

EXHIBIT A TO NANCY WEAR'S COMMENTARY RE: SC21-284

## JANUARY 15, 2013 LETTERS

January 15, 2013 Letters

### Letters

#### CLE Diversity

I just copied this off the *Journal's* November President's Page on floridabar.org: "Diversity: The Florida Bar's objective is to foster an inclusive environment in which lawyers, regardless of gender, race, ethnicity, religion, sexual orientation, physical or mental disability are motivated to succeed professionally and contribute to the goals of their profession."

Evidently, the Criminal Law and Appellate Practice sections don't believe that this goal extends to women, judging from the speakers chosen to speak at their seminars. I have written to chairs of the Criminal Law Section and the Appellate Practice Section on several occasions; they uniformly fail to address the issue.

The latest response I received pointed out that there is one woman speaker this year, and there was one woman speaker in each of the last two years at the annual Criminal Law Section's Advanced Federal Practice Seminar. That is true; of course, it is a different woman every year, and there has been no increase in the numbers of woman presenters with the passage of the years. Whereas, not only do the men continue to dominate, 5-1 or 6-1, they are mostly the same men who are invited to speak year after year.

It's the same story with the Appellate Practice Section. Their January Appellate Certification Seminar has six men (all mostly the same men over the years), and only two women — and one of them is the program chair.

Given that women belong to both sections in large numbers — and we pay the same high dues for the privilege — there is no excuse for this systematic exclusion of women. In fact, if only women were presenters from now on, it would probably take decades for the past pattern of discrimination to be fairly redressed.

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This might be funny, if it were not that the people doing the excluding are, to a man, self-proclaimed champions of liberty and defenders of due process. Despite all their public chest-pounding on behalf of their clients, they are evidently content to permit and participate in this exclusion of their professional colleagues from these high-profile seminars, which are heavily attended by influential practitioners, and thereafter widely circulated around the state.

Nancy C. Wear

*Coral Gables*

**The Criminal Law Section Responds:** The Criminal Law Section is strongly committed to diversity and inclusion at all levels. Particularly as to women, in section leadership our immediate past chair, chair-elect, secretary, and Board of Governors liaison are all women, and our Executive Council is comprised of one-third women. As to CLE, two of the program chairs of our post-conviction seminar last September were women; our half-day Advanced Federal Practice seminar, which Ms. Wear herself has previously hailed as a “first-class presentation,” always features one or more women experts in their field; our Masters of DUI seminar coming up on February 22 has four women presenters; several women speakers are slated for our Annual Criminal Law Update in Tampa in April; and our mental health symposium, to be held later this year, was founded by a woman and will feature numerous women panelists.

Still, we agree we can do better to be even more inclusive and more representative of our membership, and those whom we serve, as a whole. As a section of The Florida Bar dedicated to the profession of criminal law, our devotion to justice can only be measured by our fidelity to core principles of equality, liberty, and access to all.

As always, we encourage judges, educators, and practitioners of all backgrounds to come forward, join our section, and pledge to serve. There is no time like the present, and there remains much to do in promoting and protecting our freedoms.

The Executive Committee of the Executive Council for the Criminal Law Section:

Judge Lisa M. Porter  
*Immediate Past-Chair*

H. Scott Fingerhut  
*Chair*

Susan Odzer Hugentugler  
*Chair-elect*

David B. Rothman  
*Secretary*

Judge Angelica D. Zayas  
*Treasurer*

**The Appellate Practice Section Responds:** The Appellate Practice Section takes the matter raised by Ms. Wear's correspondence very seriously and respectfully disagrees with her contention. I would encourage Ms. Wear and all section members to become active and attend our section meetings, which are publicized and open to all section members, and where many decisions regarding speaker selection and seminar topics are made.

Contrary to Ms. Wear's sentiments, the Appellate Practice Section is firmly committed to diversity. Indeed, both the Continuing Legal Education Committee chair and the program chair of the seminar she references in her letter are female, and the section makes a conscious effort to promote diversity in connection with our speaker selection and leadership. The section's history reflects this. In 1993, when the section was first created, its first slate of officers included a female vice chair and treasurer. From 1993 through 1997, the section consistently had at least one female officer and in June 1998, we had our first female section chair. The section has had five female chairs since then, and the current chair-elect, vice chair, Publications Committee chair, Continuing Legal Education Committee chair, Pro Bono Committee chair, Outreach Committee chair, Anniversary Committee chair, Programs chair, and *Pro Se Handbook* chair,

are all female. The section has been and always will be committed to diversity in its membership, its leadership, and its events.

Jack R. Reiter

*Chair*

Caryn Lynn Bellus

*Chair-elect*

Ceci Culpepper Berman

*Vice Chair*

Christopher V. Carlyle

*Secretary/Treasurer*

Matthew John Conigliaro

*Immediate Past Chair*

### **CERTIFICATE OF SERVICE**

I CERTIFY that a true copy of the foregoing was served via the ePortal this 20th day of June, 2021, to the Office of the Clerk, Supreme Court of Florida, 500 South Duval Street, Tallahassee, Florida 32399-1927.

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By: \_\_\_\_\_/s/ N.C. Wear\_\_\_\_\_

### **CERTIFICATE OF COMPLIANCE**

I certify that the typeface used in the foregoing is 14-point

Bookman Old Style, complying with Florida Rule of Appellate Procedure 9.045(b) and (e). The word count is 1016 words.

By: \_\_\_\_\_/s/ N.C. Wear\_\_\_\_\_