

FAWL CHAPTER GUIDE



CONTENTS

- EXECUTIVE COMMITTEE
- CHAPTER REPRESENTATIVES
- FAWL BYLAWS
- ABOUT FAWL
- MISSION OF FAWL
- FAWL CIVILITY POLICY
- STRATEGIC PLAN
- HISTORY OF FAWL
- CHAPTER MAP
- FAWL / CHAPTER RELATIONSHIP
- FAWL / CHAPTER COMMUNICATION
- MATTIE BELLE DAVIS SOCIETY
- MENTORING
- CHAPTER DEVELOPMENT GRANT
- PUBLIC SERVICE GRANT
- AWARDS
- ANNUAL SPONSORSHIPS
- LACTATION ROOM HANDBOOK
- LEGISLATIVE POLICY
- ENDORSEMENT OPINION LETTER
- DUES SCHEDULE
- CHAPTER REP REPORT FORM
- JNC PROCESS



2022-2023

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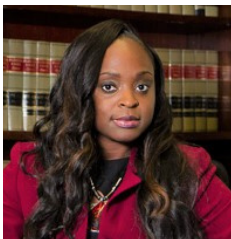
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2022-2023

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2020-2021

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**BY-LAWS
FLORIDA ASSOCIATION FOR WOMEN LAWYERS**

ARTICLE I - OFFICE

The Executive Committee of the Association shall designate the principal office of this Association.

ARTICLE II- MISSION STATEMENT

FAWL's mission is to actively promote gender equality and the leadership roles of FAWL's members in the legal profession, judiciary and community at large. To achieve these goals, FAWL will uphold the highest standard of integrity, honor and courtesy in the legal profession, promote reform in law, and facilitate administration of justice.

ARTICLE III - MEETINGS

There shall be an annual and mid-year meeting of this Association to be held at such time and place as may be decided by the Board of Directors from year to year. Such meetings shall be called by notice sent via mail, or electronic mail to the members of the Association upon order of the Board of Directors through the President. The Florida Association for Women Lawyers strives to hold all meetings and events in facilities that are reasonably accessible.

Special meetings of the Association may be called by the President or by any three members of the Board of Directors or by petition signed by any ten (10) members of the Association, provided notice is communicated by mail, or electronic mail to the members of the Association of the time, place or manner of such meeting and the purpose of such meeting at least ten (10) days prior thereto.

Any action of the Board of Directors or Executive Committee that is required or permitted to be taken at a meeting may be taken without a meeting if the approval of a majority of the voting body is first obtained. For the purpose of approval pursuant to this section, electronic communication will suffice.

ARTICLE IV – MEMBERSHIP

The Florida Association for Women Lawyers does not discriminate on the basis of age, race, sex, gender, sexual orientation, national origin, disability, marital status, or religion.

Membership in this Association shall consist of the following categories:

Section 1: Full Members: Members in good standing of the Bar of any State shall be eligible for full membership in this Association, upon acceptance of application and payment of dues as set by the Board of Directors. Such members shall have all the privileges of this Association, including the right to vote and hold office.

Section 2: Honorary Members: Any lawyer, distinguished in the profession, upon resolution duly adopted by the Board of Directors of the Association, may be enrolled as an honorary member who shall not be required to pay dues. Honorary members shall not be entitled to vote or hold office. There shall be no more than fifty (50) living honorary members at any one time.

Section 3: Student Members: Any law student shall be eligible for a student membership upon enrolling in an accredited law school, which membership shall be available until admittance to any State Bar is obtained. Student members shall not be entitled to vote or hold office and shall pay membership dues as set by the Board of Directors.

Section 4: Affiliate Members: Any lawyer not otherwise eligible for membership or any non-lawyer who is dedicated to supporting the purposes of this Association may be eligible for affiliate membership, subject to the approval of the majority of the Board of Directors and subject to Section 5 of this Article. Affiliate members may include, but are not limited to, Clerk of Courts, Judicial Assistants, and paralegals. Affiliate members shall not be entitled to vote or hold office and shall pay membership dues as set by the Board of Directors. Each Chapter may in its discretion determine whether to have an affiliate membership.

Section 5: Suspension or Expulsion of Member: A member disbarred from practicing law in any State shall be automatically dropped from membership in this Association and cannot be reinstated until having been readmitted to practice law in that state. The Board has the power to remove any members or turn down an application for any membership category for cause.

Section 6: Local Chapters: Members residing in a given county or other regional area shall be encouraged to form a local chapter of the Florida Association for Women Lawyers. Upon application of five (5) members and provided the chapter shall submit By-Laws consistent with the Articles of Incorporation and By-Laws of this Association; the Board of Directors may issue a charter to the local chapter.

ARTICLE V – FISCAL YEAR

The fiscal year of this Association shall be from July 1 to June 30 of the following year.

ARTICLE VI – DUES

Section 1: Annual dues for full members, student members, and affiliate members shall be determined by majority vote of the Board of Directors. Any change in the dues for a fiscal year must be approved at or before the winter meeting of the previous year.

Section 2: No member shall be in good standing to be qualified to exercise a vote after September 1 of any fiscal year whose dues for the current fiscal year are not paid, and all other membership benefits will be automatically revoked on that date.

ARTICLE VII – OFFICERS AND BOARD OF DIRECTORS

Section 1: The officers of this Association shall be a President, President-Elect, Secretary, Treasurer, Development Director, Public Relations Director, Membership Director, Journal Editor, Legislative Director, and Young Lawyers Director. Their terms shall be one year, or until their successors shall have taken office. The officers are the members of the Executive Committee.

Section 2: The President shall preside at all meetings of the Association and of the Board, shall create all necessary committees not provided for elsewhere herein and appoint the chairs thereof, and shall perform the usual duties incumbent upon a President.

Section 3: The President-Elect shall perform duties of the President in the absence of the President and a duly elected President-Elect shall succeed to the office of the President upon the expiration of the President's term. In the event the office of President shall become vacant, the President-Elect shall serve in the place of the President for the unexpired term. The President-Elect shall be responsible for program planning. Any member slated as President-Elect must have at least one year of prior service on the Executive Committee.

Section 4: The Secretary shall ensure that a record is kept of all meetings of the Association and of the Board of Directors; shall ensure that notices are sent out at the request of the President or any three members of the Board or any ten (10) members of the Association, shall attend to such correspondence as necessary for the Association, , and shall perform such other duties as requested by the President or the Board.

Section 5: The Treasurer shall be responsible for the collection and disbursement of all funds of the Association, as directed by the Board of Directors, shall ensure that accurate books of account are maintained for the Association, that applicable tax forms are filed, and that membership records are accurately maintained. The Treasurer shall maintain contact with the Treasurer of each Chapter to ensure membership and dues are current.

Section 6: The Development Director shall perform duties related to fund-raising and

sponsorship. The Development Director shall maintain relationships with current advertisers and sponsors as well as recruit new advertisers and sponsors for the Journal and FAWL events. The Development Director will work closely with the Treasurer in addressing FAWL's budgetary needs. The Development Director will be selected from the members of the Development Committee, which acts in support of the Development Director.

Section 7: The Journal Editor shall be responsible for the FAWL Journal, which shall be published and distributed to the membership at the direction of the Board of Directors.

Section 8: The Membership Director shall ensure that membership records are accurately maintained; create and distribute a membership directory if voted on by the Executive Committee; develop and promote membership benefits; help local chapters to recruit new members; recruit membership and service as liaison for law school membership; communicate with existing and potential members about FAWL benefits and operations; recruit and develop new chapters as directed by the Executive Committee, and present membership development grant applications to the Board of Directors, if funds allow.

Section 9: The Public Relations Director shall be responsible for the monthly E-Newsletters, press releases and social media accounts. The PR Director shall maintain a permanent record of the Association's activities.

Section 10: The Legislative Director shall be responsible for coordinating FAWL's legislative agenda and organizing FAWL's annual Lobby Days events. The Legislative Director shall also oversee a committee that will track and report on pending legislation related to FAWL's mission, providing a basis for FAWL's endorsement of or opposition to legislation. The Legislative Director shall chair the Fast Track Committee.

Section 11: The Young Lawyers Director shall be responsible for maintaining the formal contact between the Board of Directors and the Florida Bar's Young Lawyers Division Board of Governors. When possible, the position shall be a two-year commitment.

Section 12: The Executive Director shall be an ex officio member of the Board of Directors with no vote. The Executive Director serves at the pleasure of the Board of Directors. The Executive Director shall keep a record of all meetings of the Association and of the Board of Directors; send out notices at the request of the President or any three members of the Board or any ten members of the Association; shall collect and disburse funds of the Association in accordance with policies and procedures established by the Board of Directors; shall maintain accurate books of account for the Association; and shall maintain membership records.

Section 13: All Chapter Representatives shall represent the interests of their Chapters, provide information about FAWL to their Chapters and shall provide FAWL with information about their Chapters. Chapter Representatives of Law School Chapters shall be ex officio members of the Board of Directors with no vote. Chapter Representatives of all other Chapters

shall be voting members of the Board of Directors.

Section 14: The Board of Directors shall be comprised of the officers, the Immediate Past President, and the Chapter Representative from each Chapter, as set out in Article VIII of the Articles of Incorporation. The President of the Virgil Hawkins Florida Chapter National Bar Association and the Chair of the Florida Bar Diversity and Inclusion Committee may designate a representative to serve ex-officio. No Board member may cast more than one (1) vote.

Section 15: All vacancies shall be filled by the Board of Directors with a member(s) in good standing.

Section 16: The Board of Directors shall meet at least four times a year, at a time and place designated by the President. One meeting shall coincide with the Florida Bar's Annual Meeting.

Section 17: All members of the Board of Directors, including the Chapter Representatives, or designated substitute Chapter Representatives with full voting power, shall attend each duly called meeting of the Board of Directors in person. If a member is unable to attend in person, that member may be permitted to attend using telephone conference facilities provided that those facilities are available and that the member will bear any related expenses. In the event that an Executive Committee member is unable to attend a Board meeting, that member shall furnish to the President a written notice before the meeting, then such written notice shall be furnished by the time of the next duly called Board meeting. All written notices shall be presented to the Board of Directors, which shall approve or disapprove such notice. If an Executive Committee member misses a meeting in one year without furnishing written reasons therefore as required above, or if the Board of Directors disapproves the reasons, then the Board of Directors may vote to remove the board member. The board member shall be removed from office upon majority vote of the Board of Directors.

In consideration of the time and expense incurred by Chapter Representatives in attending out-of-town meetings, each chapter should offer its Chapter Representative(s) or designated substitute financial assistance as is consistent with the chapter's financial ability.

ARTICLE VIII – ELECTION OF OFFICERS

Section 1: A nominating committee to elect officers to the Association shall consist of: the Immediate Past President, the President-Elect, three members appointed by the Board of Directors and one member appointed by the President, which shall be created no later than February 1st of each year. The President-Elect shall serve as Chair of the Nominating committee. Said committee shall formulate a slate of nominees which shall be immediately reported in writing to the Board of Directors, but no later than February 28th of each calendar year, and

presented to the entire membership by mail, or electronic mail by March 15th each calendar year. The nominating committee shall solicit nominees from the Executive Committee, Board of Directors and Chapters and shall operate in accordance with the quorum and notice requirements of the Association bylaws. Any additional nominations for election of officers shall be made by written petition signed by not fewer than twenty-five (25) members of the Association in good standing. Nominating petitions shall be received by the Executive Director on or before March 31st of each calendar year.

Section 2: In non-contested elections, the slate of nominees shall be voted on by the Board of Directors at the April meeting or a specially called full Board of Directors' meeting prior to April 30th each year.

Section 3: In the case of a contested race(s), a ballot will be prepared and sent to all voting members by mail, or electronic mail on April 15th. Voting shall be by secret ballot. The Executive Director shall prepare the ballot and shall send one such ballot to each member in good standing. The records of the Executive Director shall be conclusive in determining the members entitled to receive such ballots. Only voted ballots received by the Executive Director by May 1st shall be counted or tabulated by the Executive Director. The candidate receiving a majority of the votes cast for an office shall be declared elected. In the event no candidate received such a majority, there shall be a runoff election between the two (2) candidates receiving the highest number of votes for that office. The ballots for the runoff shall be sent by, on or before May 15th. Only runoff ballots received by the Executive Director by May 31st shall be counted or tabulated. Results of the election shall be furnished by the Executive Director to the officers and Board of Directors, and all candidates, and shall be published within two weeks via electronic press release. If any of the above stated dates fall on a weekend or holiday, the following work day shall be the effective date.

ARTICLE IX – QUORUM

Section 1: A quorum at any meeting of the Association's Members shall consist of ten (10) Members of the Association, three (3) of whom must also be members of the Executive Committee.

Section 2: One third (1/3) of the Board of Directors shall constitute a quorum to transact business at any meeting of the Board of Directors, and the action of a majority present at a meeting at which a quorum is present shall constitute the action of the Board of Directors.

ARTICLE X – AMENDMENT OF BY-LAWS

These By-Laws may be amended at any meeting of the Association by a two-thirds (2/3s) vote of the members voting; provided, however that such amendment or amendments to be voted upon shall have been submitted by mail, or electronic mail to each member of the Association at

least thirty (30) days prior to the date of such meeting. If following the requirements contained within these Bylaws becomes either impossible or impracticable because of an unforeseen set of circumstances, the Board of Directors may temporarily suspend application of one or more provisions of the Bylaws upon a three-fourths (3/4) vote of the Board of Directors present at a meeting, which may be held telephonically or by videoconference. The bylaw will resume applicability commencing with the next meeting of the Board of Directors or at such other time as specified in the motion for suspension of the bylaws.

ARTICLE XI – ENDORSEMENTS

The Florida Association for Women’s Lawyers shall not endorse candidates for public office.

ARTICLE XII – EXECUTIVE COMMITTEE

Section 1: There shall be an Executive Committee of the Association, which shall be composed of the elected officers of the Association and the Immediate Past President.

Section 2: Subject to the authority and discretion of the Board of Directors, and between its meetings, the Executive Committee shall be the administrative body of the Association and shall have power and authority to do and perform all acts and functions that the Board of Directors itself might do or perform, not inconsistent with the Articles of Incorporation and By-Laws of the Association. Actions taken by the Executive Committee shall be presented for ratification by the Board of Directors at their next regularly scheduled meeting.

Section 3: The Executive Committee shall meet in person, by telephone, by such other manner and at such time and place as the President may designate, or when requested in writing by at least three (3) members thereof. All members of the Executive Committee shall attend each duly called meeting. In the event that an Executive Committee member is unable to attend an Executive Committee Meeting, that member shall furnish to the President a written notice of the reasons for absence before the meeting, or, if unable to furnish notice before the meeting, then such written notice shall be furnished by the time of the next duly called Executive Committee Meeting, which shall approve or disapprove such notice. If an Executive Committee member misses more than two (2) meetings in one year without furnishing written reasons therefore as required above, or if the Executive Committee disapproves the reasons, then the Board of Directors may vote to remove the board member. The Executive Committee member shall be removed from office upon majority vote of the Board of Directors.

Section 4: At any meeting of the Executive Committee, those present, shall constitute a quorum of that body.

ARTICLE XIII – PARLIAMENTARY PROCEDURE

Roberts Rules of Order, Newly Revised, shall govern all meetings of this Association, where not inconsistent with the Articles of Incorporation and By-Laws.

ABOUT FAWL

Founded in 1951, the Florida Association for Women Lawyers strives to propel women lawyers into economic, social and leadership spheres of power. We are excited to share with you that FAWL is focused on providing even more value added member benefits including FREE CLE programming, a bi-annual Journal and 10 monthly E-Newsletters, networking opportunities and much more.

2021 marks the 70th Anniversary of the Florida Association for Women Lawyers and many exciting plans are underway, such as scheduled programming and networking opportunities in North, Central and South Florida making it easier for members in all regions of the state to participate.

The connectivity, resources, information and benefits that FAWL offers our members are invaluable during these tough economic times. Most importantly, membership in your local Chapter provides a unique opportunity to help you propel your career to the next level of success.

At the local level, you will be able to:

- Connect with an already established community of women lawyers all dedicated to each other's success.
- Attend local events and seminars that provide networking and career development opportunities.
- Make your voice heard in the economic, social and leadership spheres of influence.
- Access resources and benefits that bring bottom-line benefits to your practice.

Don't miss out on being part of a powerful community of women professionals by joining FAWL today!

FAWL'S MISSION

To actively promote gender equality and the leadership roles of FAWL's members in the legal profession, judiciary and community at large. To achieve these goals, FAWL will uphold the highest standard of integrity, honor and courtesy in the legal profession, promote reform in law, and facilitate administration of justice.

FAWL CIVILITY POLICY

FAWL (or FAWL chapter) hereby adopts the following policy with regard to the discussion of, reference to or reporting on women in public discourse:

FAWL supports and encourages open and civil discourse of issues affecting all aspects life, including those issues that may be considered controversial in nature. FAWL opposes any reference to women or an individual woman in a gender-based prejudicial, demeaning, derogatory, or dehumanizing manner. FAWL opposes any effort to minimize the contribution of women through the use of gender-based prejudicial, demeaning, derogatory or dehumanizing descriptions of their work, words or actions. FAWL opposes any use of gender-based derogatory, demeaning, prejudicial, or dehumanizing terms related to women or their bodies or actions to describe any human being regardless of gender. FAWL opposes the unfair, unjust or inequitable stereotyping of women. FAWL opposes the use of images of women that demean, dehumanize or prejudice the contribution or actions of women or an individual woman in the media.



FLORIDA ASSOCIATION FOR WOMEN LAWYERS MISSION STATEMENT AND STRATEGIC PLAN

Mission: To actively promote gender equality and the leadership roles of FAWL's members in the legal profession, judiciary and community at large. To achieve these goals, FAWL will uphold the highest standard of integrity, honor and courtesy in the legal profession, promote reform in law, and facilitate administration of justice.

Strategic Plan

OBJECTIVE ONE: To actively promote gender equality and leadership roles in the *legal profession*.

Goal: Promote leadership.

- Support women lawyers in achieving leadership positions within the law in law firms and in local bar organizations, the Florida Bar, and the American Bar Association.
- Create and offer programs for the more experienced attorneys who have succeeded in the profession to entice more participation and to foster mentoring relationships.
- Participate in Annual Leadership Summit.
- Promote and support FAWL members' participation in the Florida Bar Leadership Academy and other similar leadership training programs.

Goal: Uphold the highest standards of integrity, honor, and courtesy in the legal profession.

- Recognize law firms and judges who uphold this portion of the mission and who are strong advocates for women in the legal profession.
- Create tools for chapters to identify and award these law firms and judges.

Goal: Promote reform in law.

- Identify and maintain contact points, or a “coalition” made up of female and male lawyers, to promote and educate about issues faced by women lawyers.

- Determine probable causes for the attrition of women lawyers in the legal profession.

Goal: Facilitate the administration of justice.

- Actively seek education and initiatives by The Florida Bar aimed at promoting gender equality within the bar and within the legal profession.
- Encourage and support FAWL members to join bar leadership, such as The Florida Bar Board of Governors, sections, and committees.
- Educate members regarding the inequalities of women in the legal profession, such as publish statistics on the imbalance of women’s pay in the legal profession.

OBJECTIVE TWO: To actively promote gender equality and leadership roles in the *judiciary*.

Goal: Promote leadership.

- Educate potential judicial applicants/candidates on the prerequisites, application, and process.
- Encourage members to apply or seek election for judicial positions and provide feedback to Judicial Nominating Committees and Office of General Counsel.
- Create advancement plan for current women judges to achieve promotion from County to Circuit, Circuit to Chief Judge, Circuit to Appellate, or Circuit to Federal Court.

Goal: Uphold the highest standards of integrity, honor, and courtesy in the legal profession.

- Recognize judicial members who uphold these portions of the mission.

Goal: Promote reform in law.

- Educate Judicial Nominating Committee members, Office of General Counsel, and the press on implicit bias.
- Encourage growth in FAWL and chapters’ judicial membership.
- Educate chapters and judges about FAWL’s non-partisan bylaws and FAWL’s legislative positions, and their relationship to the judicial cannons.

Goal: Facilitate the administration of justice.

- Continue to work with and improve the policies of the Judicial Nominating Commissions on a statewide basis.
- Continue to create awareness of the importance of an independent judiciary through educational initiatives and implementation, such as the informed voters project, created by the National Conference of Women Judges.

OBJECTIVE THREE: To actively promote gender equality and leadership roles in the *community at large*.

Goal: Promote leadership.

- Encourage involvement on boards of government, non-profit, and for-profit organizations.

Goal: Uphold the highest standards of integrity, honor, and courtesy in the legal profession.

- Recognize members who uphold this portion of the mission and who are strong advocates for women in our community.

Goal: Promote reform in law.

- Encourage chapters to create advocacy programs for women's rights, such as equal pay, domestic violence, and sex trafficking.

Goal: Facilitate the administration of justice.

- Assist legal aid organizations, such as encouraging pro bono volunteering and encouraging chapters to support legal aid organizations.
- Support efforts to draft proposed legislation and lobbying for equal justice under the law and access to legal services and work with existing organizations to support similarly proposed legislation.

HISTORY OF FAWL

In June 30, 1951, a group of Florida women lawyers met in Miami Beach, Florida. A committee, chaired by Anna Brenner Meyers, including several women lawyers from out of state was formed. Mattie Belle Davis presided at the breakfast meeting. Gladys Irene White presented panels on "Problems of Law Office Management" and "Parliamentary Law as a Tool for Lawyers." Anna Brenner Meyers presided at the luncheon, at which Mary Zimmerman, First Vice President of the National Association of Women Lawyers, addressed the group. Her subject was "The Women Lawyers' Part in the World Today". The Honorable George E. Hold, Senior Judge of the Eleventh Judicial Circuit Court, Dade County, also addressed the group. Vivian L. Schaeffer served as Registration Chair. At the conclusion of the meeting, a Resolution by Emma Roesing was adopted to organize the Florida Association of Women Lawyers. Anna Brenner Meyers was elected FAWL's first president.

On June 7, 1952, in Miami Beach, Florida the group adopted a Constitution and Bylaws of the FAWL which provided:

Its objects shall be to advance the science of jurisprudence, to promote reform in the law, to facilitate the administration of justice, to uphold the highest standard of integrity, learning, honor and courtesy in the legal profession, and to cultivate a spirit of cordiality and fellowship among the members of the Bar and between them and the Bench.

Women members of The Florida Bar were eligible for membership in the Association. There were mid-year and annual meetings. Today, the annual meeting and midyear meeting is held in conjunction with the annual meeting and midyear meeting of The Florida Bar.

Beginning in 1972 officers were elected to serve for two year terms but the Association reverted to one-year terms when the Bylaws were amended on June 16, 1979, at a meeting at Walt Disney World, Orlando, to provide that the term of officers should be one year.

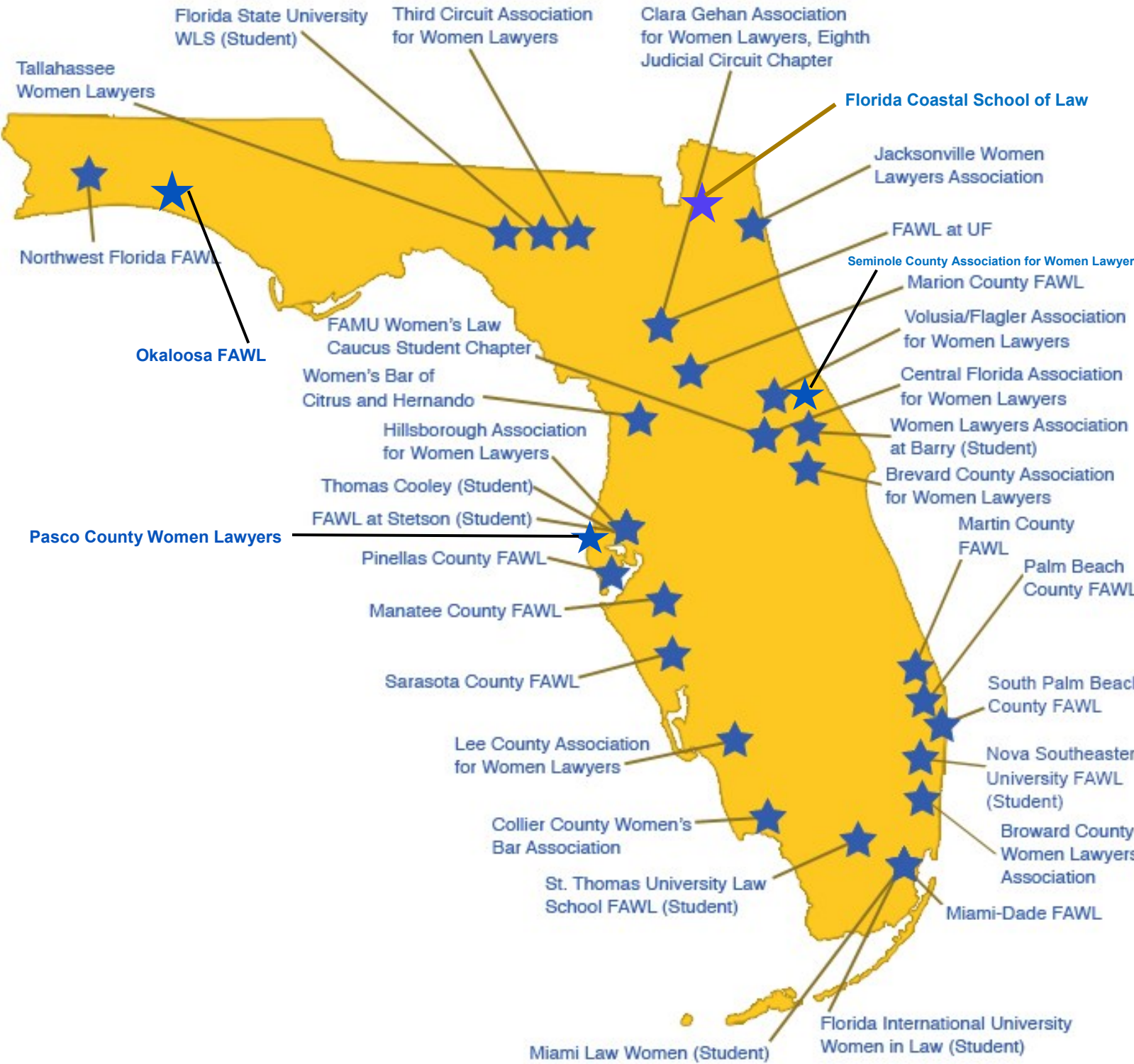
At a meeting on March 1, 1980 in Ft. Lauderdale, the Bylaws were amended to provide for local chapters of the Association. Currently FAWL has 29 chapters across the state from Pensacola to Miami.

On January 19, 1981, the Constitution and Bylaws were amended to change the name to Florida Association for Women Lawyers; to provide that members of the Bar of any state (male and female) who support the goals of the Association are eligible for full membership in the Association; and to provide:
Its objects shall be to advance the science of jurisprudence, to promote reform in the law, to facilitate the administration of justice, to uphold the highest standard of integrity, learning, honor, and courtesy in the legal profession.
FAWL and its local chapters focus upon the professional advancement of women lawyers specifically and the promotion of women's rights generally. To accomplish these closely related goals, FAWL provides a statewide forum for the exchange of political views, public and private sector employment opportunities, and continuing legal and management education.

In keeping with its objectives, FAWL was a strong supporter of the Equal Rights Amendment and raised funds for the ratification of ERA in Florida.

By organizing and working together in FAWL, women lawyers have enhanced their visibility within the legal profession and in their communities and increased their communication with one another. Through the statewide meetings of FAWL, which are now held quarterly, the annual retreat, and the monthly meetings of local chapters, members are provided with formal opportunities to share information. The meetings also present opportunities for women lawyers throughout the state to meet and form networks as they forge better working relationships. Information is also disseminated to members through the bi-annual FAWL Journal, monthly E-Newsletters and the FAWL website. An attorney locator available through the FAWL website assists members with referrals and networking.

As the number of women lawyers grows from year to year, their strength and effectiveness can be increased by working together as members of the Florida Association for Women Lawyers.



RELATIONSHIP BETWEEN FAWL AND ITS CHAPTERS; DUTIES OF BOARD MEMBERS AND CHAPTERS

FAWL is a not for profit corporation, and each of the chapters operates as separate not for profit corporation. Although FAWL is ready, willing, and able to assist local chapters in any way possible, including by answering questions about administrative/management issues and membership recruitment/retention, all chapters are responsible for opening and maintaining their own bank accounts in the name of the corporation, timely filing their own annual corporate reports on Sunbiz, and timely filing their own federal tax returns with IRS each year.

- Annual reports are due to be filed with the Florida Division of Corporations by May 1 of every year. The link for filing annual report on Sunbiz is here: <https://dos.myflorida.com/sunbiz/manage-business/efile/annual-report/>. Failure to timely file the annual report may result in penalties being assessed to the organization, the corporation being placed on “inactive status” and the need to pay a fee to have the corporation reinstated as an “active” corporation
- Link to IRS website: <https://www.irs.gov/>. Failure to timely file will result in financial penalties being assessed to the organization.

Not for profit corporations are governed by Florida chapter 617. Chapter 617 can be viewed in its entirety here:

[http://www.leg.state.fl.us/Statutes/index.cfm?](http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&URL=0600-0699/0617/0617ContentsIndex.html&StatuteYear=2020&Title=%2D%3E2020%2D%3EChapter%20617)

[App_mode=Display_Statute&URL=0600-0699/0617/0617ContentsIndex.html&StatuteYear=2020&Title=%2D%3E2020%2D%3EChapter%20617](http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&URL=0600-0699/0617/0617ContentsIndex.html&StatuteYear=2020&Title=%2D%3E2020%2D%3EChapter%20617)

RELATIONSHIP BETWEEN FAWL AND ITS CHAPTERS; DUTIES OF BOARD MEMBERS AND CHAPTERS

Under Florida corporations law, members of a board of directors such as FAWL or a FAWL chapter are charged with fiduciary duty of acting in good faith, and in the best interest of the organization.

That fiduciary duty is codified in Fla. Stat. § 617.0830:

617.0830 General standards for directors.—

(1) A director shall discharge his or her duties as a director, including his or her duties as a member of a committee:

(a) In good faith;

(b) With the care an ordinarily prudent person in a like position would exercise under similar circumstances; and

(c) In a manner he or she reasonably believes to be in the best interests of the corporation.

(2) In discharging his or her duties, a director may rely on information, opinions, reports, or statements, including financial statements and other financial data, if prepared or presented by:

(a) One or more officers or employees of the corporation whom the director reasonably believes to be reliable and competent in the matters presented;

(b) Legal counsel, public accountants, or other persons as to matters the director reasonably believes are within the persons' professional or expert competence; or

(c) A committee of the board of directors of which he or she is not a member if the director reasonably believes the committee merits confidence.

(3) A director is not acting in good faith if he or she has knowledge concerning the matter in question that makes reliance otherwise permitted by subsection (2) unwarranted.

(4) A director is not liable for any action taken as a director, or any failure to take any action, if he or she performed the duties of his or her office in compliance with this section.

COMMUNICATIONS BETWEEN FAWL AND ITS CHAPTERS

FAWL is committed to maintaining open lines of communication between the chapters and statewide organization. FAWL does this in several ways: open board meetings, communications with the Chapter Representative, and direct communications between FAWL and its members.

- FAWL board meetings are open to any members who wish to attend, and non-members alike. Although votes may only be cast by members of the FAWL Executive Committee and Chapter representatives (or their proxies), anyone is permitted to attend and listen to discussion on all topics appearing on the Board meeting agenda. Attendance at FAWL Board meetings is encouraged for those who are interested in becoming involved with FAWL at the State level.

- FAWL Chapter Representatives are required to attend, either in person or by phone, each FAWL board meeting during the FAWL year. Their attendance is required to achieve a quorum at the board meetings, and to cast votes on motions being considered by the Board. In addition, FAWL chapter representatives serve as a conduit between their chapter and the statewide organization. Through the submission of chapter representative reports ahead of the FAWL Board meetings, the chapter representatives are able to educate other chapters across the State about their chapter's activities and accomplishments. Then, after attending the FAWL Board meetings, chapter representatives are expected to inform their respective chapters about what is going on with FAWL statewide.

- Finally, from time to time, FAWL communicates directly with its members through an email newsletter, email announcements, and social media. Be sure to like the Florida Association for Women Lawyers' Facebook page, and follow us on Twitter.

Mattie Belle Davis Society

Take an extra step toward helping to achieve FAWL's mission by joining The Mattie Belle Davis Society. FAWL established the Mattie Belle Davis Society in 2004 to honor Judge Davis, a founding member of FAWL at its inception in 1951, and who remained active in FAWL until her death fifty-three years later. She inspires us all with her life-long commitment to equal opportunity, justice and the success of women in the law. The Society was created in her honor to allow its members to have a more direct contribution to satisfying FAWL's mission and initiatives.

The Mattie Belle Davis Society is composed of leaders within our membership, who each recognize the importance of FAWL's mission, and have voluntarily agreed to take this extra step to

ensure that we, as an organization, move closer to reaching our goals. While all FAWL members are crucial to our success, the members of this Society have volunteered to commit to our cause at a higher level, by providing additional support which generously enhances the benefits that FAWL can provide to members, chapters, as well as on a state wide level.

The contributions from this Society help ensure:

- Increasing FAWL legislative presence in Tallahassee, including funding assistance to FAWL lobbying initiatives and FAWL Lobby Days;
- Assuring FAWL participation and involvement in The Florida Bar Board of Governors;
- Assuring FAWL visibility and participation at state-wide meetings of The Florida Bar;
- Supporting the presence and participation of FAWL chapters at state-wide planning events;
- Membership and representation with the National Conference of Women's Bar Associations and National Association for Women Lawyers;
- Providing unique state-wide member benefits, such as the extensive library of complementary CLE available our members through the FAWL website.

As the costs of these important FAWL initiatives increase, FAWL needs you to help and take that extra step with us. **Join Now!** Included with your membership in the Society you will receive a printed copy of the FAWL Journal, with your name and practice area listed in the Spring FAWL Journal. For additional recognition, your name, with a link to your firm, will be listed on a page on FAWL's website dedicated to the Mattie Belle Davis Society.

An annual membership in the Mattie Belle Davis Society costs only \$100 annually and may be paid to FAWL at the time of your general membership renewal. Simply send your check for \$100 to FAWL with your renewal form. If you have already renewed for the year, consider joining now!

It's a small task with a huge impact. Please take that extra step! Join now!



HOW TO CREATE A MENTORING COMMITTEE

To create a chapter Mentoring Committee, review you chapter by-laws to determine if there is already a Mentoring Committee authorized. If so, follow the requirements of the by-laws in appointing or electing a chair and populating the committee with members.

If your chapter by-laws do not authorize a Mentoring Committee, determine whether the by-laws allow formation of Ad Hoc committees and what the procedure for creating those committees is. If not, you may have to take the idea of a Mentoring Committee to your chapter Executive Council for direction of approval.

No matter the Mentoring Committee must be created, it will need three things:

1. A chapter member who will serve as the Chair;
2. Chapter members willing to serve as members; and
3. A project.

PURPOSE AND GOALS OF MENTORING

There are many purposes and goals of mentoring. Each chapter's Mentoring Committee must determine what the purpose and goal of the mentoring program. FAWL's mission is to promote gender equality in the legal profession, the judiciary and community at large. This should be the underlying goal of all chapter mentoring programs. In addition, here are additional goals and purposes to guide the development of chapter mentoring programs:

- Promote diversity in the legal profession and the judiciary.
- Promote diversity in leadership in local and state government.
- Promote the advancement of women in the legal profession and the judiciary.
- Develop leadership skills for women in the legal profession.
- Develop pathways for advancement for women in the legal profession and judiciary.
- Provide role models for women in the legal profession and judiciary.
- Develop professional relationships within the legal profession and judiciary.
- Provide young women with mentors who can provide them with guidance throughout their professional career.
- Provide members with options for balancing work and life.
- Provide professionalism and ethics training for members.
- Develop opportunities for members to develop leadership skills.
- Expose members to alternative career paths.
- Promote and encourage expertise among members.
- Promote and encourage member involvement in the community.
- Create an understanding of how leadership opportunities become available within the legal profession and the judiciary.
- Dispel myths about women in leadership roles in the legal profession, the judiciary, and the community.
- Create a support network for women in the legal profession and the judiciary.
- Assist members in career advancement and development.

GRANTS AND AWARDS

FAWL wants to promote and help its members and chapters

FAWL is committed to helping its members and chapters in as many ways as possible.

Two of the easiest ways are through a FAWL grants, and through an Award presented by FAWL at the annual Awards ceremony, traditionally held in June, in connection with the Florida Bar Annual Meeting.

FLORIDA ASSOCIATION FOR WOMEN LAWYERS CHAPTER DEVELOPMENT GRANT PROGRAM

Overview

Under the *Chapter Development Grant Program*, FAWL makes one-time grants of up to \$500 available for the purpose of building membership in new chapters, rebuilding chapters that have experienced losses in membership levels and recruitment efforts that target groups of potential members that are underrepresented in the chapter. **Chapter Development grants are not available for ongoing or routine membership efforts.**

Grant Program Goals

- To assist new chapters in building membership
- To assist in the rebuilding of chapters that have experienced membership loss
- To encourage chapters to reach target groups for in the membership of the chapter (e.g., minority lawyers, unemployed lawyers or lawyers returning to the workforce).

Grant Program Operation

Grant Program Cycle is Continuous Throughout the Year

1. Applications are available online;
2. If the application is approved, grant will be awarded within 60 days of receipt.

Eligibility Requirements

1. Applicant must be a FAWL chapter in good standing;
2. The project described in the Grant Application Form and the request for funding from FAWL must have received approval by the chapter's board of directors; and
3. The project for which funds are requested must address the grant program goals.

Grant Reporting Requirements (form will be provided by FAWL to successful applicants)

1. Simplified *fill-in-the-blank* report form to provide for:
 - a. Fiscal accountability for funds awarded;
 - b. Achievement of grant purposes; and
 - c. Replication information section formatted for easy distribution.

Application Process

1. Chapters are limited to one application/every two years;
2. Applications are limited to the space provided on the Grant Application Form;
3. Completed Grant Application Forms may be mailed or e-mailed to FAWL.

THE FLORIDA ASSOCIATION FOR WOMEN LAWYERS
PO Box 721264
Orlando, FL 32872
admin@fawl.org

CHAPTER DEVELOPMENT GRANT PROGRAM
GRANT APPLICATION FORM

Name of Chapter _____

Name of Contact/Title _____

Contact Address _____

City _____ County _____ Zip _____

Telephone _____ Fax _____ E-mail _____

Number of Members in Chapter _____

Amount Requested \$ _____ (maximum \$500.00 – complete enclosed budget form)

Award Payable To _____ Attention Of _____

Address _____

City _____ Zip _____

Date application was approved by the Chapter's board _____

Submitted By _____ Title _____
(Name)

(Signature) Date _____

1. In the space provided below, *briefly* summarize the membership recruitment project for which funding is requested:

2. Describe any group(s) targeted for recruitment efforts:

3. List the specific task(s) to be undertaken in order to increase membership and how and/or by whom the task(s) will be accomplished:

4. List the name(s) of any other group(s) or organization(s) involved in the project and describe the nature of their involvement, including any financial or in-kind support provided directly for the project (Note: financial and in-kind support also should be listed on the Project Budget Form enclosed):

THE FLORIDA ASSOCIATION FOR WOMEN LAWYERS
CHAPTER DEVELOPMENT GRANT PROGRAM
PROJECT BUDGET FORM

Chapter Name _____

Category	FAWL Funds Requested	Chapter Funds	Other Funds* (list sources below)	In-Kind Support** (list sources below)	Total
Personnel					
Employee Benefits					
Consultant Fees					
Travel					
Space					
Equipment					
Supplies					
Telephone					
Postage					
Printing/Photocopies					
Other (specify):					
Other (specify):					
Other (specify):					
Other (specify):					
TOTAL					

*Sources for Other Funds: _____

**Sources for In-Kind Support: _____

FLORIDA ASSOCIATION FOR WOMEN LAWYERS PUBLIC SERVICE GRANT PROGRAM

Overview

Under the *Public Service Grant Program*, FAWL makes one-time grants of up to \$500 available, to the extent provided for in the budget, for the purpose of creating a program (1) beneficial and/or educational to a non-legal segment of the community, the community at large; or a specific charitable organization or cause; (2) reflective of FAWL's mission, and (3) easily recreated by other chapters.

Grant Program Goals

- To assist new chapters in creating a program that benefits or educates the non-legal segment of the community, the community at large or a specific charitable organization or cause.

Grant Program Operation

Grant Program Cycle is Continuous Throughout the Year

1. Applications are available online;
2. If the application is approved, grant will be awarded within 60 days of receipt.

Eligibility Requirements

1. Applicant must be a FAWL chapter in good standing;
2. The project described in the Grant Application Form and the request for funding from FAWL must have received approval by the chapter's board of directors; and
3. The project for which funds are requested must address the grant program goals.

Grant Reporting Requirements (form will be provided by FAWL to successful applicants)

1. Simplified *fill-in-the-blank* report form to provide for:
 - a. Fiscal accountability for funds awarded;
 - b. Achievement of grant purposes; and
 - c. Replication information section formatted for easy distribution.

Application Process

1. Chapters are limited to one application/every two years and not available the same year as the chapter received a Chapter Development Grant;
2. Applications are limited to the space provided on the Grant Application Form;
3. Completed Grant Application Forms may be mailed, faxed or e-mailed to FAWL.

THE FLORIDA ASSOCIATION FOR WOMEN LAWYERS

PO Box 721264
Orlando, FL 32872
admin@fawl.org

**PUBLIC SERVICE GRANT PROGRAM GRANT
APPLICATION FORM**

Name of Chapter _____

Name of Contact/Title _____

Contact Address _____

City _____ County _____ Zip _____

Telephone _____ Fax _____ E-mail _____

Number of Members in Chapter _____

Amount Requested \$ _____ (maximum \$500.00 – complete enclosed budget form)

Award Payable To _____ Attention Of _____

Address _____

City _____ Zip _____

Date application was approved by the Chapter's board _____

Submitted By _____ Title _____
(Name)

(Signature) Date _____

**THE FLORIDA ASSOCIATION FOR WOMEN LAWYERS
PUBLIC SERVICE GRANT PROGRAM PROJECT
BUDGET FORM**

Chapter Name _____

Category	FAWL Funds Requested	Chapter Funds	Other Funds* (list sources below)	In-Kind Support** (list sources below)	Total
Personnel					
Employee Benefits					
Consultant Fees					
Travel					
Space					
Equipment					
Supplies					
Telephone					
Postage					
Printing/Photocopies					
Other (specify):					
Other (specify):					
Other (specify):					
Other (specify):					
TOTAL					

*Sources for Other Funds: _____

**Sources for In-Kind Support: _____

FAWL AWARDS

Nomination/application forms are generally due in the first week in February every year.

The Award categories are:

- Jurist of the Year
- Rosemary Barkett Outstanding Achievement Award
- Chapter of the Year
- Outstanding Student Chapter
- Membership Award, Small Chapter
- Membership Award, Medium Chapter
- Membership Award, Large Chapter
- Outstanding Member Program Award
- Outstanding Public Service Program Award
- Leaders in the Law

·Be sure to check the FAWL website for the current award nomination forms and requirements, including deadline for submissions
<https://www.fawl.org/awards-home>



Annual Sponsorship Opportunities

	Diamond	Platinum	Gold	Silver	Friend of FAWL*
	\$10,000 annually	\$5,000 annually	\$2,500 annually	\$1,000 annually	\$250 annually
FAWL Annual Sponsor Benefits					
Full-color ad in biannual <i>FAWL Journal</i>	Full page	Half page	Quarter page	-	-
Event tickets	2 full event	1 full event	2 reception	1 reception	-
Hyperlink on FAWL home page	Logo	Logo	Logo	Logo	Name
Event signage at all virtual and in-person events	Logo	Logo	Logo	Logo	Name
Present CLE-Approved Webinar(s)	4	3	2	1	-
Inclusion in FAWL Social Media Posts	12	6	4	2	-
Monthly E-Newsletter	1 Sponsor Spotlight Feature & 2 Article	1 Sponsor Spotlight Feature & 1 Article	1 Sponsor Spotlight Feature	-	-
Name with hyperlink in e-newsletter	✓	✓	✓	✓	-
Promotional items in registrant gift bags	3	2	1	1	-
Recognition during events by moderator (as appropriate)	✓	✓	-	-	-
Annual Sponsor Recognition Email with hyperlink	✓	✓	✓	✓	✓
FAWL sponsor badge for use on sponsor's website and materials	✓	✓	✓	✓	✓

*Friend of FAWL annual sponsorship is available only to individual members.

UPCOMING EVENTS

- FAWL Conference and Board Meeting · September 9-10, 2021, Virtual
- FAWL Lobby Days · during the 2022 Florida Legislative Session · Tallahassee
- FAWL Annual Summit · Spring 2021 · Tampa
- FAWL Annual Awards & Installation Celebration · June 9-12, 2021 · Orlando

Notes

- Sponsorships run for a full 12 months based on your anniversary (effective) date.
- Annual sponsor benefits apply only to events and services produced by the FAWL state office during the term of the sponsorship. Benefits do not apply to events and services produced by FAWL chapters, The Florida Bar, or any other organization.
- The FAWL Annual Meeting is held in conjunction with The Florida Bar conferences and exact dates and locations are determined by the Bar.
 - FAWL Lobby Days scheduling is contingent upon the schedule of the Florida Legislature.
 - FAWL will promote sponsors on social media and in the monthly newsletter.

Contact: Kari Hicks, Executive Director, 866.241.3295, admin@fawl.org

Florida Association for Women Lawyers



P.O. Box 721264 • Orlando, FL 32872
 866.241.FAWL (3295) • admin@fawl.org • www.fawl.org • www.joinfawl.org
 FEIN 59-2383909 • A 501(c)(6) Not-For-Profit Organization

JANUARY 2023

COURTHOUSE LACTATION SPACE HANDBOOK



TABLE OF CONTENTS

Acknowledgements	3
Message from The President	4
FAWL's Mission	6
Why are Dedicated Lactation Spaces Important to FAWL's Mission?	6
Lactation Spaces: A National Trend	7
Why Women Need a Dedicated Lactation Space	8
The Law Regarding Lactation Breaks and Spaces	9
In Public	9
In the Workplace	9
Best Practices for Establishing Lactation Spaces	10
Best Practices for Outreach to Establish Spaces	10
Best Practices for Space Access	11
Best Practices for Space Naming	12
Best Practices for Space Specifications	12
Location	12
Space Identification	13
Size	13
Lactation Space Amenities	13
Lactation Space Inventory Checklist	15
Funding the Space	16
Sample Budget	16
Sheriff's Guide to Best Practices For Clearing Breast Pumps, Breast milk, Formula, and Accessories	17
What is a breast pump?	17
What does a breast pump look like?	17
Why do women need to have breast pumps?	18
Ice Packs, Coolers, and Empty Bottles	18
Formula and Water for Women with Children	19
What Does the Transportation Security Administration (TSA) Say and Do?: A Model for Courthouse Procedure	19
Appendixes	21
Appendix A - Sample Press Release	21
Appendix B - Sample Sponsorship request Letters	22
Appendix C - Sample Blog Post	26
Appendix D - Sample Amazon Wish List	28
How to create an Amazon Wish List for your Lactation Space	28
Appendix E - Sample Grand Opening/Ribbon Cutting invitations	30
Appendix F - Sample Announcement for Website	32

Appendix G - Sample Courthouse Signage	33
Appendix H - Sample Sign-in Sheet	35
Appendix I – Sample Lactation Space Protocol and Space usage guidelines	36
Appendix J - Pictures of Established Lactation Spaces	38
Appendix K - Questionnaire for Future Chapters to Complete	40
Appendix L - Contact List for Guidance	42
Appendix M - Article of Interest: A New Mother’s Guide to Pumping During a Jury Trial	43
Appendix N – Proposed Motions and Orders for Lactation Accommodations	46
Appendix O - Polk Association of Women Lawyers Fundraiser Flyer	49

ACKNOWLEDGEMENTS



Since the release of the first edition of this Handbook in June 2018, leaders across the state of Florida have been working hard to ensure that their courthouses and other public spaces have dedicated lactation spaces. We've seen the ABA pass a resolution on courthouse lactation areas, and saw federal legislation passed to require spaces in airports and federal public buildings. Learn more about these updates in this edition of our Handbook. Indeed, we are in the midst of a tremendous movement!

To me, breastfeeding was not a movement or a statement - it was simply a matter of feeding my child. My son was born premature and he had an intolerance to formula during his NICU stay. I was given a breast pump an hour after his delivery and told to set an alarm every three hours. Four weeks after my return from leave, I tried a 5-day civil jury trial.

We need to make litigation – and lawyering in general – a safe space for women. Establishing a dedicated space where a woman can comfortably and conveniently express milk while in a courthouse will make it easier for her to fully participate in her career. However, while women certainly benefit from convenient access to dedicated lactation rooms, this is not just a women's issue. Ensuring that our profession is diverse and inclusive is all of our responsibility.

Setting aside the lawyers for a minute, think about the thousands of women who come to the courthouse to do their public service as jurors on a daily basis. They may already be anxious about navigating the courthouse and the trial process. Add the stress of worrying how you're going to pump breast milk, store it, and announce your needs to the judge/lawyers. It is for this reason that I see the lactation space discussion as an access to justice issue.

FAWL has gained national attention for our efforts in this space and while we have made big progress, in many ways, our work is just beginning. With the addition of the pending legislation sponsored by Senator Lori Berman and Representative Ashley Gantt, we have an opportunity to protect our investment by ensuring that lactation spaces remain in our courthouses, and are accessible throughout the state.

Thank you for continuing to advocate for these spaces, women, and access to justice. Together, we can continue to make the world a little bit easier for mothers. I am so proud to be on this journey with you.

With gratitude,

Jennifer LeVine Feld

Jennifer@FeldLegal.com

Chair, Lactation Space Task Force

MESSAGE FROM THE PRESIDENT



Dear FAWL Member,

FAWL's mission is to actively promote gender equality and the leadership roles of FAWL's members in the legal profession, judiciary and community at large. With that in mind, through the FAWL Lactation Taskforce and the giving of grants, FAWL continues to encourage its members and chapters to keep up the good work of opening dedicated lactation spaces in every State courthouse across the State. FAWL will always support and celebrate the work of FAWL members and community leaders who come together to ensure that Florida's courthouses are as welcoming and inclusive to nursing

mothers as they can be. I thank you for your dedication to this project, as it will continue to make an impact on our legal community.

I am proud to be part of an organization that has actively promoted the opening of dedicated lactation spaces in state courthouses. However, I am even more proud that our organization has, for the last two years, advocated for the Florida Legislature to pass legislation that will ensure that no dedicated courthouse lactation space can ever be eliminated after it has been opened. The passage of such legislation is crucial to not only protecting the privacy and hygiene of nursing mothers who desire to return to work without sacrificing their most personal of family choices, but it will also bring the State of Florida in line with federal law that protects the rights of nursing mothers to have dedicated lactation spaces on federal property and in federal courthouses.

The FAWL Lactation Taskforce has thoughtfully prepared two guides that I hope are of service to its members. First is this Handbook, which should provide all the information and guidance needed to open a dedicated lactation space in your local courthouse. The second is a Courthouse Directory which lists all of the dedicated lactation spaces in State courthouses and judicial complexes across the State. Not only can the guide be used by any FAWL member who is, or knows of a nursing mother who needs to travel to distant courthouses for work, but that Directory also highlights the many areas that are still in need of dedicated lactation spaces.

If FAWL can support your efforts in any other way, or if you have any questions or suggestions about this Handbook, or the Lactation Space Task Force, please do not hesitate to reach out to myself or Jennifer ("Jen") Feld, Chair of the FAWL Lactation Taskforce, at jennifer@feldlegal.com.

Sincerely,

Donna L. Eng

FAWL President, 2022-2023

FAWL'S MISSION

To actively promote gender equality and the leadership roles of FAWL's members in the legal profession, judiciary and community at large. To achieve these goals, FAWL will uphold the highest standard of integrity, honor and courtesy in the legal profession, promote reform in law, and facilitate administration of justice.

WHY ARE DEDICATED LACTATION SPACES IMPORTANT TO FAWL'S MISSION?

By working to establish dedicated Lactation Spaces¹ in courthouses, FAWL promotes accessibility to women in the legal field. According to the American Bar Association, women make up 36% of the legal profession,² and 38% of Florida attorneys are women.³ Additionally, women represent 39% of the Florida judges,⁴ and 27.1% of all federal and state judges in the country.⁵ The number of women entering the legal field is likely to rise as the number of women law students in Florida alone approaches 50%.⁶ While motherhood has been previously considered a barrier for women wanting to enter the legal field,⁷ organizations like FAWL and projects like the Courthouse Lactation Space Task Force help tear down these barriers. Lactation Spaces allow attorneys to balance their career and their nursing needs, while also helping employers to fulfill legal requirements for lactation breaks.⁸

In addition to supporting the needs of women working in the legal field, lactation spaces also promote access to justice by allowing women jurors, witnesses, and other patrons of the courthouse to be able to go the courthouse with the comfort of knowing they will have an appropriate place to pump or nurse their child.

Although the percentage of women serving on juries is unclear,⁹ women perform this civic duty just as men do. The Supreme Court has held that barring women from the jury pool undermines

¹ Throughout this Handbook, you will note that FAWL Chapters refer to dedicated lactation spaces as Nursing Rooms, Mother's Rooms, Lactation Rooms, etc. While FAWL supports a variety of names for these spaces, for consistency and clarity, the authors of this Handbook will refer to these areas as Lactation Spaces.

² *A Current Glance at Women in the Law*, AMERICAN BAR ASSOCIATION 2 (Jan. 2017), https://www.americanbar.org/content/dam/aba/marketing/women/current_glance_statistics_january2017.authcheckdam.pdf.

³ *Board Issue Paper – Women in the Law/Gender Bias*, THE FLORIDA BAR (Feb. 13, 2017), <https://www.floridabar.org/news/resources/issue-04/#IV.%20Facts%20and%20Statistics>.

⁴ *Id.*

⁵ *Id.*

⁶ *Id.* (stating that the number is currently at 48.7% and has risen over the last few years.)

⁷ *Leaving Law and Barriers to Reentry: A Study of Departures From Reentries to Private Practice*, LSAC (Nov. 2013) [https://www.lsac.org/docs/default-source/research-\(lsac-resources\)/gr-13-02.pdf](https://www.lsac.org/docs/default-source/research-(lsac-resources)/gr-13-02.pdf).

⁸ Reasonable Break Time for Nursing Mothers, 75 Fed. Reg. 80073, 80075 (Dec. 21, 2010).

⁹ It is unknown exactly how many jurors are women. However, studies have been done examining the impact of women jurors on verdicts. See Laughlin McDonald, *A Jury of One's Peers*, ACLU (March 18, 2011) <https://www.aclu.org/blog/mass-incarceration/jury-ones-peers> See also Shamena Anwar, Patrick Bayer, and Randi Hjalmarsson, *Female Representation: Impact of First Female Jurors on Criminal*

the judicial process.¹⁰ Having access to Lactation Spaces helps jurors engage as equal citizens in the judicial process.¹¹ In working to support the needs of nursing women, FAWL supports the inclusion of women as both active participants in the legal profession and engaged citizens in the judicial system.

LACTATION SPACES: A NATIONAL TREND

We are in a movement. Across the nation, we are seeing an energized and growing commitment to providing clean, private, and dedicated lactation spaces in many facilities.

In August 2018, Illinois passed a law requiring every facility that houses a circuit courtroom to have at least one lactation space “that is located outside the confines of a restroom and includes, at minimum, a chair, a table, and an electrical outlet, as well as a sink with running water where possible.”¹² The statute also requests that the Illinois Supreme Court create minimum standards for the appropriate training of courthouse staff as well as requirements for posting of notice to the public regarding location and access to the spaces.¹³

In October 2018, the Friendly Airport for Mother’s Act was signed into law. This act sponsored and championed by Senator Tammy Duckworth,¹⁴ makes certain grant application funds for airports available only if the airport maintains a lactation area at each passenger terminal building of the airport behind the airport security screening area.¹⁵

In January 2019, the American Bar Association House of Delegates unanimously approved a resolution encouraging all courthouses to create dedicated lactation spaces.¹⁶

In February 2019, Senators Tammy Duckworth, Steve Daines, and Elizabeth Warren introduced the Fairness for Breastfeeding Mothers Act of 2019 which, if passed, would require all public federal buildings to have a dedicated lactation space.¹⁷

Convictions, VOX (Apr. 19, 2016) <https://voxeu.org/article/impact-female-jurors-criminal-convictions> (examining the role of women in English juries).

¹⁰ See *generally* Taylor v. Louisiana, 419 U.S. 522 (1975).

¹¹ A female juror provided feedback to the Miami-Dade County Chapter of FAWL stating that the Lactation Room the chapter established helped her participate in jury duty.

¹² 2018 Ill. Legis. Serv. P.A. 100-947 (S.B. 3503) (amending 55 I.L.C.S. § 5/5-1106) (effective Jan. 1, 2019).

¹³ 2018 Ill. Legis. Serv. P.A. 100-947 (S.B. 3503), *supra* note 30.

¹⁴ See, e.g., *Nursing rooms for breastfeeding moms now required at all major airports*, Jennifer McClellan, USA Today, Oct. 12, 2018, at <https://www.usatoday.com/story/life/allthemoms/2018/10/12/nursing-rooms-breastfeeding-moms-now-required-major-airports/1613690002/> (last visited on Oct. 19, 2018).

¹⁵ S. Res. 1110, 115th Cong. (2017-2018) (enacted), at <https://www.congress.gov/115/bills/s/1110/BILLS-115s1110is.pdf> (last visited Oct. 19, 2018).

¹⁶ ABA YLD Resolution 101A.

<https://www.americanbar.org/content/dam/aba/images/news/2019mymhodres/101a.pdf> Adopted by the American Bar Association House of Delegates on January 28, 2019.

¹⁷ S. Res. 528, 116th Cong. (2019-2020) at <https://www.congress.gov/bill/116th-congress/senate-bill/528>

While these recent developments are encouraging, we still have a long way to go to ensuring that every courthouse has a dedicated lactation space. FAWL is committed to this goal and we have seen our Chapters across the state rise to the challenge to implement these spaces and we look forward to the great work and progress ahead.

WHY WOMEN NEED A DEDICATED LACTATION SPACE

It is important that nursing women who are away from their child(ren) for a prolonged period of time have the ability to express milk. Breast milk production is demand-based: the more demand there is for breast milk, the more breast milk a woman's body will produce. Alternatively, the less demand there is for breast milk, the less breast milk a woman's body will produce. For a nursing mother to maintain the necessary breast milk production levels to sustain her infant or toddler, a mother generally must pump, in lieu of nursing, every time she would normally nurse her child. This would mean that a working staff member, juror, courthouse attendee, attorney, or judge, who nurses her child might need to pump between three and four times in a working day to maintain the adequate supply to sustain her child(ren).

Additionally, a nursing mother's health can be negatively affected if she is not able to regularly express her breast milk. A mother who cannot express milk when her breasts are full will experience intense pain or engorgement. Further, not having an opportunity to express milk for too long may cause a nursing mother to develop a clogged duct. This clogged duct can quickly become a breeding ground for bacteria and result in a painful infection called mastitis. Mastitis causes swelling, fever, chills, and localized engorgement in the breast. This infection can be detrimental to a nursing mother's health and her ability to provide breast milk for her child.

For these reasons, it is crucial and necessary that a nursing mother have the ability to both bring her breast pump and accessories into a courthouse and take reasonable breaks to express milk in lieu of nursing her child(ren).

Securing reasonable and appropriate breaks to pump in a litigation practice can be a challenge in some courtrooms for some lawyers. For insight and helpful tips on how to prepare and manage this process, please see the following resources:

- Jennifer Feld's Daily Business Review Article *A New Mother's Guide to Pumping During Jury Trial* (Appendix M)
- A proposed Motion for Lactation Accommodations at Trial and Proposed Order for same in Appendix N¹⁸ and
- A Proposed Standing Order On Motion to Be Excused from CourtRoom During Portions of Trial and/or for Trial Accommodations, which includes proposed jury instructions in Appendix N.¹⁹

¹⁸A special thanks to Iowa Attorney Ashley M. Sparks in West Des Moines, Iowa for allowing us to publish this motion and proposed order, which was granted in full.

¹⁹ A special thanks to Florida Attorney Jennifer Feld of Tampa, Florida for allowing us to publish this proposed Standing Order.

THE LAW REGARDING LACTATION BREAKS AND SPACES

IN PUBLIC

Florida was one of the first states to pass legislation supporting breastfeeding mothers.²⁰ Section 383.015 of the Florida Statutes allows mothers to breastfeed “in any location, public or private, where the mother is otherwise authorized to be.”²¹ Under this statute, if a mother is allowed to be in a location, then she may breastfeed there regardless of whether her nipple is uncovered as a result of the feeding.²² While the rights of mothers to nurse in public are protected in Florida, some mothers may prefer a more secluded environment to nurse or express milk. While the law does not specifically mention pumping, dedicated Lactation Spaces offer a sense of privacy and discretion, which addresses both of these concerns.

IN THE WORKPLACE

Lactation Spaces are particularly useful in addressing the rights of employees who are breastfeeding, and the duties owed to them by their employers under the law. The United States Department of Labor requires that employers provide “reasonable break time” for nursing mothers to address their lactation needs for one year after the birth of their child(ren).²³ “Reasonable break time” is determined through the utilization of several factors including:

- How long it takes the employee to walk to and from the lactation space and whether she needs to wait to use the space;
- Whether the employee needs to get her pump and other supplies from another location (such as a locker room);
- Whether the employee needs time to set up her pump and how long the set up takes;
- The efficiency of the pump used;
- How long it takes the employee to clean the pump and other supplies and the location of the sink she can use for this purpose; and
- How long it takes the employee to walk to and from the location where she can store her expressed milk.²⁴

In addition to required break times, federal law also requires that employers provide a place for employees to express breast milk.²⁵ The employer must provide such a place that is:

²⁰ Rose Walano, *Breastfeeding Laws By State: Find Out What Your State Laws Say About Breastfeeding*, THE BUMP <https://www.thebump.com/a/breastfeeding-laws> (last visited May 23, 2018).

²¹ FLA. STAT. § 383.015(1) (2017).

²² *Id.*

²³ Reasonable Break Time for Nursing Mothers, 75 Fed. Reg. at 80073.

²⁴ Lactation Break Policy (FL), Practical Law Standard Document 2-618-4577 (West). See DOL: *Fact Sheet #73: Break Time for Nursing Mothers Under the FLSA*, US DEPT. OF LABOR (April 2018), <https://www.dol.gov/whd/regs/compliance/whdfs73.pdf>; See also Reasonable Break Time for Nursing Mothers, 75 Fed. Reg. 80073 at 80075.

²⁵ 29 U.S.C. § 207(r)(1) (2012).

- Not a bathroom;
- Shielded from view;
- And is free from intrusion from coworkers and others.²⁶

Additionally, the space must be equipped to accommodate the employee's lactation needs.²⁷ This means that the lactation space must contain, at minimum, a place for the employee to sit and a flat surface on which to place a pump.²⁸ Additionally, while not required, the Department of Labor encourages access to electricity to allow for the use of electric pumps as well as access to a refrigerator to store the milk.²⁹ While the Department also considers the right to nurse to include the right to store milk, it does not require employers to provide a refrigerator.³⁰ However, employers must allow employees to bring a pump and an insulated container and provide a place for them to keep these items during the day.³¹ The Department of Labor does not require that these places be permanent spaces, or even rooms—although that is preferred.³² However, the provided place must meet the minimum requirements specified above.³³

BEST PRACTICES FOR ESTABLISHING LACTATION SPACES

BEST PRACTICES FOR OUTREACH TO ESTABLISH SPACES

Once you or your Chapter have decided to advocate for a dedicated Lactation Space in your local courthouse, the next step is to propose the project to the best courthouse contact. Some FAWL Chapters found the Trial Court Administrator to be the best and most efficient contact for getting a space established. The Trial Court Administrator may have the authority to move the idea forward to a Chief Judge and to contact the courthouse departments that would be involved in the process, such as facilities management or security. Some FAWL Chapters contacted the Chief Judge directly. Because County Commissioners provide and maintain county buildings,³⁴ other Chapters are reaching out to their local Commissioners to advocate for space. For Federal Courthouses, advocates should be aware that the U.S. General Services Administration (GSA) leases rooms to federal buildings.³⁵

²⁶ *Id.*

²⁷ Reasonable Break Time for Nursing Mothers, 75 Fed. Reg. at 80076.

²⁸ *Id.*

²⁹ *Id.* (noting also that these features may shorten the amount of break time needed).

³⁰ *Id.*

³¹ *Id.*

³² *Id.*

³³ See *supra* notes 17-19 and accompanying text.

³⁴ Fla. Stat. § 125.01 (c) (2018)

³⁵ Buildings/Facilities, available at <https://www.gsa.gov/about-us/regions/welcome-to-the-national-capital-region-11/buildingsfacilities>.

Part of establishing a space may include outreach for areas supplies or support. Consider the following methods or resources when developing your outreach strategy:

- Solicit partners in the form of other Bar Associations;
- Create press releases and blog posts (see Appendix A and C);
- Create a sponsorship package and reach out to local firms and companies and acknowledge sponsors with a space plaque (see Appendix B);
- Post to social media sites and acknowledge all donors;
- Email communication blasts to FAWL Chapters and other professional affiliates;
- Send letters to possible sponsors (see Appendix B); and
- Hold a grand opening, including invitations and announcements (see Appendix E).

BEST PRACTICES FOR SPACE ACCESS

Managing access to dedicated Lactation Spaces can present some logistical challenges for courthouses. Below are some tips and advice for ensuring the spaces are publicized, secure, and easily accessible.

- Provide ample signage in the courthouse and on the courthouse website so nursing mothers are aware of the location(s) of the Lactation Space. Include information for a point of contact on signage in the event the space needs service or attention. It is also valuable to formalize procedures and protocol with the courthouse (see Appendix G and I).
- The courthouse should include information on their own website regarding accessibility and contact information for the space. This should be in a highly-visible location to promote the Lactation Spaces (see Appendix F).
- The space should lock both from the inside, as well as the outside. Consider a lock and key system, swipe card access, or keypad access options. Be mindful of distance between where someone would obtain access and the space itself and determine which option would make it easiest on the user. A keypad may offer the most convenience to the user and allow the court to track usage and oversee access.
- If a keypad is used, create a system to secure the code or regularly change the code to ensure security and privacy. This will also prevent misuse and unauthorized access of the space.
- Identify an employee at the courthouse to manage access to the space. The individual should be easily accessible, such as a Bailiff or information desk personnel. Consider utilizing bailiffs stationed in the hallways of the courthouse or bailiffs within each courtroom as a point of contact for access. Include a second option if the receptionist or Bailiff is unavailable. Ensure Bailiffs are properly trained about Lactation Spaces and

breast pumps and accessories (see Sheriff's Guide to Best Practices for Clearing Breast Pumps, Breast Milk, Formula, on page 18).

- If appropriate and only if necessary, create a sign-in process with a form that could include: collection of photo identification, contact information, date, time signed in and out, etc. It is best to collect the information and keep this in a protected location; privacy is very important and cannot be overemphasized (see Appendix H).
- If more than one user may utilize the space at a time, tracking user access can be helpful to ensure privacy and prevent confusion or disruption for users. Consider adding an "In Use" sign outside of the space.
- If necessary, photo identification could be held and returned upon user sign-out.
- Implement a procedure to have a supervising employee conduct a visual space check before and after each use. Set up a protocol to address and resolve space damage or supply issues. Consider collaborating with Facilities Management, Head of Security, and/or the Trial Court Administrator when drafting these procedures (see Appendix I).

BEST PRACTICES FOR SPACE NAMING

When deciding how to name the space, consider a name that is easily identifiable to promote Space accessibility. Note that current federal and state legislation both pending and enacted does consistently refer to these spaces as Lactation Spaces.

- Lactation Room
- Lactation Space
- Nursing Lounge
- Nursing Room
- Mother's Room

BEST PRACTICES FOR SPACE SPECIFICATIONS

Below you will find advice and best practices for what a Lactation Space should look like, where it should be located, and what size space is recommended.

Location

A Lactation Space **cannot** be a restroom.³⁶ If there are multiple dedicated Lactation Spaces in the building, it would be best if the spaces could be evenly distributed throughout the building. Additionally, the Lactation Space should be as removed from foot traffic as possible to ensure maximum privacy. As pumping mothers will need to clean and sanitize pumping equipment and bottles, a location which houses a sink is ideal. If plumbing is not possible in an available space, then a restroom or space with a water source should be within short walking distance. Try to avoid using spaces which can only be accessed by passing through other areas or secluded areas.

³⁶ 29 U.S.C. § 207(r)(1) (2012).

Space Identification

The space should be clearly-identified with a sign on the outside of the door. Signage should also be established throughout the building to direct users toward the door (see Appendix G). The Lactation Space's location should also appear on the directory at the building's entrance, in the lobby, and outside of every elevator. Additionally, if the Lactation Space is only large enough for a single user, a vacancy/occupied sign should be visible to ensure privacy.

Size

The space should be at least large enough to accompany a chair, table, and an ottoman. Further, an 8 foot by 8-foot area, at minimum, should be used. Some facilities may be able to accommodate multiple pumping stations and include personal storage areas. In locations intending to provide such accommodations, a 12-foot by 10-foot space would be ideal. A space large enough to include plumbing is a plus. Furthermore, take care to ensure that someone using a wheelchair can access the space with ease.

LACTATION SPACE AMENITIES

Every Lactation Space should include at least one chair, an electrical outlet, and a flat surface, such as a side table or shelf, to hold a breast pump and supplies. A small ottoman is also ideal for nursing mothers.

In order to ensure required privacy, a partition or curtain is needed to shield exposed mothers from an opening door. Ideally, additional partitions should also be installed in areas with multiple chairs to allow for added privacy. The space must lock from the inside and outside. If within the budget consider, a lock and key system, swipe card access, or keypad access options.

Since many breast pumps require an AC adapter, at least one electrical outlet is necessary. Multiple outlets may be necessary to power additional equipment such as a refrigerator, microwave, and/or lamp.

Running water within the space is ideal for rinsing and cleaning equipment after pump usage, filling a steamer/sterilizer/steamer bag, and washing hands.

A microwave or electric sterilizer/ steamer or steamer bag is ideal for sanitizing pump equipment and bottles between pumping sessions. Many women will likely need to pump and store breast milk multiple times in a working day. Therefore, it is essential to facilitate the sterility of each mother's breast milk, through providing a way for mothers to disinfect and sanitize equipment. Additionally, disposable non-bleach disinfecting wipes which are made specifically for pump accessories are available and would be a nice addition.

If space is available, a small refrigerator should be included to keep expressed breast milk for short periods. This refrigerator is also helpful to refresh any cooler packs mothers bring to keep breast milk cool in a personal cooler. A digital thermometer for the refrigerator is ideal to ensure that expressed milk maintains the proper temperature. Further, a few boxes of breast milk storage bags may be kept near the refrigerator for any mother who may have forgotten her own. Keep in mind that some women may choose to refrigerate their pump parts when not in use rather than sterilizing them after each use, so ample space in the refrigerator is preferred. Consider adding plastic baskets in the fridge to help create separate spaces for each user.

Some mothers may have to bring their babies to court with them, so many of these spaces will also serve as a place for mothers to nurse and clean their babies. With this function in mind, a bottle warmer would be ideal, as it is not encouraged to microwave breast milk. Additionally, a trash can with a lid suitable for diaper disposal, disposable diaper bags, or some form of deodorizing wastebasket is ideal to hold diapers and any other waste. Bag refills may also be needed in the space. Further, a changing table may be necessary, but if the area is not large enough, a changing pad may suffice. This pad may easily be tucked away between uses to maximize room.

The space may also require a paper towel dispenser and paper towel refills, as well as hand sanitizer and/or hand soap. These amenities are necessary to ensure the area stays germ free and diminishes the chances of contaminated breast milk.

The Lactation Space must be calm and relaxing to ensure mothers are able to efficiently express maximum amounts of breast milk throughout the day. When a lactating mother is under stress, milk production can be hindered. Artwork and décor may be included to create a welcoming atmosphere. Additionally, a dimmer switch or ambient light is ideal. Consider adding an electric sound machine to provide white noise for both the user and others who may be in close proximity to the space, as some breast pumps make noise.

To make the space welcoming to new users, a bulletin board may be incorporated to post encouraging words, engaging articles, or pictures of infants. This would also be the place to post contact information for someone who can address any issues with the space or supplies. See Appendix D for sample wish lists for the Lactation Space.

LACTATION SPACE INVENTORY CHECKLIST

Below you will find an itemized list of items that range in priority from “must haves” to “nice to have” in establishing a dedicated Lactation Space in your courthouse.

Must haves ³⁷	<ul style="list-style-type: none"> <input type="checkbox"/> A comfortable chair (ideally, a rocking chair)³⁸ <input type="checkbox"/> Access to electrical outlet (for breast pumps without battery function) <input type="checkbox"/> A light source <input type="checkbox"/> A small table next to chair to hold a breast pump and pumping supplies (at least 24' x 24') <input type="checkbox"/> Hand sanitizer (if no water source is available in the space) <input type="checkbox"/> Paper towels <input type="checkbox"/> Trash can
Should haves	<ul style="list-style-type: none"> <input type="checkbox"/> Access to water source, whether nearby or within the space
Nice to have	<ul style="list-style-type: none"> <input type="checkbox"/> Comfortable lounge chair or foot rest <input type="checkbox"/> A lamp with dimmer settings to create a relaxing environment <input type="checkbox"/> A mirror <input type="checkbox"/> A refrigerator to store expressed milk with a thermometer to ensure milk is safely stored at the correct temperature <input type="checkbox"/> A microwave to sanitize breast pump accessories <input type="checkbox"/> A breast pump accessory microwave sterilizer or disposable sterilizer bags designed for breast pump accessories <input type="checkbox"/> Disposable non-bleach disinfecting wipes <input type="checkbox"/> A trash can with a lid suitable for diaper disposal, a diaper changing table or pad, for litigants or court visitors with children <input type="checkbox"/> Sound machine or radio for calming and relaxing music <input type="checkbox"/> An atmosphere and ambiance that will serve to increase relaxation which will ensure users have a productive and efficient lactation experience <input type="checkbox"/> Organizing baskets for the refrigerator <input type="checkbox"/> Bottle warmer <input type="checkbox"/> Changing pad

³⁷ “Must haves,” for the purpose of this section are based on best practices of FAWL chapters, not legal requirements. For legal requirements, see *The Law Regarding Lactation Breaks and Rooms* section of this handbook.

³⁸ In discussions with some commercial companies who provide portable Lactation Rooms, they recommend a hospital grade chair/glider to reduce exposure to germs/bacteria.

FUNDING THE SPACE

There are several creative ways to fund dedicated Lactation Spaces in your courthouse. FAWL³⁹ Chapters from across the state have provided the following tips and strategies for you.

- Utilize and recycle unused courthouse furniture and supplies;
- Courthouses may fund the project or provide the needed donations because users include members of the public, not just FAWL members;
- Request donations and sponsors from your FAWL Chapter members (see Appendix B);
- Seek sponsorship from other attorneys, law firms, or the courthouse itself. Ensure you acknowledge them in advertising and in the space itself, if possible;
- Request donations from local community members;
- Request donated children's artwork from local mothers; and
- Utilize social media for donation requests.
- Host a fundraiser. See Appendix O for a sample flyer.

Sample Budget

Recently the Pinellas County Chapter of FAWL (PFAWL) opened its first Lactation Space and they shared the cost of the space noted below. Costs were offset by sponsors and a fundraiser.

Furnishing the Space via Amazon Wishlist (See Appendix D) - \$1360.00

- Space Divider
- Desk Chair
- Mirror & Lamp
- Floor Rug
- Refrigerator
- Wall hook
- Door Keypad/Lock
- Storage Baskets
- Paper Towel Holder
- Pump wipes and steam bags
- Glider
- Cork Board
- Hand sanitizer
- Ziploc Bags
- Fridge thermometer
- Wall Hook
- Light Bulbs
- Microwave Steamer
- Pump Wipes
- "My Mom Has 2 Jobs Book
- Picture Frames
- Plant
- Mom Inspiration Signs
- 2 beach canvas prints
- End Table
- Sign Holders
- Power Strips
- "Lactation Room" Usage Sign
- Sound Machine
- Bookshelf
- Desk Chair

Ribbon Cutting Ceremony- \$520

- Food 300
- Printed Programs 30
- Sponsor Thank You Poster 75
- Sponsor Thank you Plaque 100
- Ribbon 15

³⁹ For FAWL Chapters who desire to fundraise for Lactation Room, please know there is no need for any non-dues revenue to be reported or submitted to FAWL. Fundraising for this project is treated the same way as a lunch payment or any other funds collected and dispersed by the chapter. Please do keep FAWL posted on your plans so FAWL can support your efforts.

SHERIFF'S GUIDE TO BEST PRACTICES FOR CLEARING BREAST PUMPS, BREAST MILK, FORMULA, AND ACCESSORIES

When establishing dedicated Lactation Spaces in your courthouses, one issue you may have to assist with is ensuring that the Bailiff's from the Sheriff's Office are aware of how to properly recognize and handle breast pumps, breast pump accessories, breast milk, and formula. The information below may be helpful for training purposes.

WHAT IS A BREAST PUMP?

A breast pump is a device used by lactating women to extract milk from their breasts to later give to their infant or toddler. These devices come in different shapes and sizes depending on their intended use and power output and may be manually powered by hand or electronically by battery or AC adapter.

WHAT DOES A BREAST PUMP LOOK LIKE?

Breast pumps come in a variety of shapes and sizes and are composed of many different parts that must be assembled for use. While the power unit's appearance varies by brand and model, all breast pumps use a flange, which is placed, over the mother's nipple to create suction. Additionally, all pumps require tubing and a bottle to collect milk. Many mothers opt to disassemble their pump and place it in a bag or case for easy transport. When handling and inspecting a breast pump as it passes through security, it is important to remember that breast pumps come in different shapes and sizes.



As shown in *Figure 1*, a manual breast pump is composed of a flange (or breast shield), a pump, and a bottle. The flange sits on the breast to create a seal over the nipple. The pump creates suction, which draws milk out of the breast and nipple. The detachable bottle collects milk for later use.

Figure 1. Variety of Manual Breast Pumps.
Photo Courtesy of www.todaysparent.com



As shown in *Figure 2*, a personal electric breast pump is composed of an electrical power unit, AC adapter, tube(s), flange(s), and bottle(s). Some personal electric breast pumps use two sets of bottles, flanges, and tubes so a mother can express milk from both breasts simultaneously. Both an AC adapter and battery can power some personal electric units. Personal electric units are often small enough to carry with one hand.

Figure 2. Spectra Personal Electric Breast Pump.
Photo Courtesy of www.thebreastfeedingshop.com



As shown in *Figure 3*, a personal electric breast pump can also be small enough to fit in the user's palm.

Figure 3. Lansinoh Personal Electric Breast Pump.
Photo Courtesy of www.target.com



Figure 4. Hospital Grade Electric Breast Pump.
Photo Courtesy of www.medela.com

As shown in *Figure 4*, a hospital grade electric breast pump can be much larger than a personal electric breast pump. The hospital grade electric breast pump includes the same pieces and components as the personal electric breast pump but is often larger and includes a carrying case for easier transport. Some of these pumps also include a cooler-ice-pack combo to store larger amounts of breast milk.

WHY DO WOMEN NEED TO HAVE BREAST PUMPS?

It is important that nursing women who are away from their child for a prolonged period have the ability to express milk. Breast milk production is demand-based: the more demand there is for breast milk, the more breast milk a woman's body will produce. Alternatively, the less demand there is for breast milk, the less breast milk a woman's body will produce. For a nursing mother to maintain the necessary breast milk production levels to sustain for her infant or toddler, a nursing mother must pump, in lieu of nursing, as a every time she would normally nurse her child. This would mean that a working staff member, juror, courthouse attendee, attorney, or judge who nurses her child might need to pump between three and four times in a working day to maintain the adequate supply to sustain her child.

Additionally, a nursing mother's health can be negatively affected if she is not able to regularly express her breast milk. A mother who cannot express milk when her breasts are full will experience intense pain or engorgement. Further, not having an opportunity to express milk for too long may cause a nursing mother to develop a clogged duct. This clogged duct can quickly become a breeding ground for bacteria and result in a painful infection called mastitis. Mastitis causes swelling, fever, chills, and localized engorgement in the breast. This infection can be detrimental to a nursing mother's health and her ability to provide breast milk for her child.

For these reasons, it is crucial that a nursing mother have the ability to bring her breast pump and accessories into a courthouse and take reasonable breaks to express milk.

ICE PACKS, COOLERS, AND EMPTY BOTTLES

Breast milk is a living organism that is not homogenized or pasteurized like dairy milk. Since it has not undergone these processes and is living, it must stay cold to avoid spoilage. To this end, it is necessary that nursing mothers keep their breast milk refrigerated during the workday

and thereafter have an area to keep breast milk cold during transport. It is common practice for mothers to utilize a cooler or lunch box with ice packs to keep their breast milk cool during the commute between work and home. Further, some mothers may elect to keep their breast milk in these coolers throughout the workday as well to avoid storing their milk in a communal refrigerator. With these needs in mind, it is important to remember that these devices are necessary for nursing mothers to bring with them when attending the courthouse. These devices may be checked with reasonable inspection. A new pair of gloves should be worn during inspection to ensure that the area is not compromised since breast milk must be kept as sterile as possible.

Additionally, expressed breast milk is often stored in storage bags or bottles. Nursing mothers must be able to bring these empty bags and bottles into the courthouse, so they can fill them throughout the day.

FORMULA AND WATER FOR WOMEN WITH CHILDREN

Some women may have to attend the courthouse for an undetermined amount of time and bring a small infant with them. Some infants are formula-fed, whether it be exclusive or supplemental. Formula comes either premixed in bottles or in powdered form to which a mother will add water. Powdered formula and water are often partitioned into pre-measured amounts. Therefore, it is necessary that mothers be able to bring formula and water into the courthouse. When clearing formula and water, a reasonable inspection is permitted. A new pair of gloves should be worn during inspection to ensure that formula and water are not compromised for infant ingestion.

WHAT DOES THE TRANSPORTATION SECURITY ADMINISTRATION (TSA) SAY AND DO?: A MODEL FOR COURTHOUSE PROCEDURE

Per TSA, formula, breast milk, and juice are allowed in reasonable quantities when boarding a flight.⁴⁰ Additionally, breast milk, and juice in quantities greater than 3.4 ounces or 100 milliliters are allowed along with ice packs, freezer packs, frozen gel packs and other accessories required to cool formula, breast milk, and juice.⁴¹ These accessories may be partially frozen or slushy.⁴² Women may also bring gel or liquid-filled teething rings, canned, jarred and processed baby food.⁴³ Generally, TSA does not inspect formula, formula, or nursery water.⁴⁴ Additionally, TSA allows breast pumps through security.⁴⁵

TSA's guidelines should be used as a model for screening and clearing breast pumps, breast milk, formula, water, and food. These items are necessary for nursing mothers and mothers with

⁴⁰ *Baby Formula*, Transportation Security Administration <https://www.tsa.gov/travel/security-screening/whatcanibring/items/baby-formula>.

⁴¹ *Is breast milk, formula, and juice exempt from the 3-3-1 liquids rule?* Transportation Security Administration <https://www.tsa.gov/travel/frequently-asked-questions/breast-milk-formula-and-juice-exempt-3-1-1-liquids-rule>.

⁴² *Id.*

⁴³ *Id.*

⁴⁴ *Id.*

⁴⁵ *What Can I Bring?: Breast Pumps*, Transportation Security Administration <https://www.tsa.gov/travel/security-screening/whatcanibring/items/breast-pump>.

children. Breast pumps may go through x-ray screening. Additionally, breast milk, formula, or water may go through x-ray screening, as there are no known adverse effects to children.⁴⁶ However, some mothers may object to an x-ray screen. In this case, a reasonable inspection with a new pair of gloves is permitted. Great care should be taken to keep these fluids and objects as sterile as possible to avoid cross contamination of the infant's food.

⁴⁶ *Traveling with Children*, Transportation Security Administration <https://www.tsa.gov/travel/special-procedures/traveling-children>.

APPENDIXES

APPENDIX A - SAMPLE PRESS RELEASE



APPENDIX A - SAMPLE PRESS RELEASE

Moore Justice Center Celebrates Mother's Day With Opening of New Nursing Room

By Space Coast Daily // May 13, 2018

Open to any courthouse visitor – whether an employee, juror, or member of the public.

New mothers will now have a place to nurse or pump breast milk at Brevard's largest courthouse. Chief Judge John M. Harris, above, says he's proud to offer a safe, comfortable space for nursing mothers and is grateful to the Brevard County Association for Women Lawyers for their generous support.

Brevard County, Florida– New mothers will now have a place to nurse or pump breast milk at Brevard's largest courthouse.

Located just outside courtroom 2-D, the "Nursing Room" will provide a private space for lactating mothers that is shielded from view and interruption from the public.

Chief Judge John M. Harris says he's proud to offer a safe, comfortable space for nursing mothers and is grateful to the Brevard County Association for Women Lawyers for their generous support.

"The Brevard County Association for Women Lawyers furnished and decorated the room which will be especially useful for attorneys who often spend many hours at the courthouse," said Judge Harris.

"However, the space is open to any courthouse visitor – whether an employee, juror, or member of the public."

A sign posted in the courthouse will provide information to visitors about the space.

"It is our hope that this room will make nursing mothers feel welcome at our courthouse," said Wendy Fisher, a member of the BCOWL and one of the attorneys responsible for the project.

In time, Chief Judge Harris would like to open similar rooms at other court facilities.

APPENDIX B - SAMPLE SPONSORSHIP REQUEST LETTERS

Date

Law Firm Name

Address

City, State

Zip Code

Sponsor Invitation for New Courthouse Lactation Space

Dear [*Partner or Manager of Law Firm*]:

The _____ Courthouse of the _____ Circuit/District (or other courthouse title/identifier) is implementing a dedicated Lactation Space to provide private and comfortable accommodations for nursing mothers. This space will be made available to attorneys, courthouse employees, and the visitors of the courthouse, including jurors and litigants.

There is a need for [insert requests here – furnishings, supplies, etc.]. This meaningful project will become a reality with your sponsorship. In addition, recognition will be given for the sponsors and donors on the space signage and through the press releases.

Please reach out to schedule a call or meeting so we may discuss any questions you may have. I look forward to hearing back from you.

Sincerely,

Name

Title

Chapter Affiliation

Phone Number

Email Address

Law Firm Name
Address
City, State
Zip Code

Re: Invitation to Support New Courthouse Lactation Space(s)

Dear [Partner or Manager of Law Firm]:

The _____ Chapter of the Florida Association for Women Lawyers has collaborated with the _____ and our _____ Circuit Court Room Administrators in an effort to secure lactation spaces in our _____ County Courthouses. The goal is simple: to provide nursing mothers, including lawyers and courthouse patrons with a clean, comfortable, convenient, and secure place to express breastmilk or nurse their child(ren).

We are thankful for the support of the _____ Judicial Circuit Court Administration for providing us with this much-needed space in the _____ Judicial Building, but we need your support to help us furnish and decorate the space. Our goal is to provide a beautiful, comfortable, and welcoming space for mothers. Current needs include funding for comfortable chairs, a refrigerator, shelving and tables for storage, a divider screen, lighting, and associated supplies.

This meaningful project will become a reality with your sponsorship and donations. In recognition of your support, sponsors and donors will be highlighted and referenced on the space signage and through press releases.

If you are willing to support this cause, please review the enclosed sponsorship options, or reach out to schedule a call or meeting so we may discuss any questions you may have. Alternatively, we have set-up an Amazon Wishlist where you can conveniently purchase, and ship needed items for the space. You can access the Wishlist at: _____

Thank you for your support of this important initiative. We look forward to hearing back from you.

Sincerely,



6TH CIRCUIT LACTATION ROOM Sponsorship Levels

Cash Sponsorships

PLATINUM
\$1000
1 PER
COURTHOUSE

- Permanent recognition on room plaque as "Platinum Sponsor"
- Verbal recognition as "Platinum Sponsor" at ribbon cutting
- Opportunity to address audience at ribbon cutting
- Full logo on all room promotion advertising

GOLD
\$500
2 PER
COURTHOUSE

- Permanent recognition on room plaque
- Verbal recognition as "Gold Sponsor" at ribbon cutting
- Full logo on all room promotion advertising

SILVER
\$250
4 PER
COURTHOUSE

- Permanent recognition on room plaque
- Verbal recognition as "Silver Sponsor" at ribbon cutting
- Full logo on all room promotion advertising

In-Kind Sponsorships

FRIENDS

- The Planning Committee has established an Amazon Wishlist for items needed to ensure the lactation room is comfortable, convenient, and peaceful. Donors will be recognized at the ribbon cutting ceremony. The list can be found here: <http://a.co/fAdwg64>

Questions? Email JGBurnett@law.stetson.edu

Thank you for your support!

1/07/19



6TH CIRCUIT LACTATION ROOM Sponsorship Levels

Sponsorship Application

Upon receipt of the completed form and payment, you will be officially recognized as a sponsor of the the designated courthouse Lactation Room as indicated above. The deadline for Sponsorships & Payment (to be included in promotional materials) for the St. Petersburg Judicial Building is February 4, 2019.

Organization Information

Organization name _____
Contact name/title _____
Address _____
City _____ State _____ Zip _____
Phone _____ Email _____

Sponsorship Options

Platinum Gold Silver Friend

Courthouse: _____

Payment Method

Please accept my payment of \$ _____ by: Check _____ Credit Card _____

Checks payable to PFAWL

Name on Card _____

Provide us with a phone number to call for credit card payment _____

Signature _____ Today's Date _____

Company Name _____

Contact Name _____

Billing Address _____

Return completed forms to: JGBurnett@law.stetson.edu

Mail Checks to PFAWL c/o Elise Winters 1006 Drew Street, Clearwater, FL 33755. The deadline for Sponsorship & Payment (to be included in promotional materials) is February 4, 2019.

Questions? Email JGBurnett@law.stetson.edu

Thank you for your support!
12/11/18

APPENDIX C - SAMPLE BLOG POST

<https://flayld.org/2017/05/tampa-lawyers-pumped-about-new-lactation-rooms/>

May 23 *Posted by Alex Palermo*

Tampa Lawyers Pumped About New Lactation Rooms

My husband and I are both attorneys practicing in Tampa. We welcomed our first child, a little girl named Aurora, or Rory as we call her, this past November. Rory is six months old today, and before when I went back to work in March, I worried constantly about how I would be able to continue nursing when I was away from her during the week. I researched breast pumps and nursing bras, bought a ridiculously large fridge for my office, storage bags, and every other part that constantly bewildered my husband. I remember shopping on Amazon for a pumping bra for work. The image on the advertisement showed a super thin woman (with abs no less) using the pumping bra, standing at her laptop in her ridiculously clean kitchen, smiling. Smiling. As if pumping is somehow a fun and enjoyable thing to do. And as if a very new mother has a clean kitchen and abs. There was not one accurate thing about that image. Except the bra works pretty well.

Any woman who has nursed a child has dealt with her fair share of gross places in which she had to pump or nurse. When Rory was only a week old, one of my best friends got married at the courthouse. Because newborns eat constantly, there was no option to leave her at home. So when she got hungry, we had to go to the bathroom. Disgusting, I know, but believe me, I guarantee I was not the first woman to nurse or pump in that bathroom. Best case, female attorneys working at the courthouse have to ask the judge in front of opposing counsel and their clients if there is a room available. Worst case, they use a bathroom or even their cars. Can you imagine pumping in your car when someone walks up to the car next to you and looks in at you? I can because it has happened and it is awkward.

Going back to work as a new mom is hard enough. We leave our babies, usually earlier than we are ready, our bodies still not quite our own. We want to have it all and find the ever-elusive work-life “balance.” We want to be great attorneys who work hard for our clients, while also being amazing moms and wives. Being a working mom is challenging enough as it is. And for those who nurse their babies, there is an added layer of stress. But I know I for one do not want the fact that I am nursing to take away from my perceived abilities as an attorney. When I am at work, I don’t want to make it known that I am nursing or in need of an accommodation. I wouldn’t want to have to ask a judge in front of others for a place to go. And thanks to two young lawyers in Hillsborough County, I won’t have to worry about that again when I’m practicing in Tampa.

Lyndsey Siara and Nicole Gehringer are staff attorneys at the Thirteenth Judicial Circuit. Nicole was pregnant and Lyndsey had recently finished pumping at work when the two women read an article in the Florida Bar News about the opening of a Lactation Room in the Miami-Dade Courthouse. Inspired by the work of Miami-Dade and understanding first-hand the challenges new moms face as they go back to work, Lyndsey and Nicole knew they wanted to do something to help other women in Hillsborough County. They decided they would advocate for Lactation Rooms in the courthouse. After receiving the ok from their direct boss, the two

women took their idea to the trial court administrator. With the help of the administrator, Lyndsey and Nicole spent the next six months acting as project managers overseeing the creation of the Lactation Rooms in the Hillsborough County Courthouse. The two women were pleasantly surprised by how incredibly receptive everyone at the courthouse was to the idea, noting that several judges were their greatest supporters. They identified two rooms, one in the main courthouse building and the other in the criminal annex. They helped pick out furniture, designed signage for the courthouse and usage guidelines for the rooms, and educated courthouse staff about the purpose and availability of these rooms. A unique aspect of the Lactation Rooms at the Hillsborough County Courthouse is they are open to everyone, not just attorneys. To use the rooms, women must simply provide identification to request a key from the information desk in either building, and then they are free to use the comfortable and private spaces. By logging visitors, the courthouse will be able to track how many women use the rooms and whether they are from a court agency or the public.

Lyndsey and Nicole were able to see their hard work pay off when the courthouse hosted an unveiling of the Lactation Rooms on May 12, 2017, in celebration of Mother's Day. In doing so, the Thirteenth Circuit joins a very small contingent of courthouses throughout Florida that offer such an amenity. In just the first day of being open, three women made use of the rooms, showing that such an amenity was needed. Thanks to Lyndsey and Nicole and the countless judges and staff of the Thirteenth Judicial Circuit, no woman will have to pump or nurse in a bathroom at the George Edgecomb Courthouse again. Nor will an attorney have to make it known she is in need of an accommodation. Instead, the "breastrooms" as some of my "punny" friends would say, will provide a comfortable and private space where women can relax while they nurse or pump for years to come. Kudos to Lyndsey, Nicole, and everyone at the Thirteenth Circuit who made these rooms a reality.

If your courthouse doesn't have a Lactation Room yet, ask someone how you can help make it happen. "The rooms don't have to be impeccably designed. In fact, our rooms aren't even identical, but the important part is that we have designated, clean spaces for moms to nurse or pump in private," said Nicole Gehringer and Lyndsey Siara. If there's an empty room, there's a way. Reach out to your local FAWL chapter and see if its members can help. Regardless of whether you are a nursing mom or not, realizing the importance of helping new moms transition back to work is something we can all agree on, because no woman should have to pump in a courthouse bathroom.

Alex H. Palermo is an associate at Burr & Forman LLP in Tampa, Florida practicing in the areas of business, employment and insurance litigation. She graduated from the Florida State University College of Law in 2012. Alex is a Thirteenth Circuit Representative on The Florida Bar Young Lawyers Division Board of Governors, a Director for the Hillsborough County Bar Association Young Lawyers Division, and a Director for the Hillsborough Association for Women Lawyers. Within Burr & Forman, Alex also serves on the Burr Women and Business Steering Committee.

APPENDIX D - SAMPLE AMAZON WISH LIST

Below you will find a link to a sample Amazon Wishlist with suggested items for your Lactation Space. FAWL Chapters are encouraged to think creatively on how to make the area personal and special for their communities. This list is intended to provide a broad list of items that may be included in a space. Items listed with “High” or “Highest” priority are considered to be essential to the basic functioning of the space. Other items are added as a way of brainstorming items that may be helpful for nursing mothers. If you have other items you have added to your Space that you believe are helpful, please share by e-mailing JGBurnett@law.stetson.edu

To view the sample Amazon Wish List visit:

https://www.amazon.com/hz/wishlist/ls/9TP5KDZGZS0V?ref=wl_share

How to create an Amazon Wish List for your Lactation Space

1. Hover over Account & List at the top of any Amazon.com page and select Create a list from the drop-down.
2. Select the Wish List Option
3. Name your Wish List (i.e. ___ County Lactation Space Wish List)
4. Select Public
5. Add in Recipient name (Note: this will be the name that appears on the address label of the items you receive. It is recommended that you use the same name as the name of your Wish List).
6. Select “Create List”
7. Select Manage List from the list menu (...) at the top of your list to update your default shipping address, birthday, personal description and preferences.
 - Recommended Preferences:
 - Privacy- Public
 - List is for – You
 - Recipient- name of List
 - E-mail- use list administrator
 - Birthday- you can leave blank
 - Description: Donations to help furnish Lactation Space(s) in the ___ Circuit, ___ County, Florida
 - Shipping address: Create New and add in the desired address
 - Third Party Shipping Agreement- Yes
 - Keep Purchased items on your List- No
 - Don't Spoil my surprises- No
 - 1. Default List- whatever you prefer

Note:

- Gift givers will only see the name, city and state of the shipping address you select unless the List is marked as for an organization.
- You can update this information again anytime.

8. Click Save and browse for an item.
9. Click Add to List under the Buy box on the right-hand side of any item's product detail page.

Note:

- Only list owners can make changes through Manage List. Both list owners and collaborators will be able to add and remove items.
- You can add items for sale by Amazon.com to your list, except out-of-print books, out-of-stock products, cell phones with service plans, items that don't have release dates, and items with quantity restrictions.
- You can add items available from sellers to your list. Potential purchasers will see See Buying Options instead of Add to Cart next to the item, since the same copy of the item may not be available later.

Sharing List:

1. Go to your List
2. Click "Send to others" to invite someone to View or add someone as an editor of the list

Note:

- You can repeat this process to create multiple lists; there's no limit. Your default list is the one that items are added to when you click Add to list. For more information on moving items between lists, go to [Edit Items in Your List](#).
- The receiver will only know the Donor if the Donor completes a gift receipt during purchase.



Grand Opening!

Please join us for a Ribbon Cutting Ceremony as
we open the
_____ Courthouse's
First Nursing Room!

This room will provide mothers with a safe and relaxing location
to freely pump and nurse while in the courthouse

Open to All Mothers



Date: _____

Time: _____

Location: _____





THE PINELLAS CHAPTER OF THE FLORIDA
ASSOCIATION FOR WOMEN LAWYERS AND THE
CLEARWATER BAR YLD INVITE YOU TO A RIBBON
CUTTING CEREMONY FOR THE:

ST. PETERSBURG JUDICIAL BUILDING LACTATION ROOM

Thursday, March 21 at 3:00pm
545 1st Ave North Room 136

Gold Sponsors



Silver Sponsor



Refreshments provided by: (swah-rey)[®]
a dessert bar

RSVP to: pfawlsocialdirector@gmail.com
Sponsorship Inquires: Jgburnett@law.stetson.edu

APPENDIX F - SAMPLE ANNOUNCEMENT FOR WEBSITE

Each Courthouse will have different needs and specifications and these procedures should be adapted as necessary and appropriate.

Insert: Courthouse Name and District

LACTATION SPACE AVAILABLE INFORMATION GUIDE

Lactation Space

A private, clean space where a breastfeeding woman can nurse her child or use a breast pump to express breast milk.

Locations

Insert: Building Name or Number, Floor & Space #

Insert: Location of Information Desk or Person who holds the key

Example: 4th floor of Annex (down hallway to the right of security)

Report to the 2nd floor Information Desk for the key

Who Can Use?

All professional staff (for example: AOC and Clerk's Office employees, Assistant State Attorneys, Assistant Public Defenders, other attorneys, court reporters)

Jurors | Witnesses | Members of the general public

How to Use?

- Operates on a first come, first served basis
- Insert location of Information Desk – Example: To use the 6th floor of the Edgecomb Room report to the Information Desk on the 6th floor of Edgecomb
- A valid form of identification (DL, AOC badge, Bar card) must be remitted to obtain a key to the Space
 - Upon exiting the Space and returning the key, the identification will be returned

APPENDIX G - SAMPLE COURTHOUSE SIGNAGE

Lactation Spaces should be properly labeled and ADA compliant.

Lactation Rooms

Are you a mother who is breastfeeding or pumping and looking for some privacy while at the courthouse?

The 13th Circuit has two lactation rooms for all mothers in need of some privacy.

Proceed to either Information Desk to gain access:

6th floor of George Edgecomb

or

2nd floor of Annex

Remember: If you are at the courthouse for jury duty, inform jury services, the bailiffs, and/or the judge of your need to breastfeed/pump.

**ST. PETERSBURG COURTHOUSE
LACTATION ROOM**



Room 136

Located on the 1st floor of the Courthouse.
Users may access the room by obtaining a key code
from the Administrative Office of the Courts by
calling 727-582-7477

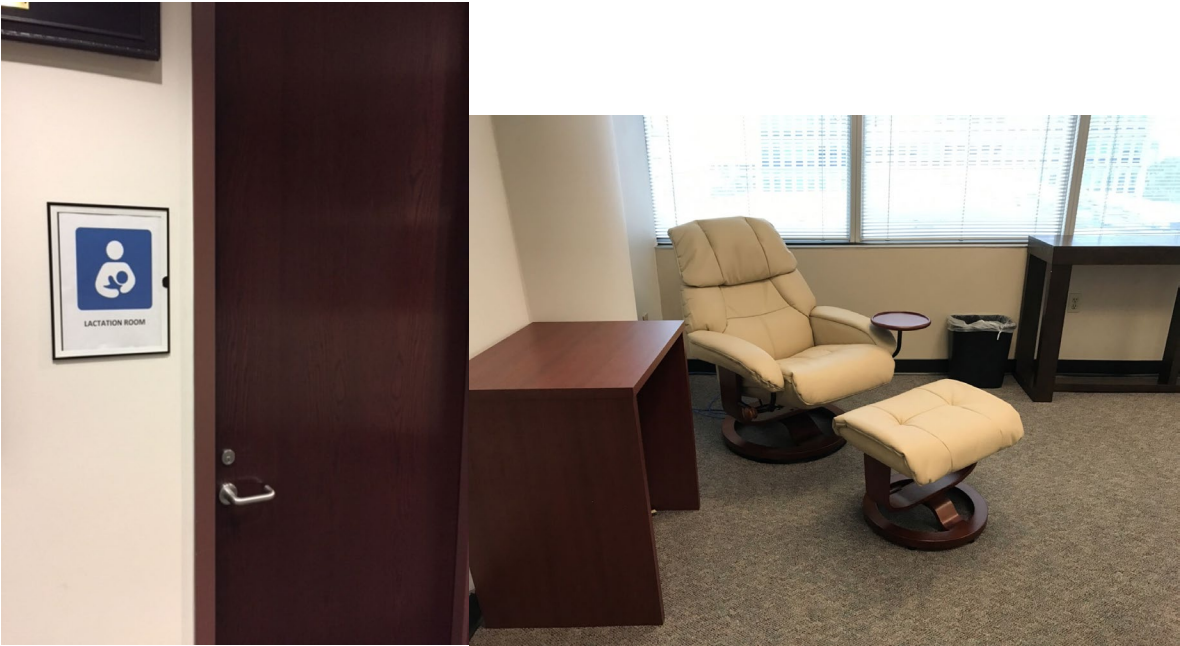
The Lactation Room is available for use by
attorneys, jurors, court patrons, and staff.

The Lactation Room will be made available to users
during business hours
Monday – Friday from 8:00 am until 5:00 pm.

Rules for Lactation Space Usage

- Use of this space is limited to activities associated with lactation. Users may only access the lactation space for the purpose of expressing and collecting breast milk or breastfeeding.
- The Lactation Space will be kept locked while in use, and between uses.
- The key code to enter and use the space will be provided upon request by personnel of the _____ at _____.
- As a courtesy to others, please knock before entering the space. The space is designed to accommodate two users, at the pleasure of the first user.
- Do not leave the door unlocked or propped open.
- There will be a vacant/occupied sign outside of the space. Users must place the sign on “occupied” mode as they enter and place it as “vacant” as they finish and depart.
- Users of the lactation space are responsible for bringing their own breast pumps and supplies. Some supplies have been donated for enjoyment of the users. If you use the last of a specific supply, please alert the _____ at _____ that the supply needs restocking.
- If equipment is damaged or no longer operating, please contact the _____ at _____.
- The Courts or the County are not responsible for items left behind. No storage is provided. Personal items left in the space will be removed.
- It is the responsibility of everyone using the Lactation Space to maintain a clean space, ready for the next user. All spills must be cleaned using the cleaning materials provided.
- The _____ office will provide general maintenance of the space and assign daily janitorial services during after-hours. The _____ can be contacted at _____ to relay any immediate needs.

APPENDIX J - PICTURES OF ESTABLISHED LACTATION SPACES





APPENDIX K - QUESTIONNAIRE FOR FUTURE CHAPTERS TO COMPLETE

If your Chapter establishes a Lactation Space in your courthouse, kindly complete the below Questionnaire and send to JGBurnett@law.stetson.edu so we can update future editions of this handbook.

Chapter Name:

Chapter Contact:

Date:

Questions:

1. Can you please provide some background on how the project got started?
2. What courthouse(s) were you trying to get a space for?
3. Was there a preexisting space? If not, how did you go about obtaining a space?
4. Who did you contact?
5. What information did you provide to your contact?
6. What information would have been helpful to provide?
7. What questions did your contact have?
8. What reservations/concerns did your contact have?
9. Was there any pushback?
10. What was the timeline for everything?
11. How did the process of selecting a Space occur?
12. Describe the Space?
 - a. Sink?
 - b. Electricity?
 - c. Furniture?
 - d. Furnishings?
13. How did you obtain furniture?
14. Did you use sponsorships?
15. What is the Space called? (Mother's Space, nursing Space, Lactation Space)
16. How is the Space accessed?
17. How do you advertise the Space?
18. Do you have any sample press releases you can share?
19. One thing you would have done differently?
20. Helpful tips?
21. Wishlist for future Spaces?
22. Can we publish this information in our handbook?
23. Would you be willing to serve as a contact for chapters who may have additional questions?

24. Can you please send pictures of your Space?
25. Anything else we should know?
26. If possible, can you share feedback from mothers who have used the Space?

APPENDIX L - CONTACT LIST FOR GUIDANCE

If you have any questions about establishing a dedicated Lactation Space in your courthouse, please never hesitate to reach out to anyone of us.

Name	Phone Number	Email Address
Nicole Gehringer	(813) 223-5421	nicole@harrishunt derr.com
Lyndsey Siara	(813) 272-6843	siaralk@fljud13.org
Joann Grages Burnett	(727) 562-7303	JGBurnett@law.stetson.edu
Lara Bach	(305) 577-3135	lara.bach@weil.com

APPENDIX M - ARTICLE OF INTEREST: A NEW MOTHER'S GUIDE TO PUMPING DURING A JURY TRIAL

Reprinted with permission from the Daily Business Review.

My first five-day jury trial was four weeks after I returned from maternity leave. I knew I had to allot time for pumping but I was not sure about the proper procedure. As I now gear up for my second jury trial, I decided to dictate this article to Siri (while pumping, nonetheless) so that other new mothers might have some guidance.

By Jennifer Feld | August 07, 2018 at 11:45 AM



Jennifer Feld, shareholder with Kubicki Draper in West Palm Beach.

Editor's note: Aug. 1-7 is World Breastfeeding Week.

My son was born premature.

After he was born, there came a point when I was discharged from the hospital, but he had to stay in the NICU. Leaving the hospital without a baby was hard enough. This was the first time I had to think about pumping. The first night I was away from him, he was given formula by a nurse, while I pumped milk at home. At the start of visiting hours the next morning, I showed up with my pumped breast milk to learn that he had been unable to digest the formula and had lost weight. It is normal for new babies to lose weight when they are first born. However, premature babies are

already small to begin with, and there is a looming danger of a condition called failure to thrive. I soon learned that breast milk meant healthy weight gain for my child. I began pumping every two-and-a-half hours around the clock. My son gained weight steadily and was discharged from the NICU without any complications.

Every baby is different, and every mother is different. I never saw myself as a spokesperson for breastfeeding. I do not judge mothers who feed their babies formula. A fed baby is a healthy baby. A short stay in the NICU will make you stop worrying about every ingredient in your organic applesauce, and you might even rinse off a pacifier without sterilizing it too. Because trust me—none of that matters. However, if you WANT to, you should be able to return to work and continue to feed your child.

My first five-day jury trial was four weeks after I returned from maternity leave. I knew I had to allot time for pumping but I was not sure about the proper procedure. As I now gear up for my second jury trial, I decided to dictate this article to Siri (while pumping, nonetheless) so that other new mothers might have some guidance. Here's a step-by-step guide:

- Reserve a conference room.

While I am lucky enough to practice in Palm Beach County, which has a beautiful lactation room, it is only accessible after 8 a.m. Even then, the room must be opened by a trial court administration employee. In the past, for UMC hearings, I was able to plan ahead and meet the administrative assistant at the lactation room right at 8 a.m., pump, and still make it to an 8:45 a.m. hearing. She was even kind enough to come in early at 7:45 a.m. on a few days when I had earlier special set hearings.

For trial, this is simply not practical. The room itself is on the fourth floor of the courthouse, which is a solid 10-minute elevator ride/walk from the civil courtroom where my case was being tried. Add on 20 to 30 minutes for the pump itself, plus set up and clean up, and I would have been away from the courtroom for almost an hour.

For trial, I recommend that you contact the bailiff to reserve one of the conference rooms next to the courtroom where your case will be held. Note: Do not leave your milk or pump in this room, as only certain bailiffs have the keys, and you will have to leave it unlocked between sessions. (Don't worry. You can lock the door from the inside while you're in there.)

- File a motion for trial accommodations.

Next, you should file a motion for trial accommodations. As much as I dreaded attending the UMC hearing on this Motion, I found it to be necessary. First of all, the average new mother has to pump milk every three to four hours. The trial order for my first case set trial starting at 8:15 a.m. The first break would not be until lunchtime, nearly four hours later. I had no objection from opposing counsel, but there is no other way to amend a trial order other than to request this relief in writing. The substance of the motion is simple. Here's an example of what I wrote: "This case is currently set for trial on ____ date. Undersigned counsel recently returned from maternity leave. For medical reasons, counsel requests trial accommodations and an amendment to the trial order. Counsel may be required to leave the courtroom during the trial and may require a juror recess." Thus far, every one of my motions has been granted. However, on the off chance that one of yours is denied, you will be glad that you filed that motion because you will have some form of recourse.

- Request a jury instruction.

Let's say you are trying your case with a partner, and you will be able to call your witnesses around your pump schedule. If you're going to be leaving the courtroom for any reason while the jury is still present, you may want to think about requesting a specific jury instruction. I simply requested that the judge advise the jury that attorneys may be coming and going from the courtroom during the trial and that this is normal practice. The jurors are not to think anything one way or another about an attorney leaving the courtroom during testimony.

- If necessary, take witnesses out of order.

During my first trial post-maternity leave, my partner and I decided to call one of our witnesses out of order. In other words, we called a defense witness during the plaintiff's case. This

particular witness was not appearing live, and had instead appeared via video for trial. I was able to leave to pump during the video, while my partner stayed in the courtroom. If this is a possibility for you, make sure to confer in advance with both opposing counsel and the judge, to confirm that you are permitted to call witnesses out of order.

- Plan ahead for milk storage and other logistics.

You maybe wondering about logistics. How do I store my milk? What do I do with the pump? Every morning, I pack two bags: a pump bag and a lunchbox. I carry my pump in a nondescript black vinyl bag. Inside, I keep the pump itself with all of the parts in a large gallon-sized Ziploc bag. I have a small towel, a pumping bra, and pack of Medela wipes (for when you do not have access to a sink). I also have a small cooler that fits inside my black bag, with enough empty bottles to last the entire day, and two ice packs.

I pack a lunch every day because inevitably my lunch break will also be a pump session. This also allows me to pack a few extra ice packs in case I need to supplement my milk cooler.

- Getting through security.

The first few times I entered the courthouse, I separated my cellphone and keys, but I didn't think twice about my pump. Sure enough, it set off the X-ray on the conveyor belt. The entire bag was taken apart. Unless you want your breast pump handled by a bunch of strangers, you should remove the mechanical device before you put your bag on the conveyor belt.

Some courthouses require you to drink or throw away liquids, such as water bottles, before you enter. Liquids should not be an issue because you are only leaving with milk. You are entering with empty bottles.

- Supportive partners at home and at work.

The plan I have laid out above simply cannot be done without supportive partners, at home and at work. My amazing, encouraging husband, who is also a lawyer, literally cheers me on during my middle-of-the-night pumps, and has washed hundreds of bottles by hand at this point. My top-notch, incredibly accommodating firm made it easy to return to work. My talented (male) trial partner and mentor could not have been more understanding. The judiciary, the court, and opposing counsel were all so cooperative. To all of you, I thank you. I truly appreciate it, and so does my son.

Jennifer Feld is a shareholder at Kubicki Draper in West Palm Beach.

**APPENDIX N – PROPOSED MOTIONS AND ORDERS FOR LACTATION
ACCOMMODATIONS**

**IN THE IOWA DISTRICT COURT FOR POLK COUNTY
IN RE THE MARRIAGE OF
JOHN DOE AND JANE DOE**

Upon the Petition of, JOHN DOE, Petitioner, And Concerning, JANE DOE, Respondent.	CASE NO. CDCD000000 MOTION FOR LACTATION ACCOMMODATIONS AT TRIAL
---	--

COMES NOW, the undersigned, and in support of this motion for lactation accommodations at trial, states the following:

1. This case is scheduled for a two-day trial commencing on September 12, 2021
2. The undersigned recently had a child that will be approximately four months old at the time of trial. The child is nursing.
3. Because the child is nursing, the undersigned needs sufficient time to pump during the trial. Specifically, at minimum, three 30-minute recesses at approximately 9:30 AM, 12:00 PM and 2:30 PM.

WHEREFORE the undersigned request that the court grant this motion for lactation accommodations and issue an order consistent with this motion.

Respectfully Submitted,

ATTORNEY FOR PETITIONER

**IN THE IOWA DISTRICT COURT FOR POLK COUNTY
IN RE THE MARRIAGE OF
JOHN DOE AND JANE DOE**

<p>Upon the Petition of,</p> <p>JOHN DOE, Petitioner,</p> <p>And Concerning,</p> <p>JANE DOE, Respondent.</p>	<p>CASE NO. CDCD000000</p> <p>ORDER FOR LACTATION ACCOMMODATIONS AT TRIAL</p>
---	---

NOW before the court is a motion for lactation accommodations at trial filed by the petitioner's attorney. The court finds that for the reasons stated in the motion, the motion should be granted.

IT IS THEREFORE ORDERED that during trial on September 12 and 13, 2021, there shall be, at minimum, three 30-minute recesses at approximately 9:30 AM, 12:00 PM and 2:30 PM.

SO ORDERED.

**PROPOSED STANDING ORDER ON MOTION TO BE EXCUSED FROM
COURTROOM DURING PORTIONS OF TRIAL AND/OR FOR TRIAL
ACCOMMODATIONS**

THIS CAUSE having come before this Honorable Court on _____, on _____'s Motion to be Excused from Courtroom During Portions of Trial and/or for Trial Accommodations, and the Court, having heard/reviewed argument of counsel, and being otherwise fully advised in the premises, it is hereby:

ORDERED AND ADJUDGED that _____'s Motion is hereby GRANTED as follows:

1. This action is currently scheduled on the Court's trial docket on the following dates: _____. It is scheduled as a _____ () day trial.
2. (For medical reasons)/ (To allow for use of the lactation room), counsel for _____ requests to be excused from the courtroom during portions of the upcoming trial and/or for trial accommodations.
 - a. Specifically, counsel requests to be excused every _____ hour(s) for a period of _____ minutes.
 - b. Counsel also requests to be excused for _____ minutes to allow for travel time to the accommodation room.
 - c. During this time, counsel requests that the jury (be excused from the courtroom) / (remain present) / (not applicable – non-jury trial).
3. If a jury is present, counsel requests the following specific instruction at the beginning of trial, "Attorneys may be entering and exiting the courtroom during the trial, and that is normal practice. You should not think one way or another about attorneys leaving the courtroom during the pendency of the trial."
4. Counsel requests the following witnesses be called "out of order" to accommodate the above referenced accommodations:
 - a. _____ / (to be determined per agreement of counsel).
5. Counsel requests that the Bailiff and Clerk on duty be advised of the above referenced accommodations in advance of trial.

DONE AND ORDERED in Chambers, in _____ County, this _____ day of _____, 2021.

HONORABLE _____
CIRCUIT COURT JUDGE

Copies to all counsel of record on the attached service list.

APPENDIX O - POLK ASSOCIATION OF WOMEN LAWYERS FUNDRAISER FLYER

**THURSDAY,
OCTOBER 4TH**
POLK ASSOCIATION OF
WOMEN LAWYERS
WINE TASTING EVENT

**Benefitting Polk County Courthouse's
New Lactating Mothers' Room**

Did you know that PAWL has helped the Polk County Courthouse establish a room for lactating mothers? Now it needs to be furnished with the materials these mothers need! Come help us raise money for this new room as well as enjoy some wine and good company with your fellow PAWL members!



Ric's Wine Market
4110 S. Florida Ave.
Lakeland, FL 33813

5:30 pm – 7:30 pm

Tickets:

\$20 members

\$30 non-members

Make checks
payable to PAWL

Send payment to:

P.O. Box 2344
Bartow, FL 33831

Fantastic wine!
Good company!



Florida Association for Women Lawyers



President

Susan R. Healy, Naples

President-Elect

Laura K. Wendell, Miami

Secretary

Kristin Norse, Tampa

Treasurer

Robin Bresky, Boca Raton

Immediate Past President

Gigi Rollini, Tallahassee

Development Director

Sabrina Ferris, Miami

Journal Editor

Brittany Maxey, Clearwater

Legislative Director

Elizabeth "Bib" Willis, Tallahassee

Membership Director

Samantha Schosberg Feuer

Public Relations Director

Mary Ann Etzler

Executive Director

Karen Howe, Tallahassee

Chapters:

- Barry University
- Brevard County
- Broward County
- Central Florida
- Citrus/Hernando
- Clara Gehan (8th Circuit)
- Collier County
- Florida International
- Florida State University WLS
- Hillsborough County
- Jacksonville
- Lee County
- Manatee County
- Marion County
- Martin County
- Miami-Dade County
- Northwest/ Pensacola Florida
- Nova University
- Palm Beach County
- Pinellas County
- Sarasota County
- South Palm Beach County
- Stetson University
- St. Thomas University
- Tallahassee
- Third Circuit
- University of Florida
- University of Miami
- Volusia/Flagler

FAWL Legislative Policy

1. FAWL should support legislative positions rather than actual bills when possible, as the wording of legislation frequently changes after a bill is filed.
2. To the extent that FAWL has previously approved a position on a specific bill, it will be deemed to have taken a legislative position on the substance of the bill so that advocacy can proceed in subsequent years even if the bill is not identical.
3. FAWL will give chapters and board members at least 40 days notice prior to adopting proposed legislative positions.
4. A majority vote of the FAWL board members present at a meeting is required to approve a legislative position.
5. All votes on legislative positions must be taken at a meeting where board members can discuss the position in a simultaneous conversation. (Either at an in-person, or telephone conference meeting.)
6. Legislative positions will remain in effect from year to year. Elimination of existing legislative positions will follow the same procedure as approval of new legislative positions. Every three years the FAWL Legislation committee will review existing positions to recommend removal of positions that are no longer relevant.
7. The Legislation Committee, any board member or any member of the organization may propose a legislative position or seek elimination of an existing position.

MEYER, BROOKS, BLOHM AND HEARN, P.A.
ATTORNEYS AT LAW

131 NORTH GADSDEN STREET
TALLAHASSEE, FLORIDA 32301
www.meyerbrookslaw.com
850/878-5212

RONALD G. MEYER
THOMAS W. BROOKS**
JENNIFER S. BLOHM
LYNN C. HEARN

MAILING ADDRESS:
POST OFFICE BOX 1547
TALLAHASSEE, FLORIDA 32302
FAX: 850/656-6750
EMAIL: rmeyer@meyerbrookslaw.com

*Board Certified in Labor and Employment Law
*Certified Circuit Mediator

ALEX VILLALOBOS
OF COUNSEL

LYNN T. THOMAS, FRP
PARALEGAL

September 26, 2019

Jennifer Shoaf Richardson, Esquire
Attorney at Law
Jackson Lewis P.C.
501 Riverside Avenue
Suite 902
Jacksonville, Florida 32202

Re: Florida Association for Women's Lawyers

Dear Jennifer:

You have asked us to review and, as necessary, update for FAWL and its affiliated Chapters the guidance which we first provided in 2012 regarding the interpretation to be made of a provision in the FAWL bylaws which provides as follows:

ARTICLE XI – ENDORSEMENTS

The Florida Association for Women's Lawyers shall not endorse candidates for public office.

Because a significant part of FAWL's membership is comprised of members of the judiciary, FAWL and its Chapters would like to know the activities in which they and their members may participate without violating the bylaw prohibition.

This bylaw provision likely flows from Canon 7A(1)(b) of the Florida Code of Judicial Conduct, which provides that "a judge . . . shall not . . . publicly endorse or publicly oppose another candidate for public office." The Florida Judicial Ethics Advisory Committee (JEAC) has opined that a judge may not maintain membership in a voluntary bar association that endorses judicial candidates. Opinion 2001-15, Fla. Jud. Ethics Adv. Comm. (Aug. 10, 2001). The JEAC was concerned that an endorsement of a candidate by a voluntary bar association of which the judge is a member was "likely to be construed, at a minimum, as a tacit endorsement of the candidate by the judge." Therefore, the Committee concluded that because a judge is prohibited from publicly endorsing a candidate, a judge is likewise ethically prohibited from

associating with an organization that publicly endorses a candidate.¹ Accordingly, for purposes of this letter, we interpret the scope of the bylaw as being coextensive with Canon 7A(1)(b).

Specifically, you have asked what kind of activities constitute a “public endorsement” under Canon 7 and who constitutes a “candidate for public office.” Like most issues arising under Canon 7 and the Florida Election Code, there are few bright lines defining the permissible scope of activities. Essentially, we are called upon to discuss the spectrum which at one end prohibits the Association from taking formal action “endorsing” a political candidate, and at the other, recognizes individual members’ rights to political speech and association.

“Public Endorsement”

It is clear that the bylaw provision is intended to prevent FAWL (and presumably its Chapters), as Associations, from taking formal action to endorse a candidate for public office.²

Every JEAC opinion and Florida court decision considering the propriety of an endorsement has involved express, direct, public support for candidates where there was no question whether the conduct rose to the level of an endorsement. JEAC Op. 2011-15 (voluntary bar association endorsed judicial candidates for election); JEAC Op. 1990-3 (sitting judge prohibited from supporting candidate for judicial retention through speaking engagements, published writings, serving on retention committee, and making financial contribution); *In re*

¹The JEAC distinguished an earlier opinion in which it had determined a judge could maintain membership in a voluntary bar association (FAWL) that publicly supported a proposed constitutional amendment. JEAC Op. 98-31 (Nov. 30, 1998). The JEAC had found that a judge was permitted to advocate passage of constitutional amendments designed to “improve the law, the legal system or the administration of justice” because judges are expressly permitted by Canon 4B to speak and write about these topics. *Id.*; see also JEAC Op. 98-14 (Jul. 13, 1998) (judge may address public forums about proposed constitutional amendments so long as the amendments concern the law, the legal system, and the administration of justice). This opinion also mentioned that it was permissible for a judge to hold office in a section of the Florida Bar that actively filed amicus briefs in Florida appellate courts. *Id.* (citing JEAC Op. 84-13) (opining that judge could “conceivably participate in some types of amicus activities . . . but should avoid involvement in any activity which might reflect on [the judge’s] impartiality or neutrality.”).

²We have considered whether it would be permissible for FAWL to establish a separate organization that does not include judicial members and is not funded by judicial members’ dues for purposes of publicly endorsing candidates. While such a structure might arguably technically comply with the Bylaws and the Code, we are not certain it would alleviate the JEAC’s concern that a judge “tacitly endorses” a candidate for public office by belonging to an organization that publicly endorses the candidate. Even if the organization that makes the public endorsement is a separate legal entity from FAWL, if the entity includes the FAWL name and/or has as its officers individuals who are also officers of FAWL, the same concern regarding tacit endorsement would exist. Therefore, we cannot recommend that FAWL engage in any public advocacy for candidates through a separate entity unless the entity truly is separated from FAWL.

Glickstein, 620 So. 2d 1000 (Fla. 1993) (judge wrote letter to newspaper in support of candidate for judicial retention); *In re Pratt*, 508 So. 2d 8 (Fla. 1987) (judicial candidate mailed sample ballots with other judicial candidates).

The Florida Supreme Court has opined that Canon 7A(1)(b) does not reach conduct that “cannot reasonably be construed as a public endorsement of or opposition to” a candidate for office. *In re Code of Judicial Conduct*, 603 So. 2d 494, 498-99 (Fla. 1992) (finding canon sufficiently narrowly tailored to be constitutional). Indeed, one justice of the Florida Supreme Court noted that the only problematic portion of judge’s published letter in support of a candidate for judicial retention was the statement “I am voting ‘YES’ to retain [the judicial candidate].” *In re Glickstein, supra*, 1003 (Barkett, J., dissenting) (noting the JQC’s concession that but for this statement, it would not have filed formal charges against the judge).

On the other hand, the Court has broadly characterized Canon 7(A)(1)(b) as prohibiting judges from engaging in “public activity” on behalf of a candidate for judicial retention. *In re Glickstein, supra* at 1002 (citing with approval JEAC opinion 90-3, which prohibited a judge from supporting a judicial retention candidate through public speeches, writings, committee participation, and financial support). In fact, the only communications regarding candidates that have been expressly deemed permissible under Canon 7A(1)(b) are private communications. *In re Code of Judicial Conduct, supra* at 498-99.

Therefore, while these authorities make clear that FAWL and its Chapters are prohibited from formally conveying the organization’s express public support or approval of a candidate for public office, there are no clear guideposts to determine the extent to which other, less direct or less public support would fall within the Canon’s prohibition. Given the lack of clarity in this area, we are reluctant to reach definitive conclusions as to the permissibility of each of the proposed activities identified in your opinion request. Only a formal opinion from the JEAC can provide the clarity and certainty that FAWL and its judicial members desire in this area.

Nevertheless, we do offer some thoughts/observations regarding some of the activities that FAWL proposes to undertake. The JEAC has opined that a judge may provide a letter to a judicial nominating commission in support of a candidate for judicial appointment. JEAC Op. 1989-15 (Aug. 3, 1989). The opinion did not address Canon 7A(1)(b), but instead was based upon Canon 2B, which prohibits a judge from lending the prestige to judicial office to advance the private interests of others. The JEAC has also opined that a judge may communicate “a factual, even handed, succinct and discreet statement in support of, or in opposition to, a person whose appointment [for judicial office] is pending before the Governor.” JEAC Op. 1988-1 (Feb. 2, 1988). Although there was some concern that such action may indirectly result in endorsement, the opinion states that if properly offered based on personal knowledge, the imparting of information serves the judicial system. If it is permissible for a judge to send such

Jennifer Shoaf Richardson, Esquire
September 26, 2019
Page Four

letters of support of the appointment of judicial candidates, we cannot imagine that it is not likewise permissible for FAWL to do so.

Regarding FAWL newsletters, if it is FAWL's practice to publicize to its membership the high-profile activities of its members, including those running for office, and such publicity includes a disclaimer to the effect that "These profiles are provided for informational purposes only" and that "FAWL does not endorse candidates for public office," we believe it would not be reasonable to construe such publication as a public endorsement of a candidate. Implicit in this view is the assumption that the publication will profile all FAWL members running for office, even if they are running against each other. We would suggest that the publication not specify "how [members] can individually get involved if they desire," as this might be perceived as suggesting FAWL's endorsement of the candidate. We do not view the fact that the publication is distributed to members only (and not the general public) as a relevant factor, as there are no authorities suggesting that an organization's communication is not considered "public" for purposes of Canon 7 if it is only distributed to members of the organization.

We also do not believe the bylaw prohibits the Association from educating the public regarding the meaning and impact of merit retention decisions. FAWL may engage in educational activities concerning "the law, the legal system, the administration of justice, and the role of the judiciary as an independent branch within our system of government" without any ethical risk to its judicial members, as judges are expressly encouraged to engage in such activities. *See Fla. Code of Jud. Conduct, Canon 4B, Commentary.*

We are unable to opine upon whether FAWL's proposed activities of mentoring, nomination for awards, or recruitment of candidates would be considered "public endorsement" of candidates in violation of Canon 7A(1)(b), as there are no authorities that provide guidance regarding these types of activities. We can only refer back to the Florida Supreme Court's determination that it depends upon whether the conduct can "reasonably be construed as a public endorsement of or opposition to" a candidate for office. *In re Code of Judicial Conduct, supra* at 498-99. Obviously, this determination will turn upon the very specific facts presented.

Of course, there is no question that individual members and officers of FAWL may continue to individually participate in personal political advocacy without risking possible violations of Canon 7 by its judicial members, so long as it is clear the activities are conducted in the member's personal capacity and not in the capacity as a formal representative of FAWL.

"Candidate for public office"

The Code of Judicial Conduct does not define the phrase "candidate for public office" in the context of Canon 7A(1)(b). Although the Code generally defines a "candidate" as "a person

seeking selection for or retention *in judicial office* by election or appointment," *see* Florida Code of Judicial Conduct, Definitions, clearly the phrase "candidate for public office" as used in Canon 7A(1)(b) is intended to include those seeking other offices, not just judgeships. Unfortunately, we have found no court decisions or JEAC opinions that address the scope of this phrase.

Therefore, we are unable to answer your query definitively regarding whether letters of endorsement or in support of candidates for appointment by the Florida Bar or by the Governor (other than to judicial office) are permissible by a voluntary bar association with judicial members. The only remotely relevant authority is a JEAC opinion which concluded that a judge may not endorse a candidate for appointment to the Florida Bar Board of Governors. JEAC Op. 2001-01 (Feb. 19, 2001). However, its analysis was not based upon the prohibition against endorsements in Canon 7A(1)(b), but rather upon the prohibition in Canon 2B against a judge "lend[ing] the prestige of judicial office to advance the private interests of . . . others." A letter of support from FAWL would not seem to implicate Canon 2B in the way a letter from an individual judge would, because FAWL itself does not carry the "prestige of judicial office." Nevertheless, we cannot predict with certainty whether the JEAC would have concerns about a voluntary bar association with judicial members writing letters of support for candidates for non-elected positions similar to the concern expressed in JEAC Opinion 2001-15 regarding formal candidate endorsements. Therefore, because there are insufficient guideposts by which to make a determination regarding who does and does not constitute a "candidate for public office" for purposes of Canon 7A(1)(b), we regrettably are unable to answer your inquiry in this regard.

Other Considerations

Although FAWL is tax-exempt pursuant to Section 501(c)(6) of the IRC (and, accordingly, may engage in limited "political" activity consistent with its exemption), organizations which are tax-exempt as charitable organizations pursuant to Section 501(c)(3) of the IRC are prohibited under that section of the tax code from any "political activity."

However, even in the face of such a prohibition against any "political" activity, the IRS recognizes certain activities which are nonetheless permitted and are not considered to be "political." Here is an excerpt from an IRS publication discussing such activities:

The Restriction of Political Campaign Intervention by Section 501(c)(3) Tax-Exempt Organizations

Under the Internal Revenue Code, all section 501(c)(3) organizations are absolutely prohibited from directly or indirectly participating in, or intervening in, any political campaign

Jennifer Shoaf Richardson, Esquire
September 26, 2019
Page Six

on behalf of (or in opposition to) any candidate for elective public office. Contributions to political campaign funds or public statements of position (verbal or written) made on behalf of the organization in favor of or in opposition to any candidate for public office clearly violate the prohibition against political campaign activity. Violating this prohibition may result in denial or revocation of tax-exempt status and the imposition of certain excise taxes.

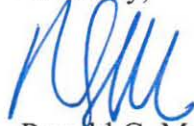
Certain activities or expenditures may not be prohibited depending on the facts and circumstances. For example, certain voter education activities (including presenting public forums and publishing voter education guides) conducted in a non-partisan manner do not constitute prohibited political campaign activity. In addition, other activities intended to encourage people to participate in the electoral process, such as voter registration and get-out-the-vote drives, would not be prohibited political campaign activity if conducted in a non-partisan manner.

On the other hand, voter education or registration activities with evidence of bias that (a) would favor one candidate over another; (b) oppose a candidate in some manner; or (c) have the effect of favoring a candidate or group of candidates, will constitute prohibited participation or intervention.

We believe the FAWL bylaw provision should be viewed similar to the manner in which the Internal Revenue Service views the interdiction against political activity for a charitable organization. That is, conduct of informational campaigns, preparation of voter guides and similar non-partisan, non-advocacy activities are permitted. Under these provisions, it is entirely permissible for FAWL to engage in education efforts regarding merit retention.

I hope this analysis is of assistance to you.

Sincerely,



Ronald G. Meyer

RGM/ltt

Florida Association for Women Lawyers Annual Dues

Amounts include \$45 state dues (\$10 for students), paid only once, even if joining more than one chapter.

Chapter	Attorney	Government & Not-For-Profit	Student	Other
Attorney Chapters				
State FAWL Only	\$45	\$45	\$10	(No Chapter)
3rd Circuit	\$65	\$65		
8th Circuit (Gainesville)	\$65	\$65		
Brevard	\$80*	\$50	\$35	*Less than 5 years \$65
Broward	\$100*	\$70	\$20	*Less than 5 years \$85
Central Florida	\$95	\$85	\$55	
Citrus Hernando	\$80	\$80	\$20	
Collier	\$75	\$55	\$20	
Hillsborough	\$185	\$115*	\$115	Sustaining \$250
Jacksonville	\$100	\$65	\$35	All Inclusive \$250
Lee	75*	\$55	\$20	*1st Year Attorney \$55
Manatee	70*	\$55	\$20	*1st Year Attorney \$65
Marion	\$75	\$65		
Martin	\$85*	\$75*		*Less than 5 years \$75
Miami-Dade	\$85*	\$65**	\$35	Affiliate \$95 *1st Year Attorney \$45 ** Asst. SA/Asst. PD/Legal Aid see www.mdawl.org for dues
Northwest/Pensacola	\$65	\$65		
Okaloosa	\$90	\$70		
Palm Beach	\$85*	\$45	\$45	*1st Year Attorney \$45
Pasco	\$75	\$50	\$20	
Pinellas	\$85	\$85	\$30	
Polk	\$85	\$65*		
St. Johns	\$90	\$60*	\$25	
St. Lucie	\$80*	\$50	\$35	*Less than 5 years \$65
Sarasota	\$90	\$90		
Seminole	80*	\$50	\$35	*Less than 5 years \$65
South Palm Beach	\$95	\$95	\$15	
Tallahassee	\$95	\$95	\$45	
Volusia/Flagler	\$80	\$55*	\$15	*Judiciary \$50
Student Chapters				
State FAWL Only			\$10	(No Chapter)
Barry			\$25	
FAMU			\$35	
FIU			\$10	
Florida Coastal			\$30	
FSU			\$10	
Nova			\$25	
St. Thomas			\$35	
Stetson			\$17	
UF			\$10	
UM			\$10	
WMU Cooley			\$25	



Florida Association for Women Lawyers Chapter Representative Report

Please submit via email to admin@fawl.org

Date of Meeting: _____
Date Submitted: _____

Your Name: _____
Your Chapter: _____

Chapter Activities Since Last Board Meeting:

Upcoming Chapter Activities:

Membership Growth and Retention Efforts:

Request for Action Item Portion of Agenda:

Attachments:



JUDICIAL NOMINATING OVERSIGHT COMMITTEE

Best Practices

FAWL'S MISSION

To actively promote gender equality and the leadership roles of FAWL's members in the legal profession, judiciary, and community at large. To achieve these goals, FAWL will uphold the highest standard of integrity, honor and courtesy in the legal profession, promote reform in law, and facilitate administration of justice.



WHO MAY ATTEND A JNC INTERVIEW?

Interviews are open to the public.

•Art. 5, § 11(d), Fla. Const.

Deliberations afterwards, however, are not open to the public.

•Art. 5, § 11(d), Fla. Const.

“Except for deliberations of the judicial nominating commissions, the proceedings of the commissions and their records shall be open to the public.”

•Art. 5, § 11(d), Fla. Const.



THE NOMINATING PROCESS

The Governor tells the JNC to collect applications and select some finalists for consideration.

JNC announces application deadline, usually with preliminary date for interviews.

“The nominations shall be made within thirty days from the occurrence of a vacancy unless the period is extended by the governor for a time not to exceed thirty days.”

Art. 5, § 11 (c), Fla. Const

Immediately after the interview, the JNC confers and selects finalists.

Interviews are held.

Governor interviews candidates then makes appointments within 60 days after nominations are certified.

“The governor shall make the appointments within sixty days after the nominations have been certified to the governor.”

Art. 5, § 11 (c), Fla. Const.

Soon after applications are due the interview dates and times are set. The schedule specifies who will be interviewed in each time slot.

JNC members are assigned to vet specific candidates before the interview.



CRITICAL DATES OF THE NOMINATING PROCESS

Vacancy announced.



Nominations made within 30 days from vacancy unless extended by the governor.



Governor has 60 days to make appointment after nominations are certified.



WHY IS JNC MONITORING A GOOD USE OF CHAPTER RESOURCES?

- ❖ Fulfills FAWL mission of promoting gender equality by ensuring the process is fair.
- ❖ Support members who are applying for judicial appointment.
- ❖ Educates members who perform monitoring about the process.
- ❖ Gives monitors a comfort level with the process that may make applying for judicial positions less intimidating.
- ❖ Elevates chapter's engagement within the legal community.
- ❖ No money required for a substantive project.
- ❖ Leadership opportunity for monitoring chair.



BEST PRACTICES

- ✓ Stay for all interviews – not just the ones involving women.
- ✓ Do not distract candidates or be disruptive – come and go during transition for candidates.
- ✓ Name tags for monitors may be helpful in terms of letting interviewers know who is present in the room.
- ✓ Make it clear that JNC monitoring is in no way meant as a form of punishment for a JNC. Rather, it is meant to educate and improve the process. JNC members work very hard.



IDENTIFYING QUESTIONS OF CONCERN

Sample Questions of Concern

How will you balance being a judge with being a single parent?

Your flexible work schedule concerns me. Does this mean you are not committed to work?

You are very young. Why do you think you are capable of this job?

If there was a question of concern, was it asked of both women and men?

What would your children say about your decision to apply to be a judge?

Are you sure you are ready in light of your recent divorce?

Were only women asked what their husbands did? One chapter noticed only women were asked this question, which all applicants answered on their application.

REACTION PLAN IF INAPPROPRIATE QUESTIONS ARE ASKED

Monitoring Chair Should Immediately Notify Chapter Leadership to Decide:

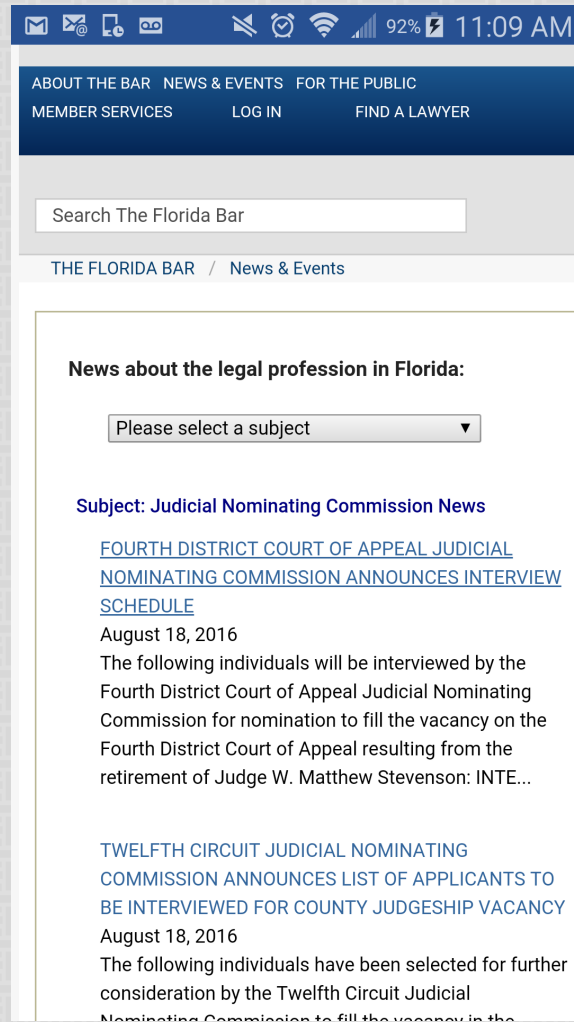
- Was the question inappropriate?
- Is immediate letter to the JNC Chair required?
- Keep in mind communications with the JNC are public records.

If Immediate Reaction Is Not Required:

- Write a letter to the JNC Chair explaining the concern and asking whether there was a legitimate reason for the question.
- If not comfortable with confronting local leadership, alert the Judicial Nominating Procedures Committee Chair, FAWL President, and Governor's General Counsel.



LOGISTICS — APPOINT A CHAIR



The screenshot shows the mobile interface of the Florida Bar website. At the top, there is a navigation bar with links for 'ABOUT THE BAR', 'NEWS & EVENTS', 'FOR THE PUBLIC', 'MEMBER SERVICES', 'LOG IN', and 'FIND A LAWYER'. Below this is a search bar labeled 'Search The Florida Bar'. The main content area is titled 'THE FLORIDA BAR / News & Events' and features a section for 'News about the legal profession in Florida:'. A dropdown menu is set to 'Please select a subject'. Two news items are visible: one titled 'Subject: Judicial Nominating Commission News' with a link to 'FOURTH DISTRICT COURT OF APPEAL JUDICIAL NOMINATING COMMISSION ANNOUNCES INTERVIEW SCHEDULE' dated August 18, 2016, and another titled 'TWELFTH CIRCUIT JUDICIAL NOMINATING COMMISSION ANNOUNCES LIST OF APPLICANTS TO BE INTERVIEWED FOR COUNTY JUDGESHIP VACANCY' dated August 18, 2016.

Chair Responsibilities

- Contact the JNC chair to request notice when interviews are scheduled and keep an eye on Florida Bar new releases announcing schedule.
- Ideally Monitoring Chair should have lunch with the JNC Chair and develop the relationship to ask for the opportunity to provide feedback during a break in interviews.



LOGISTICS – WHEN SCHEDULE IS ANNOUNCED

The Florida Bar
www.floridabar.org

FOURTH DISTRICT COURT OF APPEAL JUDICIAL NOMINATING COMMISSION ANNOUNCES INTERVIEW SCHEDULE

FOR IMMEDIATE RELEASE

August 18, 2016

CONTACT: Keith Sonderling, Esq.,

Fourth District Court of Appeal Judicial Nominating Commission

TELEPHONE: (561) 650-0659

The following individuals will be interviewed by the Fourth District Court of Appeal Judicial Nominating Commission for nomination to fill the vacancy on the Fourth District Court of Appeal resulting from the retirement of Judge W. Matthew Stevenson:

INTERVIEW DATE:

Wednesday, September 7, 2016

LOCATION:

Fourth District Court of Appeal Courthouse
1525 Palm Beach Lakes Blvd.
West Palm Beach, FL 33401

INTERVIEW SCHEDULE:

9:00-9:20 a.m.

Janis Brustares Keyser

9:20-9:40 a.m.

Rosalyn Destinie Baker Sutton

9:40-10:00 a.m.

Amy S. Borman

10:00-10:20 a.m.

Pamala Hanna Ryan

10:20-10:40 a.m.

H. Michael Muniz

10:40-11:00 a.m.

Donna Greenspan Solomon

Jenny

INGRID



LOGISTICS — WHEN SCHEDULE IS ANNOUNCED

- ❖ Seek volunteers to monitor every time slot.
- ❖ All monitors should send forms to Chair quickly.
- ❖ Good position for someone who wants to do something substantive, but cannot devote a whole year of service to the board.



LOGISTICS – FORM TEMPLATE

Judicial Nominating Commission Monitoring Survey

Monitor's Name:
Monitoring Time:

Vacancy to be filled:
Date:

Candidate's Name(s):

Directions: At the close of your monitoring session, evaluate the interview using each of the evaluation questions below. Use the notes section and the reverse side as needed to provide additional comments or for personal notes. Feel free to include as many comments as possible. After collecting the data, all surveys will be disposed of.

Notes:

Form	Never	Sometimes	Mostly	Always
Were the interview questions clear and easy to understand?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Did the interviewers allow the candidates enough time to respond?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Were follow-up questions asked for clarity where necessary?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Were the questions gender neutral?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Substance	Never	Sometimes	Mostly	Always
Were questions appropriate in regards to the candidate's gender?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Were questions appropriate in regards to the candidate's age?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Were questions appropriate in regards to the candidate's race?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Briefly describe the interview session. Please include personal impressions and thoughts:



LOGISTICS — CENTRAL COLLECTION POINT FOR FORMS

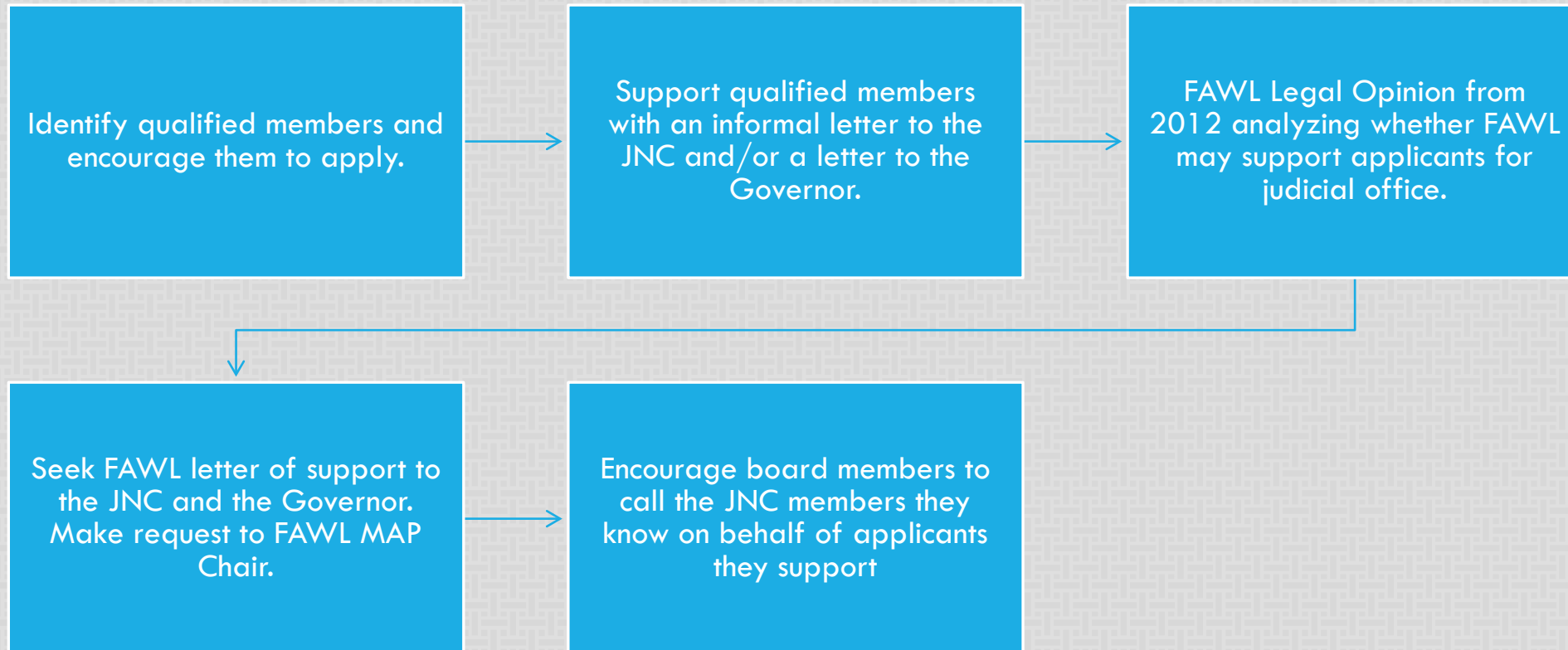
Dropbox or Google Folder.

Keep for historical comparison.

Also, if members apply for judicial positions, this is a bank of questions to prepare for the interview.



TAKE CHAPTER SUPPORT CANDIDATES TO THE NEXT LEVEL – FAWL MAP





FLORIDA
ASSOCIATION
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