

# The Voice

OF THE FLORIDA BAR GOVERNMENT LAWYER SECTION

## Word from the Chair

By Barbara C. Wingo, Chair, Government Lawyer Section 2013-2014



BARBARA C. WINGO

Thanks to all for a very successful May 16 meeting in Tallahassee. This is the first of what will be an in-person executive council meeting each year that is not connected to the annual convention of The Florida Bar or its midyear meeting. Of course, all members of the section were and will continue to be invited to this meeting. We also welcome visitors and were happy that several attended both the CLE and the executive council meeting.

We had excellent attendance for the very informative CLE given by Pat Gleason as well as the executive council meeting. Thereafter several attendees met for socializing at Level 8. We hope to see even more members and guests at our next meeting.

Growth in membership is of great importance to the section. Please encourage your colleagues and friends who are government lawyers to join! This is an especially propitious time for providing that encouragement as we are all receiving our Bar dues notices. It is so easy to join, and the more members that we have, the more we can accomplish. Representation on The Florida Bar Board of Governors is much more possible with increased membership.

To double our membership in the next two years is a very realistic goal – so let's have 2016 by 2016!

Of great importance to our section members are quality CLE presentations, and we certainly have provided those over the years to our members and others. At the same time with the crowded CLE market, we need to be innovative in this area. Please consider volunteering to assist with CLE in the coming year.

The annual meeting of the section is at 1:00 p.m. on Friday, June 27, at The Florida Bar Convention at the Gaylord Palms Resort and Convention Center in Orlando. The Claude Pepper Award, given by The Florida Bar to an outstanding government lawyer, will be presented at the general assembly of The Florida Bar, and we will welcome the recipient for a presentation of his or her thoughts and observations at

the section meeting. Come earlier to the convention and catch our new CLE from 9:00 a.m. to 11:00 a.m., June 27, on government procurement law: "Procurement Law – Funds in the Sun."

Also, please note the article in this newsletter on the recipient of our section's Lifetime Achievement Award. The reception honoring the recipient, Sen. Bob Graham, will follow our meeting at 4:00 p.m. Many thanks are due to our sponsors for making this special event possible. All members are encouraged to attend, and government lawyer guests are most welcome at the meeting, the CLE and the Lifetime Achievement Award reception.

I look forward to seeing you at the meeting and other events on June 27 and am always happy to hear your suggestions and comments concerning our section.

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THE FLORIDA BAR

THE GOVERNMENT LAWYER SECTION REPORTER

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# Section Activities at The Florida Bar's Annual Convention



Gaylord Palms Resort and Convention Center  
Orlando, Florida

## Government Lawyer Section Annual Meeting



Friday, June 27, 1:00 p.m.



Lifetime Achievement Award Reception honoring Sen. Bob  
Graham, will follow the meeting at 4:00 p.m.

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## The Claude Pepper Award



will be presented at the General Assembly of The Florida Bar, Thursday,  
June 26, 9:00 a.m. – 11:30 a.m.



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## Catch our new CLE:

**"Procurement Law – Funds in the Sun."**

Friday, June 27, 9:00 a.m. to 11:00 a.m.

If you would like to have an article considered for publication in the next edition of *The Voice*, please send it to [TheVoiceSubmissions@gmail.com](mailto:TheVoiceSubmissions@gmail.com).



# Florida Bar CLE—24/7 Online & downloadable

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# Government Lawyer Section Honors Senator Bob Graham at The Florida Bar Annual Convention

The Government Lawyer Section is pleased to announce that former U.S. Senator Bob Graham will be honored at The Florida Bar Annual Convention with The Florida Bar Government Lawyer Section's Lifetime Achievement Award. All Government Lawyer Section members are invited to attend the presentation and reception at 4:00 o'clock on **Friday, June 27, 2014** at the Gaylord Palms Resort and Convention Center in Orlando.

Senator Bob Graham is a former two-term governor of Florida and served for 18 years in the United States Senate. This is combined with 12 years in the Florida legislature for a total of 38 years of public service. Bob Graham retired from public service in January 2005, following his Presidential campaign in 2004.

Bob Graham is recognized for his leadership on issues ranging from education, economic development, healthcare, environmental preservation and his service on the Senate Select Committee on Intelligence - including eighteen months as chairman in 2001-2002.

In recent years, Senator Graham was appointed by the President and served as Co-Chair of the National Commission on the BP Deepwater Horizon Oil Spill and Offshore Drilling. This followed his service as a Commissioner



on the Financial Crisis Inquiry Commission, as Chairman of the Commission on the Prevention of Weapons of Mass Destruction Proliferation and Terrorism, and his service as a member of the CIA External Advisory Board. Currently he is serving on the federal St. Augustine 450<sup>th</sup> Commemoration Commission.

Senator Graham is also the author of several books, including *Work Days - Finding Florida on the Job*, descriptions of early jobs in what became his 30 year commitment to over 400 work days; *Intelligence Matters*, 9/11 and the run up to the Iraq War from the perspective of the chair of the Senate Intelligence Committee; and *Keys*

*to the Kingdom*, a novel of suspense which draws upon his background in government and intelligence.

Senator Graham's passion has been civic engagement. He participated in the 2008 establishment of the Bob Graham Center for Public Service at the University of Florida and currently serves as the chair of its council of advisors. He is co-chair of the Florida Joint Center on Citizenship which, in conjunction with the Lew Frey Institute at the University of Central Florida, is devoted to enhanced civics education in primary and secondary schools. In 2010 with Chris Hand, Graham co-authored *America the Owner's Manual: Making Government Work for You*, which teaches the skills of civic participation.

Senator Graham has been a regular contributor to National Public Radio's Morning Edition, a frequent guest on CNN, Fox and MSNBC news, and has authored numerous opinion editorials for newspapers. His commentaries have appeared in the New York Times, Washington Post, The Financial Times, Chicago Tribune, Boston Globe, Atlanta Journal Constitution, Charlotte Observer, Washington Times, and numerous newspapers throughout Florida.

The Florida Bar Government Lawyer Section looks forward to honoring Senator Graham.

## ***Your Government Lawyer Section Website***

Remember to visit the Government Lawyer Section's website. The website contains lots of information about the Section. Look for dates and times of future meetings and minutes of past meetings. Find new CLE courses or CDs and materials on recent CLEs. Get involved with the Florida Bar by contacting members of your executive council through the website.

[WWW.FLGOVLAWYER.ORG](http://WWW.FLGOVLAWYER.ORG)



# 2013-2014 Annual Report of the Government Lawyer Section

The mission of the Government Lawyer Section of The Florida Bar is to promote the professionalism and competence of its members, to improve the delivery of legal services to all governmental entities and the overall administration of the legal system, and to enhance The Florida Bar's and the public's understanding of the unique needs of the government attorney. In order to better accomplish these goals, the section undertook a comprehensive review of its programs and processes this year. A survey of the membership was performed, and its results informed a day-long planning retreat.

Identified in the survey as particularly valuable to the membership were continuing legal education, the provision of information concerning current developments of interest to the members, and networking opportunities. The survey demonstrated that the section's Continuing Legal Education (CLE) offerings were of high importance to its membership. During the year the section has provided its signature programs, Practicing Before the Legislature and Practicing Before the Florida Supreme Court, both of which programs continue to be successfully received and are of value to government and non-government attorneys alike. The section also continues to co-sponsor the annual presentation of the Sunshine Law, Public Records & Ethics for Public Officers and Public Employees course as well as the Advanced Administrative Law and Government Practice Seminar. In addition the section has presented two new programs at The Florida Bar's midyear meeting and its annual convention, Appealing Administrative Action under the Administrative Procedure Act and Procurement Law: Funds in the Sun. Section members were able to take advantage of short CLE presentations in conjunction with the section's retreat held at the midyear meeting and its May meeting. In addition to these numerous offerings, the section plans to expand the types of CLE offerings that it provides. On the one hand, this involves alternative delivery systems, such as brief on-de-

mand presentations, and on the other, different topics, such as in-house law office administration for governmental and business entities.

Government Lawyer Section members also value section publications, which have been significantly revitalized and expanded in number this year. "The Voice" will be published at least three times this year, and two articles from the Section will be published in The Florida Bar Journal. The Section will also continue to update its website with information about the Section's activities and other resources. All of these efforts will be expanded as the section moves forward.

Also important to our membership are networking opportunities. In addition to the section's gatherings at the midyear meeting and annual convention, the section is commencing the scheduling of an additional meeting each year that will be held in different locations. The first of these will be held in Tallahassee in May and will include continuing legal education, a meeting of the Executive Council, and a social hour.

The Government Lawyer Section Executive Council has determined to make concerted efforts to increase membership during the year through personal outreach, communications to relevant groups, and other informational materials. A Young Government Lawyers Committee has been established to facilitate membership and leadership development. Increasing membership will increase representation of the many varieties of government lawyers, increase revenue and enable the section to provide even more services to its membership.

The Government Lawyer Section continues to support the State and Federal Government and Administrative Practice certification. The section has provided feedback to The Florida Bar on issues of interest to government lawyers and tracked and supported legislation of interest to government lawyers. We continue to support The Bar's Leadership Academy through providing assistance to members that are accepted for this valuable program. We are also proud to report that our former

chair, Diana Bock, acted as a liaison to the Florida Bar Board of Governors during this year. We are grateful for her appointment by President Eugene Pettis. From this appointment the section has benefitted in terms of information and networking. We will continue to work with The Bar leadership to represent the interests of government lawyers in this way. The section has much to offer in understanding the changes to the legal profession and other topics of interest in the Vision 2016 process.

A comprehensive revision of the section's bylaws was carried out this year. The bylaws now provide for potential financial support for a member of the section who is appointed to the government lawyer liaison seat to The Florida Bar Board of Governors. Other processes and committees have been added and clarified as needed, including those involving the Section's award programs.

The Government Lawyer Section Lifetime Achievement Award is the section's highest honor for long-term public servants. The section will present this award (for only the fifth time in the section's history) at the 2014 annual convention. The section is pleased to announce that the recipient will be Senator Bob Graham, and a special event will celebrate the granting of this award. The presentation of the Florida Bar's Claude Pepper Outstanding Government Lawyer award returned to the General Assembly at last year's annual convention. It will again be presented at that time. This annual award recognizes a government lawyer whose character and accomplishments exemplify the highest ideals of government service. The 2013 recipient was Col. Joseph Bradshaw, Jr., of the Palm Beach County Sheriff's Office.

Finally, I would like to express my appreciation for the opportunity to serve as the chair of the Government Lawyer Section. It is an honor to serve such a dedicated and diverse group of lawyers, many of whom have given hours of special service in order to further the mission of this section. I also thank the leadership of The Florida Bar for its continued support and assistance.

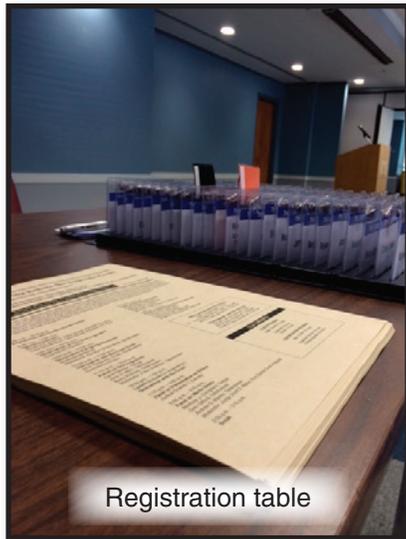
— *Barbara C. Wingo, Chair*



# Government Lawyer Section Gathers for CLE and Executive Council Meeting • Tallahassee, Florida • May 16, 2014



Our meeting room



Registration table



Pat Gleason



Pat Gleason at the podium





***Government Lawyer Spotlight:***  
**Francine M. Ffolkes, Esq.**  
***Administrative Law and Ethics Counsel,***  
***Florida Department of Environmental Protection***

*By Dwight O. Slater, Esq.*

The Government Lawyer Section of The Florida Bar is proud to shine the “spotlight” on our very own Francine M. Ffolkes, Esq., who serves as Secretary for the Section’s Executive Counsel and Chair of the State and Federal Administrative and Government Law Certification Committee.

When Francine embarked on her legal studies and career, she had what so many young lawyers only dream about: direction. Having majored in Marine Science and Biology at the University of Miami, she had her mind set on masters and doctoral work in the sciences. But her plans changed when she took an ocean and coastal law elective course during her senior year, and instead of applying to graduate schools, Francine found herself bound for the University of Miami School of Law.

Never losing sight of her passion for marine science, Francine began practicing law at the Florida Department of Environmental Regulation after earning her JD in 1989. Not only was this a natural fit given her undergraduate background, she felt drawn to the Department, particularly its mission to protect Florida’s environment and natural resources.

Francine started out as enforcement attorney prosecuting cases in circuit court and at the Division of Administrative Hearings (“DOAH”). Throughout the 1990s, she handled various permitting/licensing matters, as well as any appeals that arose. She also participated in agency rulemaking and defended those rules at subsequent rule challenge proceedings before DOAH.

Twenty-five years later, Francine is still with the agency, though its name has changed to the Department of Environmental Protection (“DEP”). Not only is she still enjoying every minute, she now finds herself with that much desired, yet increasingly elusive, commodity that all state agencies need: institutional knowledge.

So, it’s no wonder that, in 2007, DEP promoted Francine to her current position as Administrative Law Counsel. In this post, she reviews the records from all administrative hearings, all the recommended orders and exceptions and responses, and she drafts all the final orders for review and signature by the Secretary of DEP, as well as the Governor and the Cabinet in their capacity as the Board of Trustees of the Internal Improvement Trust Fund and as the Florida Siting Board. As if that weren’t

enough, in 2013 Francine took on the added responsibility of serving as the DEP’s Ethics Counsel.

On mentoring . . . Francine reminds us that mentoring relationships are qualitatively different and should be treated accordingly. Simply put, if you want a mentor, “look for a mentor, not a ‘BFF’.” For her part, she recalls being mentored by two former supervisors whom she credits with instilling a value she maintains to this day: stay in “learning mode.” While citing a few cases found after a cursory keyword search may get you through the hearing, or even the whole trial, “a deep understanding of the basic framework of substantive areas of the law makes more of an impact when presenting your client’s cause.” In the same vein, she adds, “winning the war for your client is more important than victories in short-lived battles.” For Francine, “the battles may provide for good ‘war stories’ for you, but the client will remember when their ultimate goal is accomplished.”

Indeed, Francine. On behalf of the Section, the Executive Counsel would like to thank Francine for taking the time to share her knowledge and experience.

