

# CEPS

CENTER FOR ETHICS & PUBLIC SERVICE

## NEWS FROM THE DIRECTOR

Many thanks for your ongoing support of the Center for Ethics and Public Service. As the Center advances toward its 15th Anniversary in 2011, we invite you to join us in celebrating the achievements of the past year and in steering us through the exciting transitions of the upcoming year.

During the 2009-2010 academic year more than 140 fellows and interns enrolled in the Center's six education-and-training programs and community service clinics. Highlights include the Professional Responsibility and Ethics Program's presentation of 18 continuing legal education bar and bench training workshops and nine leadership luncheons, the STREET LAW Program's collaboration with ten Miami-Dade County schools, the Historic Black Church Program's West Grove oral history and pro bono projects, and the Environmental Law Project's springboard to a new externship program with the Natural Resources Defense Council.

In the upcoming 2010-2011 academic year the Center will work to even better support its current education-and-training programs and to establish new interdisciplinary, campus-community programs featuring national and international academics in the fields of professional responsibility and public service. To that end, this spring we have been collaborating with campus faculty from the Schools of Business Administration, Communication, and Education in developing new initiatives.

In light of these exciting developments in education, training, and community service at the Law School and University, we hope that you will carry on with us as friends of the Center for Ethics and Public Service.

*Tony*

Anthony V. Alfieri  
Professor of Law

MIAMILAW  
UNIVERSITY OF MIAMI SCHOOL OF LAW

UNIVERSITY OF MIAMI  
SCHOOL of LAW  
U  
P.O. Box 248087  
Coral Gables, FL 33124

# CEPS

CENTER FOR ETHICS & PUBLIC SERVICE



Before the Hoeveler Award ceremony, (front l to r) Judge William Hoeveler, Judge Edward Davis, Professor Dennis Lynch (back l to r) Christine Hoeveler, Judge Joseph Hatchett, Judge Rosemary Barkett, Judge Peter Palermo and Pat Davis



Judge Hatchett's former law clerks Jason Murray and Judge Earle Wilson surrounding UM Law professors Donald Jones and Charlton Copeland



United States Magistrate Judge John O'Sullivan with students from Coral Gables High School after a mock trial coached by UM Law Street Lawyers



Street Lawyer Jill Schmidt teaching law at Coral Gables High School through the Miami STREET LAW program

# CEPS

Volume 9, Issue 2

Spring 2010

CENTER FOR ETHICS & PUBLIC SERVICE  
University of Miami School of Law

DEVOTED TO THE VALUES OF  
ETHICAL JUDGMENT,  
PROFESSIONAL RESPONSIBILITY,  
and PUBLIC SERVICE  
in LAW and SOCIETY



## A NOTE FROM DEPUTY DIRECTOR KAREN THROCKMORTON

Impacting the Miami community in a positive way has been the priority of the University of Miami School of Law Center for Ethics & Public Service for almost fifteen years. Through the Ethics & Professional Responsibility Program, the Historic Black Church Program and Miami STREET LAW, dozens of law students have rendered thousands of hours of law related service in a myriad of ways. Included are highlights of these great works as we close a successful year of service performed by students whom we find inspirational.

## Miami STREET LAW LEGAL EDUCATION OUTREACH BY UM LAW STUDENTS

By Karen Throckmorton

"Teaching law through the Miami STREET LAW program is one of the most challenging and rewarding experiences in which a law student can engage in law school," writes David Catsman Fellow Jesse Soffer of his work in the juvenile correctional facility, The Bay Point School. Like the six other fellows and eighteen interns in STREET LAW, Jesse has taught law weekly at a local high school for the 2009/2010 school year. Each Street Lawyer researches legal issues relevant to the teens, develops interactive lessons, and teaches law through creative formats, mock oral arguments, and/or mock trials. Collectively, these twenty-five law students teach at ten different sites with assistance from four undergraduate interns. The experience is one of constant challenges and continual victories. Street Lawyers are challenged to hone their skills in public speaking, legal research and analysis as the students they teach are challenged to think analytically and learn the law. Throughout the year the growth of all students involved is phenomenal.

The legal teachings at all sites are unique as illustrated by the following examples culled from dozens of weekly teachings at each site. At the Bay Point School, Jesse Soffer and Interns Tom Coleman and Jeff Hegewald inspired students to conduct a mock trial on a torts case. At Central High School, Peter R. Palermo Fellow Tamara Kosic and Intern Rob Collins focused on human rights. At Coral Gables High School, John Hart Ely Fellow Arye Emerit and Interns Burak Ahmed and Jill Schmidt taught several issues in intellectual property law. At Coral Reef High School, Peter R. Palermo Fellow Eric Reisman and Interns Mallory Gold and Elan Weiss coached students for law-related competitions. At Hialeah High School, William M. Hoeveler Fellow Victoria Quintana and Interns Annelly Alfonso and Jason Goldstein judged students in a series of mock oral arguments on Supreme Court cases. At Miami Senior High, Hunton & Williams Fellow Tara Mathena and Interns Nico Pelleya and Rob Weaver taught corporate law and a variety of Florida laws relevant to teenagers.

At Northwestern High School, Interns Keon Hardemon and Samantha Preston challenged students to learn about contracts and constitutional law. At the Palmer Trinity School, Palmer Trinity Fellow Christopher Phillips and Interns Rachael Mitchell and Thomas Thompson Flores exposed the students to landmark Supreme Court cases relating to finances, government and economics. At WINGS for Life, the correctional facility for girls, Interns Renee Greenberg and Halley Peters taught laws related to emancipation, child custody and disabilities. Street Lawyers also teach at the University of Miami. In the undergraduate course, "Law, Public Policy, & Ethics," Intern Shawn Hogue, law student David Plotkin, and undergraduate intern Carrie Hanson assisted in teaching a series of controversial Supreme Court cases and coaching for mock oral arguments.

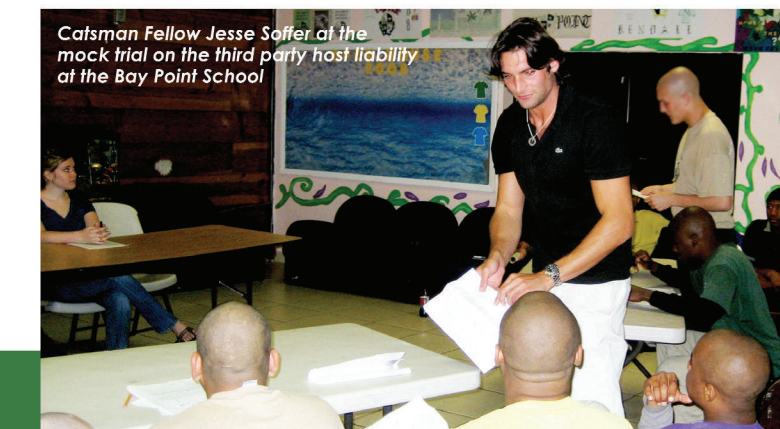
In March, we conducted our third annual "Law Camp" for twenty four students from five different public high schools: Coral Gables, Coral Reef, Hialeah, Miami Northwestern and Miami Senior. Students learned about the admissions path to college and then law school. They were divided into two litigation teams coached by Street Lawyers Tara Mathena and Jill Schmidt. After two days of study and practice on a third party host liability case, they tried their cases in the United States District Court before Judges Paul Huck and John O'Sullivan.



STREET LAW Fellowship Prize winners Hunton & Williams Fellow Tara Mathena and William M. Hoeveler Fellow Victoria Quintana after judging a mock oral argument

In closing, Peter R. Palermo Fellow Tamara Kosic reflects on her teaching at Central High School:

**"UM STREET LAW's experiences at Central have shown that when you provoke people to work beyond their expected levels, students can and will meet the challenge. The only question is who learned more, the students from the teachers or the teachers from the students. That, in the end, is well balanced education all around."**



Catsman Fellow Jesse Soffer at the mock trial on the third party host liability at the Bay Point School





*Interns Shanna Ford and Milana Kuznetsova discuss the ethical implications of litigation financing with the members of the Gwen Cherry Bar Foundation.*

## EAPR ETHICS & PROFESSIONAL RESPONSIBILITY

UM LAW STUDENTS TRAIN THE SOUTH FLORIDA LEGAL COMMUNITY IN STANDARDS OF ETHICS AND PROFESSIONALISM

By Director Jan Jacobowitz

What do the Miami-Dade State Attorney's Office, Catholic Charities, and the ABA International Business Law Section have in common? It may seem unconventional, but these organizations and others have received ethics training from law students in the Ethics & Professional Responsibility Program (EAPR) at the University of Miami School of Law.

EAPR students work collaboratively; develop issues dealing with hot topics in ethics and professionalism; draft substantive academic materials; and present customized CLE ethics training to non-profit legal services agencies, for-profit law offices, corporations, government agencies, bar associations, and courts.

This semester EAPR presented for the first time at The Cuban American Bar Association, The Gwen Cherry Bar Association, White & Case, and the ABA Symposium for Entertainment and Sports Law. Thanks to Vivian Reyes, Marva Wiley, Linda Leali and Richard Rappaport for facilitating these new ventures. EAPR was pleased to return this semester to the Miami Dade Legal Aid Society, the Dade County Bar Association, and The Florida Association of Women Lawyers and the Bankruptcy Bar Association. Thanks to Juanita Cendan, Jordan Dresnick and Vivian Reyes, Carrie Feit, and Julie Hough for the return invitations and assistance.

The students are enthusiastic about their work, which is labor intensive and extremely rewarding. Being an intern in EAPR provides students with practical experience that is not offered elsewhere. Matipa Nyamangwanda, a student intern, shares: "Every lawyer needs ethics. [In this program] you meet lawyers facing issues that aren't in textbooks, so you deal with problems lawyers really have."

The "set of discrete, cutting-edge ethical problems" that students investigate provide them with the opportunity to become experts on legal issues in a short period of time," says William Nicholson, the Steven Chaykin Fellow.

"The program trains students in research, public speaking, and writing," says Bankruptcy Bar Fellow Paul Masdeu. Aside from the academic aspects of the EAPR, Masdeu explains that the students in the program are among the "finest group of people" with whom he has had the opportunity to work.

In addition to the work that they produce for the community, students are able to network in a more meaningful manner. Intern Bianca Zuluaga explains, "Not only was this a great opportunity to network with lawyers, we were able to demonstrate our abilities. Normal networking opportunities do not provide this extra element. From beginning to end, this process of preparing and presenting our research allowed us to further develop the skills which are essential to every lawyer. Thus far, this has been the most enlightening experience during my law school career."

As for the impact that the program has on facilitating professionalism, Intern Shana Ford explains that, "As a student who is interested in legal ethics and professionalism the experience was very beneficial to me: Although our hypotheticals were crafted from actual cases, the presentation added another dimension of realism. Through our discussion of the issues, we were able to learn the real-life ethical challenges that the lawyers face in their daily practices from the lawyers themselves."

Finally, Gayland Hethcoat concludes, "I think that this program is conducive to those of us who want to do more than just work in the law, but also want to think about the law as we work."

*Interns Kara Strochlic and Karin Dryer present an ethics training focused on conflicts of interest and social media at the Miami-Dade Legal Aid Society*



### THANKS TO ALL OF OUR SPEAKERS WHO PARTICIPATED IN OUR LEADERSHIP LUNCHEON SERIES

#### THE ROTHSTEIN SCANDAL & BEYOND: ETHICS AND PROFESSIONALISM

**Panelists:** Professor Michele De Stefano Beardslee, William Mulligan, Judge Jacqueline Hogan Scola, D. Culver Smith III  
**Moderators:** Fellow Paul Masdeu, Interns Darci Cohen and Matipa Nyamangwanda

#### DISPUTE RESOLUTION – THE LAWMAKER AS PEACEMAKER

**Panelists:** Elaine Feldman, George Knox, Marni Lennon, Alex Sabo  
**Moderators:** Robert A. Ades Fellow Bryan Harrison and Interns John Wilson and Robert Zavistoski

#### SPIRITUALITY AND THE LAW – MAINTAINING SENSE OF SELF IN THE PROFESSION

**Panelists:** Professor William Blatt, Professor Charlton Copeland, Professor Zenita Fenton, Saman Movassaghi, Harley Tropin  
**Moderators:** Interns Karin Dryer, Irma Khoja, and Kara Strochlic

**CLIMATE CHANGE: LEGISLATIVE EFFECTS ON SOUTH FLORIDA**  
**Panelists:** John Childe, Julie Hill-Gabriel, Jim Porter, Harvey Ruvin  
**Moderators:** Interns Ben Carter and Wendi Ribaud

*Interns Nema Dagbandan and Darci Cohen discuss the ethical issues arising from the unbundling of legal services during their presentation at White & Case.*



## HISTORIC BLACK CHURCH PROGRAM

COMMUNITY LAWYERING and the WEST GROVE HISTORIC BLACK CHURCH PROGRAM

By Interns Linda Berns, Erick Evans, Lauren Ferguson, and Caitlin Trowbridge

The Community Economic Development and Design Clinic celebrated its tenth anniversary this spring by further expanding its outreach to low-income, underserved areas of inner-city Miami. Two projects spearheaded this expansion: the new Community Lawyering Clinic and the enlarged Historic Black Church Program.

The Community Lawyering Clinic (CLC) is a two semester clinic taught by Professors Purvi Shah and Charles Elsser in cooperation with the Community Justice Project of Florida Legal Services where Professors Shah and Elsser serve as staff attorneys. CLC is designed to provide legal assistance to community organizations in Miami's low-income communities of color, especially Liberty City and Overtown. CLC interns engage in litigation-related research and writing, fact investigation, drafting pleadings, client and witness interviews, policy research, and also participate in client and community meetings.



*Muslima Lewis, Director, ACLU Racial Justice and Voting Rights Project surrounded by Interns Caitlyn Trowbridge and Jacquelyn Temple at the January 2010 workshop for expungement.*

McKenzie, this year HBCP fellows and interns provided pro bono support for a church-sponsored anti-drug campaign, organized a rights restoration fair, and produced an archival, oral history-based film.

Indeed, on January 30, seven HBCP interns (Linda Berns, Erick Evans, Lauren Ferguson, Josh Marcus, Jackie Temple, Audra Thomas, and Caitlin Trowbridge) coordinated a Rights Restoration and Sealing and Expungement Fair for more than 130 Miami residents at Virrick Park Community Center in the West Grove in collaboration with the State Attorney's Office, the Public Defender's Office, the ACLU, and the Wilkie D. Ferguson, Jr. Bar Association. 2L Intern Lauren Ferguson explained: "The idea for the Rights Restoration and Sealing and Expungement Fair was fostered by several pastors of the historic black churches who expressed the great need for this event for

the underserved community in the West Grove. I am so proud of the hard work HBCP and our partners put forth in organizing this immensely successful event that offered hundreds of people a second chance at life."

In addition, HBCP fellows and interns assisted the Ministerial Alliance of Historic Black Churches in its anti-drug campaign by facilitating the purchase, permitting, and posting of anti-drug signs outside fourteen West Grove churches and by researching legal strategies to combat drug gang activity and drug house infestation in the neighborhood. HBCP fellows and interns also assisted the Coconut Grove Collaborative in researching municipal zoning matters. In the fall, HBCP fellows and interns will partner with the Public Defender's Office in hosting Consequences Seminars for faith-based youth groups affiliated with West Grove Historic Black Churches.

On April 19 at UM's Cosford Cinema and on April 26 at Greater St. Paul A.M.E. Church, HBCP Fellow Audra Thomas and Interns Linda Berns, Erica Gooden, and Quinshawna Landon presented the first in a series of documentary films and panel discussions chronicling the history of the West Grove, entitled "The West Grove: Past, Present and Future." A joint effort in conjunction with the UM School of Communication and Professor Kim Grinfeder in Visual Journalism, Ransom Everglades High School Dean of Students Don Cramp and his students, and the congregations of the Ministerial Alliance of Historic Black Churches, the documentary incorporated interviews of church ministers and congregants with post-war archival photographs and film clips of the West Grove. HBCP fellows and interns collaborated with Ransom Everglades students throughout the academic year to conduct and record oral histories and to compile archival resources. In the fall, both HBCP and Ransom Everglades students will renew their partnership with the Ministerial Alliance of Historic Black Churches and begin work on a second documentary film of the West Grove.

### GREATER ST. PAUL A.M.E. CHURCH IN COCONUT GROVE



*Reverend Jessie Harvin, Jr. of Greater St. Paul A.M.E. Church with long time West Grove residents Jesse Hill, Juanita H. Smith, Eloyse Jennings and Ethel Williams after showing the documentary created from their interviews entitled, "The West Grove: Past, Present and Future."*

# CEPS AWARDS

A. E. Smythe Gambrell Professionalism Award American Bar Association 1998

Faculty Professionalism Award Florida Supreme Court 1999

Seventh Annual Professionalism Award The Florida Bar 2000

Arete Award, Miami-Dade County Commission on Ethics & Public Trust 2001

Circle of Omicron Delta Kappa Award National Leadership Honor Society 2002

Gary Bellow Scholar Award Association of American Law Schools 2004-2005

Innovative Service in The Public Interest Award for the Community Economic Development and Design Program University of Miami School of Law 2007

William Pincus Award Association of American Law Schools 2007

Father Robert Drinan Award Association of American Law Schools 2007

Innovative Service in the Public Interest Award for the Historic Black Church Program, 2009

Innovative Service in the Public Interest Award for Miami STREET LAW 2009

### ADVISORY BOARD

The Honorable William M. Hoeveler Senior U.S. District Judge

The Honorable Laurel M. Isicoff U.S. Bankruptcy Judge

The Honorable Joan A. Lenard U.S. District Judge

The Honorable Peter R. Palermo Senior U.S. Magistrate Judge

The Honorable Jacqueline Hogan Scola Florida 11th Circuit Court Judge

President Emeritus Edward T. Foote II University of Miami

Sheldon T. Anderson Northern Trust Bank

Ivette L. Arango Miami-Dade Office of Intergovernmental Affairs

Eric Buermann Squire Sanders

Elinor Catsman Jefferson Lee Ford III Foundation

Louis J. Chiavacci Merrill Lynch

Juan Enjamio Hunton & Williams

D. Porpoise Evans Greenberg Traurig

Ellen C. Freidin

Alan G. Greer Richman Greer

Jane Frank Katcher, M.D.

Ray E. Marchman, Jr. The Marketing Wheel

Roberto Martinez Colson Hicks Eidson

Sean Murphy Palmer Trinity School

D. Alan Nichols Business Consultant

Peter Prieto Holland & Knight

Jeffrey Roberts Goldman Sachs

Hy Shapiro Hogan, Greer & Shapiro

Debra P. Shaw-Wilder Kozyak Tropin & Throckmorton

Holly R. Skolnick Greenberg Traurig

Neal R. Sonnett Neal R. Sonnett, P.A.

Patricia H. Thompson Carlton Fields

Laura C. Walker Nat'l Assoc. of Episcopal Schools

**DIRECTOR**  
Professor Anthony V. Alfieri

**DEPUTY DIRECTOR**  
Karen P. Throckmorton

**ASSOCIATE DIRECTOR**  
Jan L. Jacobowitz

**PROGRAM MANAGER**  
Cynthia S. McKenzie

**ADMINISTRATIVE ASSISTANT**  
Samantha Palmer-Shields

**HISTORIC BLACK CHURCH PROGRAM**  
Professor Anthony Alfieri Director

Cynthia McKenzie Program Manager

Shannon Greco Greenberg Traurig Fellow

Audra Thomas John B. Alfieri Fellow

**ETHICS & PROFESSIONAL RESPONSIBILITY PROGRAM**  
Jan L. Jacobowitz, Director

Bryan Harrison Robert A. Ades Fellow

Paul Masdeau Bankruptcy Bar Association Fellow

William Nicholson Steven E. Chaykin Fellow

**MIAMI STREET LAW PROGRAM**  
Karen Throckmorton, Director

Arye Emert John Hart Ely Fellow

Tamara Kosic Peter R. Palermo Fellow

Tara Mathena Hunton & Williams Fellow

Chris Phillips Palmer Trinity Fellow

Victoria Quintana William M. Hoeveler Fellow

Eric Reisman Peter R. Palermo Fellow

Jesse Soffer David P. Catsman Fellow

**EDITOR**  
Karen Throckmorton

**ASSISTANT EDITOR**  
Cynthia McKenzie