



Lawyers and Resistance: Free Speech, Protest & How to Help

We have entered into an uncharted era of protest as a result of the election of a new Presidential administration. In this new age of social media as well as live protest, what laws apply? When is protest no longer peaceful? What is the difference between free speech and hate speech? When does criminal liability for words attach? How can lawyers get involved? These and many other questions will be answered by our speakers.

The American Civil Liberties Union (ACLU) of Florida is a nonpartisan, non-profit organization whose stated mission is "to defend and preserve the individual rights and liberties guaranteed to every person in this country by the Constitution and laws of the United States."

AGENDA

10:30 – 11:00am – Light continental breakfast and networking

11:00 – 11:30am – Welcome, overview of the day (*Dean Jon Garon*, Shepard Broad College of Law; *Howard Simon*, Executive Director ACLU of Florida; *Melba Pearson*, Deputy Director, ACLU of Florida)

11:30 – 12:30pm - Know Your Rights Training (panel with *Broward Chapter*, ACLU of Florida – *Cheryl Levin* and *Barry Butin*, moderator: *Baylor Johnson*, Director of Communications, ACLU of Florida)

12:30 – 2:00pm – Free Speech vs. Hate Speech (*Tom Julin*, Gunster Yoakley Stewart PA)

2:00 - 3:00pm - The Current First Amendment Landscape/How to be a Cooperating Attorney with the ACLU of Florida (*Nancy Abudu*, Legal Director, ACLU of Florida)

3:00 – 3:45pm – How to be Legal Observer training (*Jackie Azis*, Staff Attorney, ACLU of Florida)

3:45 – 4:00pm – Next steps, closing comments (*Melba Pearson*, Deputy Director, ACLU of Florida)

4:00 – 5:30pm – Beer/wine networking social.

5:30pm – Adjourn

Digital packet, presentation materials and CLE certificate available at:

www.aclufi.org/2017CLEMaterials

Speaker Bios

Nancy Abudu

Nancy Abudu joined the ACLU of Florida as the Legal Director in 2013. Prior to becoming Legal Director, Nancy served as senior staff counsel with the ACLU's Voting Rights Project where she litigated civil rights cases in federal and state courts, and provided legal advice to ACLU affiliates around the country, cooperating attorneys, and others seeking assistance and information on issues such as felon disenfranchisement, redistricting, challenges to photo ID and proof of citizenship laws, and general enforcement of the Voting Rights Act of 1965.

She began her legal career as an associate with Skadden, Arps, Slate, Meagher & Flom LLP in New York in the Products Liability/Mass Tort department. During her time with the firm, she was also a Skadden Extern with the Legal Aid Society of New York and represented victims of domestic violence under the Violence Against Women Act. Her professional experience also includes being a staff attorney with the Eleventh Circuit Court of Appeals in Atlanta, serving as an International Election Observer for the Organization of Security and Co-operation in Europe, and testifying on behalf of environmental justice groups before the United Nations Commission on Human Rights.

Prior to moving to Miami, she was the Chair of the Georgia Chapter of the National Lawyers Guild and served on the advisory board for Re-Entry Connection, Inc. (a holistic rehabilitation program for female ex-offenders). She was also co-chair of the Political Action Committee for the Georgia Association of Black Women Attorneys and served as a state legislative coordinator for Amnesty International USA. She currently serves on the ABA's Advisory Commission to the Standing Committee on Election Law, and is a Senior Fellow with the Environmental Leadership Program based in Washington, D.C.

She received her B.A. from Columbia University, her J.D. from Tulane Law School, and she is admitted to practice in Florida, New York, Georgia, the U.S. Supreme Court, and several other federal courts.

Jacqueline Azis

Jackie Azis joined the staff of the ACLU of Florida in February 2017 as a staff attorney focused on criminal justice issues.

Jackie studied journalism at the University of Florida and went to law school at the University of North Carolina School of Law. During law school, Jackie interned with the ACLU of North Carolina and the ACLU-Capital Punishment Project, and served as the ACLU president for the UNC Law chapter. She received the Norman Smith Award from the ACLU of North Carolina for outstanding volunteer work and was inducted into the James E. and Carolyn Davis Society at the UNC School of Law, an honor bestowed upon only eight students from each law graduation class based on academic and personal excellence.

In her final year of law school, Jackie worked for the Orange County (North Carolina) Public Defender's Office. Before joining the ACLU of Florida, Jackie worked for a civil rights and employment law firm in Peoria, Illinois and then served as an assistant public defender in the Fifth Judicial Circuit of Florida, representing hundreds of clients facing misdemeanor and felony charges. In 2016, the Florida Association of Criminal Defense Lawyers presented Jackie with the James T. Miller Scholar award recognizing outstanding young criminal defense lawyers.

Barry Butin

Barry has been a criminal defense attorney since 1985 and practices in both State and Federal Courts. Barry was an Assistant Public Defender from 1985-1994 and in Private Practice ever since. Barry has a Bachelor of Science Degree in Political Science from Florida State University and a Master's Degree in American Government and Politics from Florida State University. Barry has his Juris Doctor Law Degree from Shephard Broad Law Center at Nova Southeastern University in 1984.

Barry has lived in Broward County since 1976 and was involved with the Jewish Federation of Fort Lauderdale. Barry has been a judge at Nova Law School for student competitions. Barry has been a member of the American Civil Liberties Union in Florida (ACLU) since 1982 and is a former President of the Broward Chapter and is the current Co-legal panel chair of the Broward Chapter. Barry was formerly on the State Board of Directors for the ACLU of Florida. Barry is a volunteer and participates in legal redress for the Fort Lauderdale Chapter of the NAACP for almost 10 years.

Baylor Johnson

Baylor Johnson joined the ACLU of Florida staff in November 2010 as Online Advocacy Coordinator. He graduated from the College of Communication at the University of Texas in 2008. An alumnus of the Human Rights Campaign's "Campaign College," Baylor was an HRC field staffer on vital Texas legislative races in the 2008 election, and worked again on a state legislative campaign in 2010. He served as a Legislative Aide in the Texas House of Representatives, conducting policy research and directing communications for the office of Representative Paula Pierson. Baylor then worked at the Health Education Learning Project (HELP), an HIV-prevention organization serving the Dallas-Ft. Worth region, where he assisted in establishing a successful fundraiser series and was the co-facilitator of an HIV-prevention program targeting and training leaders in the LGBT community.

As Director of Communications, Baylor directs press relations for the ACLU of Florida, manages online media for the organization and provides additional communications support to the staff in all ACLU of Florida offices as well as to the volunteers in the chapters.

Thomas R. Julin

Tom Julin has litigated First Amendment issues of almost every type in Florida and around the country. He recently represented the ACLU Foundation of Florida as amicus curiae in the *Docs v. Glocks* lawsuit which invalidated a Florida law that prohibited doctors from asking their patients about gun ownership. He also worked with the ACLU in lawsuits that succeeded in enjoining Bible History from being taught in Lee County's public schools and sectarian prayers from being said at Manatee County School Board meetings.

The U.S. Supreme Court ruled favorably for Tom's clients in *Sorrell v. IMS Health Inc.*, holding that data mining for target marketing is protected by the First Amendment. That precedent-setting 2011 decision has been cited in more than 1,300 subsequent cases challenging laws and regulations that restrict the flow of information.

Tom helped legendary investigative reporter Dan Christensen create The Florida Bulldog in 2009 as a not-for profit news organization. Since then, Tom has represented The Bulldog in litigation against the FBI seeking records which would reveal whether Saudi Arabia sponsored the September 11 attacks on the United States. The Bulldog also led a successful campaign in 2016 to declassify a Congressional report regarding Saudi funding of the 9/11 terrorist attacks against the United States.

For the past 17 years, Tom has chaired a panel at the Florida Bar's Annual Meeting which reviews every new U.S. Supreme Court decision interpreting the First Amendment.

Tom is a shareholder in the Miami office of Gunster Yoakley Stewart PA. He received his B.A. and J.D. degrees from the University of Florida in 1978 and 1981.

Cheryl Levin

Cheryl Levin was born and raised in Philadelphia. She graduated from Brandeis University in 1978 with a double major in History and Politics. She received her Juris Doctor Law Degree from Shephard Broad Law Center at Nova Southeastern in 1981. After interning at the Broward County Public Defender's Office, Cheryl began work in private practice doing general law, healthcare billing, and HOA law. She has been in private practice on her own since 1992, and has had her office in Sunrise since 1994.

Cheryl joined the ACLU in 2005 and began immediately attending Broward Chapter board and legal panel meetings. She has been the secretary of the ACLU of Florida Broward Chapter for several years, and is the co-chair of the Chapter's legal panel.

Melba Pearson

Melba Pearson, a New York native, has called Miami home for close to 20 years. After receiving her undergraduate degree at New York University, she completed her studies at Hofstra University School of Law.

Ms. Pearson is the Deputy Director for the American Civil Liberties Union (ACLU) of Florida. Before joining the ACLU, Ms. Pearson was an Assistant State Attorney in Miami-Dade County for 16 years. After prosecuting a variety of crimes, she was selected to join the Domestic Crimes Unit, focusing on serious domestic violence crimes as well as homicides for close to four years. In her next assignment, Ms. Pearson was integral to the re-launch of the Community Prosecution Unit, whose goal is partnering with the community to find creative solutions to prevent crime and provide outreach. She ended her prosecutorial career as the Assistant Chief in the Career Criminal/Robbery Unit, supervising junior attorneys while prosecuting homicides.

Ms. Pearson has been extensively involved in various community groups, and has taken every opportunity to spread the messages of the dangers of domestic violence, as well as the importance of self-empowerment. She has taken on a leadership/mentoring role in several charity organizations. Ms. Pearson is the Immediate Past President of the National Black Prosecutors Association; Co-Chair of the Prosecution Function Committee of the American Bar Association; as well as the Membership Chair of the Gwen S. Cherry Black Women Lawyers Association in South Florida.

Howard Simon

Howard Simon was appointed Executive Director of the ACLU of Florida on October 1, 1997. Dr. Simon was raised in New York, and graduated from the City College of New York. He received a Ph.D. degree from the University of Minnesota in legal and political philosophy and social ethics.

Prior to his appointment as Executive Director of the Florida affiliate of the ACLU in 1997, Simon served as Executive Director of the Michigan affiliate of the American Civil Liberties Union since 1974. Prior to his work with the ACLU, he taught philosophy at the University of Minnesota and was a faculty member in the Department of Philosophy and Religion at DePauw University in Indiana.

As Executive Director of the Florida affiliate of the American Civil Liberties Union, Simon has overall responsibility for ACLU's legal, public education, legislative lobbying, and membership and fund-raising programs. During Simon's tenure with the ACLU, the organization has been involved in cases and controversies dealing with school vouchers, charter schools, religious practices in the public schools, abortion rights, the Terri Schiavo case as well as physician-assisted suicide, and numerous controversies involving freedom of speech.

The ACLU has been extensively involved in addressing the need for electoral reforms in Florida. The organization played a key role in securing the end of the use of paperless electronic voting systems in Florida, leading to the 2008 election in which every county used the optical scan system. The organization has also led efforts to end Florida's policy requiring the lifetime voting ban of former felons.