual Criminal Justice Ethics Symposium, jointly sponsored by the Center, the ABA Criminal Justice Section's Florida White Collar Crime Subcommittee, the Florida Bar, and The Florida Supreme Court will take place at Storer Auditorium on April 11, 2003. This all day symposium was so successful last year, it attracted the participation of over 300 criminal defense lawyers, federal and state prosecutors, public defenders, judges, and members of the academy. The barrage of early inquiries for registration indicates that this year's participation will be even greater. Spearheaded by Steven E. Chaykin of Zuckerman Spaeder, the 2002 winner of the Friend of the Center Award, the steering committee of distinguished lawyers and law firms has been meeting weekly to organize and prepare the panels. The

Center's Criminal Justice Fellows, Fara Gold and Adam Goldfarb, have been intimately involved in both the logistics and substance of the symposium. Under the supervision of Senior Fellow Harriet Rubin Roberts, the Criminal Justice Fellows and Interns have been exposed to a wide range of ethical and professional issues in criminal law. Fara, Adam and Intern Ari Tenzer have embarked upon legal research and writing of briefing books for the panels on such cutting edge topics as the "Duty to Give Up Your Client" in light of the Sarbanes-Oxley Act and the Patriot Act, the "No-Contact Rule and Joint Defense Agreements" and "Good Faith and the Limits of Zealous Advocacy." Attendance and participation in the symposium will provide Continuing Legal Education credits to practicing attorneys.

UNIVERSITY SYMPOSIUM ON RELIGION IN SECULAR SOCIETY

The Center co-sponsored the interdisciplinary symposium, "Religion in Our Secular Society" with the University student organization, Solutions, on November 6, 2002. The Symposium panel had three participants: Harriet Rubin Roberts, Senior Fellow, who spoke on the legality, ethics and morality of religious arguments in political discourse given our constitutional norms under the establishment and free exercise of religion clauses; Dr. Joyce Schuld, Department of Religious Studies, who spoke on the role of religion in shaping personal and political identity and its correlation to American demographics; and Dr. Harvey Siegel, Department of Philosophy, who spoke on the role of theism and atheism in democratic epistemology. Approximately 100 students and faculty attended.

AKERMAN SENTERFITT PERSONAL INJURY WORKSHOP

On October 2, 2002, Akerman Senterfitt sponsored, "Ethical Dilemmas in Personal Injury Law: A Panel Discussion." Judge Amy Donner, practitioners Jim Ferraro, Enid Mendoza, Bill Reese and J. B. Spence each shared experiences gleaned from years of litigating personal injury cases. Salient observations were made on addressing ethical violations in court, valuing human life in dollars, and protecting one's reputation. The workshop was attended by over 40 students and faculty. Special thanks to these distinguished panelists and to Akerman Senterfitt for sponsoring these invaluable educational sessions.

PUBLIC INTEREST LAW PROJECT TEACHES ETHICS TO NONPROFITS

The Public Interest Law Project continued its work this fall in organizing and presenting Continuing Legal Education seminars for attorneys in the nonprofit field. Under the leadership of Senior Fellow Harriet Rubin Roberts, the Center's Catsman Fellow Joshua Poyer and Hoeveler Fellow Monica Vignes researched and prepared trainings at Legal Services of Greater Miami, Inc., and the Florida Immigration Advocacy Center. Public Interest Attorneys debated ethical issues surrounding fact patterns custom-designed to their practice areas. The sessions were moderated by Professor Alfieri whose background as a Legal Aid attorney lent particular poignancy to the presentations. The sessions provided Continuing Legal Education Ethics credit to all participating attorneys.

CENTER FOR ETHICS & PUBLIC SERVICE

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ETHICS EDUCATION
For Middle School, High School and College Students

AT&T SPONSORS STUDY CIRCLES SYMPOSIA

With the generous support of AT&T, the Center's Education Group partnered with the School of Education to host two Study Circle events in the fall. On October 11, 2002, over forty public and private middle and high school teachers attended a day-long seminar on "Bio-Ethics in Education." Dr. Stephen Sapp, Chair of the Department of Religious Studies, introduced the ethics of Human Subjects Research. Dr. Eugene Provenzo from the School of Education warned of the adverse effects of technology on our culture.

Dr. Pat Caralis from the

Medical School presented several examples of ethical dilemmas in medicine. Fellows Allison Newman and Daniel Sanchez-Galarra illustrated the methodology used by the Center for teaching ethics by case study. Attendees described the training as "relevant," "enlightened," and "worthwhile." On November 1, 2002, a symposium on "Disabilities & Classroom Ethics" was presented to the School of Education student teachers. Dr. Jeff Brosco from the Medical School gave a historical view of ethical issues surrounding society's treatment of the disabled. Dr. Patricia Pardinas-Barnes

and her daughter, Natalia who has spina bifida, used specific examples from their lives to advise teachers on how to meet the daily needs of those physically or educationally challenged. Criminal Justice Fellow Fara Gold recounted challenges she faced in education as a handicapped student. Dean Marni Lennon, Director of Disability Services at the Law School, offered strategies on teaching "to the whole class." Special thanks to Fellow Libby Pedersen and Intern Ellye Smith for facilitating this Symposium.

JUAN ENJAMIO OF HUNTON & WILLIAMS TEACHES AT MIAMI SENIOR HIGH SCHOOL

On November 25, 2002, Hunton & Williams partner Juan Enjamio returned to his *alma mater*, Miami Senior High, to participate in an ethics class. The class was led by Fellow Allison Newman in teacher Jack Hunter's class. An advisory Board member, Mr. Enjamio discussed the role of the citizen in law making. He participated in the ethical debate concerning the responsibilities of citizenship in a democratic society. Thanks to Juan and to Hunton & Williams for their continuing support of the education programs at Miami Senior High.

RECORD UNDERGRADUATE ENROLLMENT FOR "LAW, PUBLIC POLICY, & ETHICS" CLASS

Professor Alfieri and Deputy Director Karen Throckmorton are co-teaching an undergraduate class entitled, "Law, Public Policy, & Ethics." Based on the textbook, *We the Students: Supreme Court cases for and about students*, the course examines ethical issues pertinent to student life basing each discussion on Supreme Court cases. For many of the students, it is their first entrée into the Law School. Students are challenged to engage in a high level of ethical discourse. Visiting lecturers scheduled will include Chancellor Tad Foote and Sanford Bohrer, partner at Holland & Knight.

ETHICS EDUCATION

STUDENTS TEACHING STUDENTS TRAINING HIGH SCHOOL MENTORS

AT&T Fosters Innovative Ethics Project

AT&T sponsors the Students Teaching Students Pilot Project which trains high school students to teach ethics to middle school students. One of its many goals is to instill valuable ethics and character traits in high school students that will prepare them to be role models and leaders within their community.

Six students from Miami Senior High School, Xochil Hernandez, Enrique Gomez, Patricia Maquilon, Jose Marcano, Melissa Martinez, and Noland Pereira were chosen to be the first student teachers to embark on this project. These students have been working with interns and fellows from the Center for Ethics and Public Service in developing leadership, oral advocacy, writing, and ethical decision-making skills. This spring the student teachers will be teaching ethics case studies at Citrus Grove Middle School and acting as peer mentors. Center Fellow Jason Canales remarked, "The Students Teaching Students Program is a new style of ethics education that provides middle and high school students with the opportunity to learn ethical values from those who are able to understand the everyday choices they face."

PALMER TRINITY ADDRESSES ETHICS OF WAR

The Center is pleased to be in its fourth year of collaborative ethics trainings with Palmer Trinity School. This joint project includes in-class ethics trainings and Mock Trials in the fall and spring



"President" A.J. West; Intern Nathaniel Tobin; Teacher Paul Quick, Fellow Patrice Behnstedt, Teacher Gregg Lightfoot, Deputy Director Karen Throckmorton; Fellow Daniel Sanchez-Galarraga; Fellow Allison Newman & Father Adrian Parry

involving students and faculty of both Palmer Trinity and the Law School. On October 21, 2002 the Palmer Trinity Fellows conducted a mock trial entitled, "Is All Fair in War?" Fellow Daniel Sanchez-Galarraga scripted the trial interweaving current events and "just war" theory. The issue presented was whether the United States would violate international law by invading Iraq without a resolution from the United Nations. The event was moderated by Chaplain Adrian Parry and Deputy Director Karen P. Throckmorton. Teacher Paul Quick fleshed out the U.S. perspective playing the role of Scott Ritter, former deputy chief of the UNSCOM team. Gregg Lightfoot balanced the presentation as Iraqi Deputy Prime Minister Tariq Aziz. A. J. West gave a delightfully convincing performance as President George W. Bush. The student jury came back with a finding that an invasion of Iraq under current circumstances would be in violation of international law. The Palmer Trinity Group continues to teach in both ethics and honors economics classes this year. Fellow Patrice Behnstedt taught with Mr. Quick and Fellow Daniel Sanchez-Galarraga continued working with Father Parry. Another mock trial is scheduled for April 15, 2003 to be performed by Palmer Trinity students at the University of Miami School of Law.

PUBLIC SERVICE

COMMUNITY HEALTH RIGHTS EDUCATION PROJECT AND STEEL HECTOR CONTINUE TO REACH OUT

The Community Health Rights Education project (CHRE) focuses on educating members of Miami's under-served indigent population. CHRE provides health rights assessments to individuals in need of public benefits and access to legal resources in the community. This semester CHRE formed a new relationship with Jackson Memorial Hospital's Family Program, a clinic serving HIV positive women and their families. CHRE Interns Tali Ravis, Amanda Solomon, Beth Tener, Lauren Luis, and Shane Weaver made weekly visits to a prenatal clinic, and assisted HIV positive mothers in establishing guardianship for their children. In an effort to meet the permanency planning needs of these women, CHRE collaborated with Legal Services of Greater Miami and its attorney Leslie Powell.

Led by CHRE Fellow Justin Rost, the group continues

its interdisciplinary work with Dr. Arturo Brito, Director of the Medical School's Mobile Pediatric Clinic. Justin and Fellow Melissa Catello are co-authoring an article based on this groundbreaking collaboration. In addition, Steel Hector & Davis Fellow Richard Jurgens has broadened CHRE's interdisciplinary efforts through a partnership with the Nursing School. The on-site visits include two South Florida elementary schools, where CHRE members assist clients with public benefit and immigration issues.

CHRE continues its relationship with the Children and Youth Law Clinic and its directors, Bernard Perlmutter and Carolyn Salisbury, CHRE's new Clinical Fellows. In the spring, CHRE will continue to educate indigent communities through its diverse collaborations in Miami-Dade County.

**University of Miami
School of Law
Center for Ethics
& Public Service**

MISSION STATEMENT

Founded in 1996, the School of Law's Center for Ethics & Public Service is an interdisciplinary clinic devoted to the values of ethical judgment, professional responsibility, and public service in law and society. The Center provides training in ethics and professional values to the Law School and the University as well as to the Florida business, civic, education, and legal communities. The Center also provides health care rights education and economic development training to low-income communities. The Center observes three guiding principles in serving the cause of ethics, professional values, and public service: interdisciplinary collaboration, public-private partnership, and student mentoring and leadership training.

University of Miami School of Law Center for Ethics & Public Service

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PUBLIC SERVICE

**GREENBERG TRAURIG SPONSORS
THREE-PART INITIATIVE FIGHTING DISPLACEMENT AND
GENTRIFICATION IN WEST COCONUT GROVE**

The Community Economic Development and Design Project (CEDAD) is an interdisciplinary teaching, research, and community service program. During the fall semester, Greenberg Traurig CEDAD Fellows researched and prepared three papers that complement and further the Grand Avenue Vision Plan created by the Center for Urban and Community Design (CUCD) at the University of Miami School of Architecture in coordination with the Coconut Grove Collaborative. The Vision Plan seeks to revitalize the West Grove's Grand Avenue into the traditional urban "Main Street." The papers prepared by the CEDAD Fellows are part of a three-part series that provides needed information for the revitalization of Coconut Grove. The first part of the series, compiled by Fellow Lisa

Bugni, discusses how the existing zoning code in Coconut Grove conflicts with the goals of the Vision Plan. It then suggests guidelines that will be used in creating and implementing a zoning code that will ensure that the urban design and Caribbean theme set forth in the Vision Plan will be incorporated into the structures on Grand Avenue. Part two, compiled by Fellow Ilana Marcus, analyzes the feasibility of implementing a land trust in the West Grove, exploring both the costs and benefits to the residents. Part three, authored by Fellow Travis Leach, is an anti-displacement litigation strategy that outlines the causes of action available to the residents of the West Grove to fight and prevent displacement due to uncontrolled redevelopment and revitalization.

UPCOMING EVENTS:

- February 7: Bankruptcy Bar Association "Brown Bag" Training, Palm Beach
- February 19: Palmer Trinity Convocation "Death Penalty Debate"
- February 21: Bankruptcy Bar Association "Brown Bag" Training, Broward
- February 21: AT&T Study Circles Symposium "Honor & Discipline"
- February 28: Pre-Law Society Ethics in Leadership Program on copyright infringement
- February 28: Bankruptcy Bar Association "Brown Bag" Training, Dade
- March 14: CEPS Advisory Board Meeting
- March 26: Law Clerks in Federal Court CLE Ethics Training
- March 28: Legal Services of Greater Miami CLE Ethics Training
- April 1: Leadership Breakfast with Mike Klein of Wilmer Cutler & Pickering
- April 2: Greenberg Training CLE Ethics Training
- April 3: "Hoeveler" Award to Daniel S. Pearson of Holland & Knight, PA.
- April 11: AT&T Study Circles Symposium "Ethics in the High School Curriculum"
- April 11: 2nd Annual Criminal Justice Ethics Symposium
- May 17: CEPS Spring Reception



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