

Mosaic

CARLTON
FIELDS
ATTORNEYS AT LAW

February 2007 | Issue 2

This newsletter describes our ongoing diversity efforts with our clients, in our communities, and at our law firm. We believe that as we continue a dialogue we will create greater opportunities for advancement of diversity.

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CARLTON FIELDS CELEBRATES MARTIN LUTHER KING, JR. DAY AND BLACK HISTORY MONTH

Carlton Fields is celebrating Martin Luther King, Jr. Day and the national Black History Month by sponsoring and participating in a number of events in January and February to commemorate the numerous contributions made by African Americans throughout history and today. Through its recognition and celebration of the contributions of African Americans, Carlton Fields reinforces its continuing commitment to diversity and to fostering an inclusive work environment for all of its employees.

This year, Carlton Fields was a sponsor of the 21st Annual Dr. Martin Luther King, Jr. Leadership Breakfast held on **January 15th** at the Coliseum in St. Petersburg, Florida. Proceeds from the breakfast were used to benefit the Human Services Programs of the National Council of Negro Women, Inc. in St. Petersburg, the restoration of the Historic NCNW Fanny A. Ponder Council House in St. Petersburg, and other educational endeavors.

On **January 18th**, Carlton Fields began sponsoring the display of a rare signed copy of the Emancipation Proclamation. This copy of the Proclamation is a part



In celebration of Martin Luther King, Jr. Day and the national Black History Month, many of Carlton Fields' attorneys and staff have been active in their communities.

of **"The Civil War: America Divided"** exhibition at the Orange County Regional History Center in Orlando that runs until **May 6, 2007**.

Last year, the firm sponsored the first exhibition of the **"Florida Highwaymen,"** a collection of significant and historical African-American art, in Orlando. This

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DIVERSITY PROFILE

JASON M. MURRAY: FUELING INSPIRATION

By Joanna Garcia

You would be hard-pressed to find someone who understands and values diversity more than **Jason M. Murray**. As one of the pioneers and now Co-Chair of the firm's Diversity Committee, Jason has been an integral part of, and a driving force behind the firm's valiant commitment to diversity. The many lessons he learned growing up in Miami's inner city, and then as a young adult facing the realities of race relations in America, contributed to his early realization that "race matters in our American legal system." Jason wrote about many of these experiences in an article called, *White Ritual & Black Magic: Playing the Race Card*, published by the Litigation Section of the American Bar Association. This fascinating article is a must read for those truly interested in understanding the life fuel placed in Jason's engine.

Jason knew he wanted to be a lawyer at a very young age - when he was in second grade. He attended grade school in Miami's inner city, where he was known by all classmates as "the smart one." He always finished first, and seemed to always have the right answer, prompting his teacher to premise her questions to the class with "Does anyone other than Jason know the answer to this question..." But when his parents did well enough at their Coconut Grove seafood market to move to the suburbs, Jason's new elementary teacher didn't have the same things to say about him. To his dismay, he was told that he was reading a grade level behind where he needed to be. Not surprisingly, this shook Jason's confidence - but not his spirit or commitment to overcome any challenge that presented itself.

Why wasn't Jason as smart as all the other kids in suburbia? Intelligence had nothing to do with it. Was it the difference in the quality of education between his inner city school and his new school in the suburbs? It didn't really matter for too long. His new third grade teacher's stern proclamation that he was "just as good as everyone else here!" was enough to jump-start his confidence and continues to energize him when obstacles present themselves and new challenges are encountered.

In addition to the inspirational words spoken by Jason's third grade teacher, Jason had many other influences in his life that have confirmed that he "had a right to dream." He is the son of a Pentecostal preacher and a devoted mother. Together, his father and mother provided him with stability and balance throughout his life. They instilled in him a belief in "justice" because they believed like Dr. Martin Luther King, Jr. that "the arc of the moral universe is long but it bends towards justice." Jesse Jackson's historic presidential run in 1984 also convinced him he needed to "go out and do great things."



Murray

His determination, fortitude, and constant drive to accept and overcome any challenge lead him to Duke University, where he finished a triple major and received his Bachelor of Arts degree in 1988. He went on to graduate from The University of Virginia School of Law in 1991, and then on to a federal clerkship that would serve as more than just his first legal job. Under the tutelage of one of Florida's greatest jurists, the Honorable Joseph W. Hatchett of the United States Court of Appeals for the Eleventh Circuit, Jason worked on several significant voting and civil rights cases. Judge Hatchett, however, was more than Jason's boss - he was, and still is, one of Jason's most inspirational mentors.

Jason has had many accomplishments in his life and in his career. He received The Florida Bar's 2003 Diversity and Gender Sensitivity Award for the Young Lawyer's Division in recognition of his efforts to advance the cause of diversity. Recently, he was selected for inclusion in the 2007 edition of *The Best Lawyers in America*.

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CARLTON FIELDS SPONSORS THE EXHIBITION OF THE EMANCIPATION PROCLAMATION

By Johanna W. Clark

As part of Carlton Fields' commitment to celebrating and embracing diversity, and in honor of Black History Month, Carlton Fields' Orlando Office has teamed up with Carlton Fields' Diversity Committee to proudly sponsor one of the country's greatest documents of human freedom: the Emancipation Proclamation. Beginning January 18, 2007 through May 6, 2007, a rare signed copy of the Emancipation Proclamation will be a featured exhibit in *The Civil War: America Divided* exhibition at the Orange County Regional History Center in downtown Orlando.

President Abraham Lincoln issued the Emancipation Proclamation on January 1, 1863, as the nation approached its third year of bloody civil war. The proclamation declared "that all persons held as slaves" within the rebellious states "are, and henceforward shall be free." The Proclamation was not a law passed by Congress, but a presidential order empowered by the President's position as "Commander in Chief of the Army and Navy of the United States" under Article II, section 2 of the U.S. Constitution. (Lincoln had declared in peacetime he had no constitutional authority to free the slaves.)

Although the Proclamation did not immediately free a single slave, nor apply to all slaves, it fundamentally transformed the character of the war. The Proclamation represented a shift in the war objectives of the North – reuniting the nation would no longer become the sole outcome. It represented a major step toward the ultimate abolition of slavery in the United States and the formation of a "more perfect Union." In addition, the Proclamation announced the acceptance of Black men into the Union Army and Navy, enabling the liberated to become liberators. By the end of the war, almost 200,000 Black soldiers and sailors had fought for the Union and freedom. See U.S. Nat'l Archives & Record Admin., *The Emancipation Proclamation*.

As the early days of 1865 unfolded, Booker T. Washington (as a 9-year-old boy) recalled:

As the great day drew nearer, there was more singing in the slave quarters than usual. It was bolder, had more ring, and lasted later into the night. Most of the verses of the

plantation songs had some reference to freedom. . . . [S]ome man who seemed to be a stranger (a United States officer, I presume) made a little speech and then read a rather long paper – the Emancipation Proclamation, I think. After the reading we were told that we were all free, and could go when and where we pleased. My mother, who was standing by my side, leaned over and kissed her children, while tears of joy ran down her cheeks. She explained to us what it all meant, that this was the day for which she had been so long praying, but fearing that she would never live to see.

See Booker T. Washington, *Up from Slavery* 19-21 (1901).

Near the end of the war, abolitionists were concerned that the Emancipation Proclamation would be construed solely as a war act, thus no longer applying once fighting ended. They were also increasingly anxious to secure freedom of all slaves, not just those freed by the Emancipation Proclamation. Thus pressed, Lincoln staked a large part of his 1864 presidential campaign on a constitutional amendment to abolish slavery uniformly throughout the United States. Lincoln's campaign was bolstered by separate votes in both Maryland and Missouri to abolish slavery in those states.

After winning re-election, Lincoln pressed the lame duck 38th Congress to pass the proposed amendment immediately rather than wait for the incoming 39th Congress to convene. In January 1865, Congress sent to the state legislatures for ratification what became the 13th Amendment, banning slavery in all U.S. states and territories. The amendment was ratified by a sufficient number of state legislatures by December 6, 1865.

The Proclamation was lauded in the years after Lincoln's death. The anniversary of its issue was celebrated as an African-American holiday for more than 50 years; the holiday of Juneteenth was created to honor it. See Allen C. Guelzo, *Lincoln's Emancipation Proclamation: The End of Slavery in America* 244 (2004). Now, some 144 years after its signing, Carlton Fields is honored to be a sponsor of this important historical document.

CARLTON FIELDS CELEBRATES MARTIN LUTHER KING, JR.

DAY AND BLACK HISTORY MONTH CONTINUED

year, the firm is sponsoring the traveling exhibition of the "Florida Highwaymen" at the Tallahassee Museum and will be the primary sponsor of the opening day's festivities and luncheon on **February 24th**.

On **February 10th**, the firm sponsored the ABA Spirit of Excellence Awards Luncheon. The ABA's Commission on Racial and Ethnic Diversity in the Profession established the Spirit of Excellence Awards to celebrate the efforts and accomplishments of lawyers who work to promote a more racially and ethnically diverse legal profession.

The Wilkie D. Ferguson, Jr. Bar Foundation's Annual Scholarship Banquet Extravaganza, held in Miami on **February 17th**, was also sponsored by the firm. This event raises scholarship funds for Black law students and commemorates the historical naming of a federal court house in Miami after Wilkie D. Ferguson, Jr., a Black federal judge. Carlton Fields shareholder, **Jason Murray**, previously served as President of this organization.

The Miami office of Carlton Fields celebrated Black History Month by creating a "mini-museum" in which memorabilia brought in by attorneys and staff representing the history of Black people in America was displayed. Members of the community were also invited to come to the office to share personal stories about growing up Black in America and experiences related to the civil rights movement.

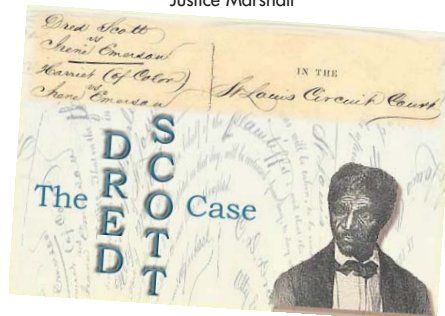
Recognizing that Carlton Fields' commitment to diversity extends beyond the walls of its offices, numerous Carlton Fields attorneys and staff members are actively engaged in promoting

diversity and equality in the communities they call "home." To commemorate Martin Luther King, Jr. Day and the national Black History Month, many of Carlton Fields' attorneys and staff participated in celebrations and charitable activities.

As the Orlando City Commissioner and mayor pro-tem, Orlando attorney **Philip Diamond** rode in Orlando's Martin Luther King, Jr. Day parade and attended the Arthur Pappy Kennedy prayer breakfast on MLK Day. St. Petersburg shareholder **Lee Rightmyer**, who serves as the president of the St. Petersburg Bar Association, wrote an article on Black History Month and MLK Day for the St. Pete Bar monthly magazine.



Justice Marshall



Carmen Lyles-Irving, an Atlanta associate, spent Martin Luther King, Jr. Day volunteering with the Hosea Williams Feed the Hungry and Homeless MLK Day Dinner at Turner Field and **Tom Grewe**, the firm's Director of Professional Development, participated with his church in an MLK Day Breakfast in The Villages, FL. Tampa administrative assistant **Adrienne Travis** volunteered at the 2007 Tampa Bay Black History Festival. Adrienne also worked at the Heritage Festival's Poetry Slam Finals - featuring nationally known Poet "Talam Acey" and sponsored by Black on Black Rhyme. Miami shareholder **Jason Murray** delivered a speech by Dr. Martin Luther King, Jr. at the Soul Saving Station's Annual Black History Celebration.

These efforts and activities are examples of Carlton Fields' continuing commitment to diversity in the legal profession and our communities.

WORKING TOWARDS DIVERSITY: A JOINT VENTURE FOR LAW FIRMS AND CORPORATE LAW DEPARTMENTS

By Penelope A. Dixon

The Minority Corporate Counsel Association or MCCA was founded in 1997 to advocate for the expanded hiring, retention, and promotion of minority attorneys in corporate law departments and the law firms that serve them. Since its inception, the MCCA has been dedicated to researching, developing, and enlightening law students, attorneys, law firms, and corporations about diversity and how it makes sense in the legal profession. The organization's website, www.mcca.com, illustrates that MCCA has experienced success in advocating for minority attorneys because diversity issues have become prevalent within corporate law departments and the law firms. Currently, the MCCA is undertaking the Creating Pathways to Diversity® Research Project, which has reached the end of phase one of its three phases. The basic purpose of this project is to study how corporate law departments and law firms design, implement, and monitor their diversity progress. The best practices from both law firms and corporate law departments will be analyzed and reported in the hopes of increasing the professional development of minority attorneys.

Jason Murray and I, as members of the firm's Diversity Committee, had the privilege of attending the MCCA's 7th Annual Creating Pathways to Diversity® Conference in New York City on November 8, 2006. This year's theme, "Diverse Backgrounds, Complementary Ideas, One Focus," was timely, focused, organized, and well-attended. While most people think of diversity as an ethnic, racial, religious, or gender concept, diversity at the conference was also encapsulated in the wealth of knowledge from the dynamic panels comprised of college professors, law partners, associates, general counsel, and executive members of major corporations. The conference also had a diverse group of attendees. The multifaceted diversity displayed at the conference was a recipe for energetic discussions.

Currently, the MCCA is entrenched in the Creating Pathways to Diversity® Research Project, which has reached the end of phase one of its three phases. The basic purpose of this project is to study how corporate law departments and law firms design, implement and monitor their diversity progress.

The interaction between the panelists and attendees was a cornucopia of animated discussions about topics ranging from development of affinity groups for mentoring purposes, relationship building with women and minority-owned law firms, candid conversations with white men about diversity, best practices in marketing diversity, and gay, lesbian, bisexual, and transgender diversity issues. These are just a few of the exciting areas of discussion that were presented at the conference.

As indicated in the theme, the primary focus of the conference was diversity and, of course, the perspectives and presentations for the particular audiences were very different. While the conference theme was the same, the sessions and audiences were very different depending on the "track" of sessions one attended. The sessions were grouped depending on attendees' primary interest in the following areas: individual professional development, law firm diversity practices, and corporate law department diversity initiatives. While the three tracks of breakout sessions were concurrent, every attendee had the option of intermingling between the three tracks. Consequently, the breakout sessions provided forums for young attorneys, senior attorneys, law firm associates, partners, corporate attorneys, general counsel, and chief diversity officers of mega-million dollar corporations to exchange and develop ideas, initiatives, and prospective plans on the topic at hand.



To read more about the project, the Creating Pathways to Diversity® conferences, or the Minority Corporate Counsel Association, visit www.mcca.com

LABOR OF LOVE: JUDGE MARY S. SCRIVEN REFLECTS ON HER JOURNEY TO THE BENCH

"You have to love the law to be successful at practicing it... Some aspect of it has to be your life blood" proffers **Judge Mary S. Scriven**, U.S. Magistrate Judge for the Middle District of Florida, Tampa Division, and a self-described "law junkie," whose love and respect for the law has led her to become the first African-American female to sit on the federal bench in the State of Florida.

Judge Scriven's love of the law began as a student at Duke University, where she served as Chief Justice of Duke's Judiciary Council. As Chief Justice at Duke, Judge Scriven heard cases ranging from student theft to honor violations and was able to glimpse how the law directly affected her peers and the University as a whole. That experience along with the other valuable insights she gained as a high-achieving and active student led Judge Scriven to choose the Florida State University College of Law as the starting point for her formal legal training because of its more intimate learning environment. At Florida State, Judge Scriven once again thrived academically (graduating with high honors), studied at Oxford University in England as a recipient of the Orin Slagle Oxford Fellowship and was selected to the Order of Barristers. Moreover, Judge Scriven was chosen by the law school as its first annual student graduation speaker for her law school class' commencement ceremony.

After graduating from Florida State, Judge Scriven embarked on her legal career as an Associate in the Tampa office of the statewide law firm of Carlton, Fields, Ward, Emmanuel, Smith & Cutler where she practiced in the areas of corporate litigation and trade regulation. Judge Scriven found practice as a young associate in a large law firm somewhat isolating at first, and she was, at times, beset with thoughts of self-doubt.

However, with the guidance of both formal and informal mentors in, as well as outside of her firm, accompanied by her tenacity in carving out a particular area of legal expertise for herself, Judge Scriven became a shareholder at Carlton Fields and taught as an Associate (tenure track) Professor at the Stetson University College of Law before being appointed to the federal bench in 1997 at the age of 35.



Judge Mary S. Scriven

Judge Scriven's academic achievements and professional successes are hard-earned and did not come without some personal sacrifice. Her devotion to the law has prompted her to seek out experiences and take advantage of opportunities that enhance her knowledge and application of the law. In fact, Judge Scriven advises young lawyers to "take advantage of all the opportunities available to you and seek the guidance and influence of people who have achieved in the profession.... Do not be afraid to 'briefcase-tote'."

Judge Scriven has never believed that the fact that she is female and African-American were roadblocks to achieving professional success, despite being discouraged by her high school guidance counselor in Macon, Georgia, not to apply to Duke University because the counselor believed she would never be admitted or that if she were somehow admitted it would be solely because of her race; whereupon, she would not successfully matriculate from the University. Judge Scriven also recalls that years after an unsuccessful call-back interview that took place in the mid-1980's as part of her law school's on-campus interview program, the attorney with whom she interviewed at that call-back approached her and apologized for the firm not giving her serious consideration as a candidate because the firm, at that time, was not yet ready for diversity.

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This article was featured in the December 2006 issue of the Hillsborough County Bar Association's *Lawyer* magazine and is authored by Sacha Brown-Taylor, GEBA Diversity Committee Chair, Hillsborough County Attorney's Office, Tampa, Florida.

PATICE HOLLAND JOINS CARLTON FIELDS AS THE SPRING 2007 DIVERSITY FELLOW

Carlton Fields recently welcomed third-year Stetson University College of Law student **Patice Holland** as its Diversity Fellow for the Spring 2007 semester. Throughout the semester, Patice will work in the Tampa office on various legal projects, including pro bono projects, for clients under the guidance of firm attorneys.



Holland

Prior to attending law school, Patice earned her B.A., *cum laude*, in Government and International Politics from George Mason University in December 2004.

Patice is the first in her immediate family to go to college. She joined the Upward Bound program in high school which is a program to help first generation students go to college. She is also the first in her entire family to go to graduate school.

Patice has been very involved in law school, serving as the Historian on the Moot Court Board and the President of BLSA at Stetson from 2005-2006. During the Fall 2006 semester, Patice served as state judicial intern to Sixth Judicial Circuit Pinellas County Judges Donald E. Horrox and Patrick Caddell.

Patice is also an accomplished singer. At the 2006 George Edgecomb Bar Association Annual Law Week Banquet, Patice

lead the packed room of attendees in singing the Negro National Anthem.

"I am extremely honored to have this wonderful opportunity. I have always admired the professionalism and strong reputation in the legal community that Carlton Fields' lawyers share. I look forward to working with the attorneys and hope to gain a wealth of experience during my fellowship," said Patice.

"We are pleased that Patice will join the firm as our fourth Fellow. We have enjoyed a successful partnership with Stetson University which has greatly benefited Carlton Fields and, in some measure, each Fellow," said **Robert E. Biasotti**, Shareholder and Member of the firm's Diversity Committee.

In 2004, Carlton Fields, in collaboration with Stetson University, established the Carlton Fields Diversity Fellowship at Stetson University College of Law. Each semester a student is selected to receive a paid law clerk fellowship with the firm. The fellowship is designed to assist students who have experienced socioeconomic or cultural barriers while pursuing a legal education. Throughout the semester, fellowship participants are immersed in the practice of law within a large law firm environment.

LABOR OF LOVE CONTINUED

Nevertheless, Judge Scriven has never viewed these encounters as obstacles in her career. Instead, she attributes much of her success to the tremendous support, autonomy and flexibility that she received from her former colleagues at Carlton Fields, together with an exceptionally strong support system at home. In fact, Judge Scriven credits her husband of 18 years, Lansing Scriven, a fellow member of the bar and immediate past President of the HCBA, as being one of the primary forces in her success. A fixture in Judge Scriven's life since her days as a student at Duke (where they began dating), Lanse Scriven has always served as her sounding board and has been instrumental in the ever-present challenge of balancing her high-profile career and family life which revolves around raising four children.

Although there are a growing number of minorities advancing to the higher echelons of the legal profession, Judge Scriven believes that there is still significant progress to be made in the area of diversity in Tampa's legal community. Ultimately, there will have to be a level of openness and a firm commitment from minorities themselves as well as institutions, both private and public, to have the courage, vision and resolve to achieve balanced diversity.



Judge Scriven

RECENT ACHIEVEMENTS OF OUR WOMEN AND MINORITY ATTORNEYS

Cristina Alonso, Miami associate (Appellate Practice and Trial Support), has been reappointed to the Florida Legal Services, Inc. Board of Directors for a two-year term commencing on July 1, 2006. She was also elected Treasurer of the Board.

Kelly Cruz-Brown, Tallahassee shareholder (Government Law and Consulting), was admitted as a member to The Federation of Regulatory Counsel.

Nancy Ciampa, Miami shareholder (Appellate Practice and Trial Support), has been appointed to the Board of Directors for Legal Services of Greater Miami.

Cristin Conley, Tampa shareholder (Corporate and Tax), was appointed Secretary of The Florida Bar Tax Section.

Henry Gyden, Tampa associate (Appellate Practice and Trial Support), was appointed to the Appellate Court Rules Committee of The Florida Bar.

Derek Harris, Atlanta associate (Business Litigation and Trade Regulation), has been selected as an Up & Comer by *Atlanta Business Chronicle*. Derek was also recently appointed Advisor of the Children & the Courts Committee by The State Bar of Georgia.

Caroline Iovino, Miami associate (Insurance), was appointed to The Florida Bar's Code and Rules of Evidence Committee.

Allison Kahn, West Palm Beach associate (Labor and Employment), co-authored an article entitled "Declaratory Relief: The Antidote to Bad Faith." The article discusses how insurance carriers are able to reduce their exposure to a bad faith claim by filing declaratory judgment actions in situations where insurance coverage is at issue. The article has been published and can currently be found on the web site of the American Bar Association Litigation Section Insurance Coverage Litigation Committee.

Nicole Kibert, Tampa associate (Real Estate and Finance), was appointed Vice Chair of The Florida Bar Real Property Probate and Trust Law Section Development and Governmental Regulation of Real Estate Committee.



Cruz-Brown



Harris

Laurel Lockett, Tampa shareholder (Government Law and Consulting), has been appointed Vice Chair of the Land Use and Environmental Group of the Real Property Probate and Trust Section of the American Bar Association. She will have oversight responsibility over the Environmental, Land Use, Condemnation and Agribusiness Subcommittees and to the Section's Membership Committee.

Wendy Lumish, Miami shareholder (Appellate Practice and Trial Support), has been recognized as one of The Most Effective Lawyers in Miami-Dade, Broward, and Palm Beach Counties. Wendy was a winner in the Appellate category as part of a team that won a reversal of the judgment in a major tobacco case.



Lumish

Kathy McLeroy, Tampa shareholder (Real Property Litigation), has been reappointed to serve a three-year term on The Florida Bar's Standing Committee on Professionalism. She was appointed Vice Chair of the Pro Bono Committee of the Business Law Section for the American Bar Association and was recently elected Secretary of the Board of Directors of The Florida Bar Foundation. In addition, Kathy has become a certified Federal Court Mediator.

Jason Murray, Miami shareholder (Business Litigation and Trade Regulation), has been appointed by the Chief Justice of the Florida Supreme Court to serve on the Task Force on Management of Cases Involving Complex Litigation for a term to expire on October 31, 2007. In addition, Jason has been asked to serve on the Eleventh Judicial Circuit Ad Hoc Committee on Business Litigation Division.

Edith Osman, Miami shareholder (Family Law), has been selected by the Women's History Coalition of Miami-Dade County as a Woman of Impact for 2007. This annual award is presented to a small group of women who have made a significant impact through their community service, professional activities, or contributions to issues specifically addressing women's needs.



Osman

Sorraya Solages, Miami associate (Appellate Practice and Trial Support), co-authored "Cross-Appeals in Civil Cases" published by The Florida Bar Journal in the June 2006 edition.

Stacey Sutton, West Palm Beach associate (Business Litigation and Trade Regulation), has joined Women's Foundation of West Palm Beach.



Young

Gwynne Young, Tampa shareholder (Business Litigation and Trade Regulation), has been elected as President of the Hillsborough County Bar Foundation.

46 of the Carlton Fields' attorneys were named to the 2007 *Best Lawyers in America*. Of those, the following 10 minority and women attorneys were recognized: **Marti Chumbler, Ruth Kinsolving, Nancy Linnan, Laurel Lockett, Wendy Lumish, Jason Murray, Lu Prats, Gary Sasso, Patricia Thompson, and Sylvia Walbolt.**

Carlton Fields secured its membership with the National Association of Women Lawyers ("NAWL") as a national sponsor. NAWL will have its mid-year meeting/luncheon on February 8th in conjunction with the Mid-Year ABA meeting.

THE MIAMI OFFICE OF CARLTON FIELDS PARTICIPATES IN ELECTION PROTECTION

Carlton Fields attorneys recently participated in a national voter protection program called Election Protection. Firm attorneys teamed up with volunteer law students to oversee the training of poll workers prior to the election and to address voter questions on election day.

Miami shareholder **Amy Furness** (Products and Toxic Tort Liability) led the team of Carlton Fields attorneys assisting in Election Protection. Amy was selected to coordinate and supervise the Miami-Dade Legal Command Center based on her work in 2004 with the Election Protection program. As part of Election Protection, Amy worked closely with the People for the American Way Foundation, the ACLU, and the Lawyers Committee for Civil Rights.

Carlton Fields attorneys **John Camp, Olga Vieira, Kasey Peake, and Chantell Vichot** recruited law students to assist in the Election Protection program. Recruited law students utilized the Florida Legal Manual, developed by the firm's summer associates, to learn more about State of Florida election laws and procedure. Ultimately, a team of over 40 volunteer lawyers and students was assembled and trained to assist with Election Protection. Attorneys communicated directly with the Miami-Dade Deputy Supervisor of Elections to form a strategy for addressing voter concerns on election day.

By 6:00 a.m. on November 7th, election day, Carlton Fields

attorneys and law students were available at voting precincts to answer voter questions. 26 "roving field attorneys," as they became known, visited 43 voting precincts throughout the area. Carlton Fields attorneys staffing the voting precincts included **Jason Alderman, Niall McLachlan, Chantell Vichot, Olga Vieira, Kasey Peake, Neil Kodsi, Chuck Rosenberg,** and former summer associate **Sharraine Sibblies.**

The firm's Miami office served as the Election Protection Call Center for Miami-Dade County. The phone lines, which opened at 7:00 a.m. on election day, were manned by Carlton Fields attorneys trained in election law and procedure. Under the direction of call center team leader **David Smith**, attorneys **Diana Abril, Alan Fry, Maria Montenegro, Angie Puentes-Leon, Carlos Sandoval, and Olga Vieira** answered hundreds of calls pertaining to issues including voting rights, extended hours at polling precincts, broken electronic voting machines, and voter intimidation. Additionally, call center attorneys contacted local election officials to advise them of potentially serious voting problems and coordinated calls from national and local election rights groups. Amy Furness worked with the Lawyers Committee for Civil Rights litigation team in anticipation of filing a motion to order one precinct to remain open late. The Election Protection effort successfully assisted a large number of South Florida voters in casting their ballots on election day 2006.

NEW MINORITY AND WOMEN ATTORNEYS

Carlton Fields is pleased to announce the most recent minority and women attorneys to join the firm.

Erin E. Banks
Associate
St. Petersburg

Andrea E. Bates
Of Counsel
Atlanta

Stephanie Bolton
Associate
Tampa

Kathryn H. Christian
Associate
Tampa

Adrian K. Felix
Associate
Miami

Blaise N. Huhta
Associate
Tampa

Donna K. Knapton
Of Counsel
Miami

Angela M. Ligouri
Associate
Atlanta

Carmen V. Lyles-Irving
Attorney
Atlanta



Felix



Knapton



Sandoval

Mary B. Meeks joined Carlton Fields in January 2007 as a shareholder in Orlando

Mary Meeks is a member of the Business Litigation & Trade Regulation, Labor & Employment, Appellate Practice & Trial Support, and Real Property Litigation Practice Groups. Mary, who is AV-rated by Martindale Hubbell, joined Carlton Fields as a shareholder in January 2007. Prior to joining the firm, Mary practiced with DeCubellis, Meeks & Uncapher, P.A., whose other members also recently joined the firm. Mary has practiced law in central Florida for over eighteen years. She grew up in Fayetteville, North Carolina. In 1985, she graduated from Campbell University *with highest honors* with a degree in Pre-law. She also obtained her juris doctor *with honors* from Campbell University Law School in 1988. She is the first lawyer in her family.

Mary's professional activities include teaching employment discrimination law at Barry University's School of Law and serving on the

National Arbitration and Mediation Corporation's Florida Panel of Arbitrators. Mary was recently certified as a mediator and also serves as a consultant to the editor of the *Orlando Sentinel's* "Workplace" section, which appears in the *Sentinel* every Wednesday. Mary is also an active advocate for gay rights and is a member of the Metropolitan Business Association, which supports gay and gay-friendly businesses.

Mary and her long term partner, Vicki, live in Orlando, Florida with their 8-pound Yorkshire Terrier, "Piccadilly" (or "Dilly," for short). In her free time, Mary enjoys scuba diving and attending plays, concerts, and sporting events. She and Vicki try to stay active by playing weekend tennis and racquetball.



Meeks

Maria C. Montenegro
Associate
Miami



Montenegro

Laura W. Paquin
Associate
Tampa

Carlos E. Sandoval
Associate
Miami

Leslie K. Schultz-Kin
Associate
Tampa

E. Michelle Tyde
Of Counsel
Atlanta

Olga M. Vieira
Associate
Miami

Stephanie Zimmerman
Associate
St. Petersburg

Alana E. Zorrilla
Associate
West Palm Beach



Zorrilla

A REFLECTION UPON: "VISIBLE INVISIBILITY WOMEN OF COLOR IN LAW FIRMS"

By Eden R. Banks

The fact that many major law firms have adopted diversity initiatives has not translated into positive long term results for women of color, according to a new study by the American Bar Association ("ABA"). Women of color are leaving the legal profession at an alarming rate: only 53% of women of color, as opposed to 72% of white males, choose to remain at law firms, and 81% of minority female associates leave law firms within five years of being hired. These are but two of the many discomfiting statistics set forth in a first of its kind study entitled *Visible Invisibility: Women of Color in Law Firms*.

The study revealed that of the attorneys practicing in the U.S. approximately 49% are women and of those 12% are women of color. For this small percentage, the effect of being both female and a minority combine to generate a devastating impact. Unlike white women and men of color who share at least one characteristic with firm management (being either white or male), the study notes that women of color are burdened with the characteristics (being both female and of color) that are unfamiliar to management, and often times isolating to the women.

The superficial statistics suggest that women of color have achieved all the outward trappings of success: they are more likely to work in larger private law firms and more than 48% of those surveyed worked in firms with more than 450 lawyers. Additionally, 57% of women of color surveyed graduated from a first-tier law school, in comparison to 46% of men of color, 40% of white women, and 52% of white men. Despite this, 49% of women of color reported missing out on desirable assignments and 35% reported missing out on client development opportunities because of race. Many women of color described being trapped in dead-end assignments or being relegated to cases no one else wanted or were only handled by other women or minorities. Conversely, being a minority occasionally led to desirable assignments, like where a client wanted a minority on a trial team because the jury was expected to consist of minorities. Interestingly, some women of color were unaware assignments could be negotiated; those who did, gained beneficial exposure to higher-level work.

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DIVERSITY PROFILE: MURRAY CONTINUED

His most valued accomplishment, however, has nothing to do with his profession. It has all to do with family and faith. Like his father before him, Jason has created a loving family, with his wife, Dale Ellen, and his precious sons, three-year old Jason, Jr., and six-month old Miles James. He is still very close to his parents, with whom he speaks every single day. His dad is now a Pastor, and Jason is a devoted member of the church.

Jason has said, "Attorneys should not forget that often the proper knowledge for legal action comes from learning about life outside of the law. Lawyers should strive for balance in their lives between work and play and seek knowledge in many fields of human endeavor." Although Jason is very involved in his community, he seeks to balance his busy professional life with his faith and family.

Jason serves as General Counsel to his Church, Superintendent of its Sunday School, and as a member of its prison ministry team.

... proper knowledge for legal action comes from learning about life outside of the law.

His strong Christian faith fuels the causes that he supports and champions – including his steadfast commitment to diversity which is what brought him to Carlton Fields. He believed that the firm displayed a genuine interest in the advancement of minorities and women - so he accepted the offer extended to him to join the firm's Miami office. He did not waste any time before dedicating his time and efforts to the firm's recruiting efforts. And now, as Co-Chair of the firm's Diversity Committee, he has taken the firm to new levels of success and recognition on the diversity front.

A REFLECTION UPON CONTINUED

Over time, however, women of color reported that white males received more challenging assignments, preventing the women from refining their legal skills and placing them at a competitive disadvantage. As a result, the differences between the experience and skill levels of women of color and their white male counterparts multiplied almost exponentially, benefiting the careers of white males and hindering that of the women. Ultimately, 16% of women of color indicated they were denied advancement and promotion opportunities because of race.

Integration into internal and informal networks is a critical component of success within law firms. Sixty-two percent of women of color reported being excluded from informal (golf outings, lunch time gatherings) or structured opportunities, as did 60% of women. Only 4% of white men reported similar problems. Many women attributed this to the “old boys’ network,” but the problem is much more individualized. One leader of the study coined the phrase “axis of familiarity” to describe the fact that people, subconsciously or otherwise, tend to gravitate to those most similar to themselves. This trend seems to transcend informal networking and affect interactions on a more formal level, like the receipt of work assignments – several women of color

surveyed found they only received work from African-American male partners.

Mentoring was identified as a key factor that mitigates against these exclusionary effects. Because law firms work on a patronage system, one attorney observed that if associates don’t have someone watching out for them, they are more likely to fall through the cracks. Although many women of color said their firm had a mentoring program, many found that informal mentoring reaped increased benefits, but that such mentoring was unlikely because there were not sufficient senior women of color with whom they could identify. Regardless of the race or gender of the mentor, however, the critical issue is whether or not women of color derive the same benefits from the mentor-mentee relationship as their counterparts. To the degree that women of color lack mentors who can integrate them into firm networks and provide assignments that lead to career advancement and client development opportunities, their career trajectories will likely be more limited than those of their counterparts.

The perception of competence that women of color felt others held about

them provides the most insight into their experiences. Most women of color found that when they joined a firm they had to disprove preconceived negative notions about their legal skills. Women of color thought they were perceived less favorably than their counterparts in almost every category: management, research, writing, and verbal skills. One woman said these perceptions sprung from an unconscious expectation that minorities don’t really belong in a firm, so that when a minority makes a mistake commonly made by any associate when learning the practice, it is seen as confirmation that minorities don’t really deserve to be there.

Visible Invisibility provided recommendations to rectify these perceptions: addressing and linking the success of women of color to the success of a firm, integrating women of color into existing measurement efforts, integrating them into the firm’s professional fabric, and supporting women of color’s efforts to build internal and external support systems. This study illustrates that with increasing diversity comes not only opportunity, but also responsibility and that, when properly discharged, diversity efforts yield a firm that exists not only to ensure its own success, but to ensure the success of all its constituent parts.

For more information on the Carlton Fields Diversity Newsletter, *Mosaic*, please contact the co-chairs of the Diversity Committee:

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