

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

Case No. 06-21265-Civ-Seitz/McAliley

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LEAGUE OF WOMEN VOTERS OF FLORIDA,	:
PEOPLE ACTING FOR COMMUNITY TOGETHER,	:
FLORIDA AFL-CIO, AMERICAN FEDERATION OF	:
STATE AND MUNICIPAL EMPLOYEES, COUNCIL	:
79 (AFSCME), SEIU FLORIDA HEALTHCARE	:
UNION, as organizations and as representatives of their	:
members, and MARILYN WILLS,	:
	:
Plaintiffs,	:
	:
v.	:
	:
KURT S. BROWNING, in his official capacity as	:
Secretary of State for the State of Florida; and	:
DONALD PALMER, in his official capacity as	:
Director of the Division of Elections within the	:
Department of State for the State of Florida,	:
	:
Defendants.	:
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**AFFIDAVIT OF JAMES K.
GREEN IN SUPPORT OF
PLAINTIFFS' VERIFIED
MOTION FOR AN AWARD
OF ATTORNEYS' FEES**

**AFFIDAVIT OF JAMES K. GREEN IN SUPPORT OF
PLAINTIFFS' VERIFIED MOTION FOR AN AWARD OF ATTORNEYS' FEES**

1. My name is James K. Green and I am a lawyer in West Palm Beach. I have been practicing law since 1977 and am rated "AV" by Martindale Hubbell.
2. I am admitted to practice law before the Supreme Court of Florida, the District of Columbia Court of Appeals, the United States District Court for the Southern District of Florida, the United States Circuit Court of Appeals for the Fifth Circuit, the United States Circuit Court of Appeals for the District of Columbia, the United States Circuit Court of Appeals for the

Eleventh Circuit, and the United States Supreme Court.

3. I am a graduate of the University of Pennsylvania (1973) and the Antioch School of Law (1976). I served in the Office of the Public Defender for West Palm Beach, Florida, from 1976-1979. I engaged in the private practice of law with the law firm of Green, Eisenberg and Cohen from 1979-1990 spending a significant amount of time litigating criminal and civil rights cases in the state and federal courts. Since 1990, I have been in private practice as the sole shareholder of James K. Green, P.A., where I spend the majority of my time handling civil rights cases, but lately I have been handling an increasing amount of general litigation.

4. I am the former Legal Director and past President of the American Civil Liberties Union of Florida, Inc., and served on its Board of Directors from 1984 until 2004.

5. I have served as lead counsel, co-counsel and consultant in various civil rights cases and complex litigation in the federal and state trial courts and appellate courts in several states.

6. My current rates for representing all clients in civil rights cases and complex litigation range from \$450 to \$550 per hour.

7. A copy of my resume is attached as Exhibit A to this affidavit.

8. I have extensive experience representing attorneys seeking fee awards in the State of Florida. I have testified frequently as an expert on attorneys' fees throughout the state of Florida.

9. I am familiar with the governing principles applicable to awards of attorneys' fees in the Southern District of Florida as well as the entire State of Florida.

10. I will address two issues in this affidavit, the reasonableness of the hours for which compensation is sought and the reasonableness of the rates sought for that work.

11. I have reviewed the docket sheet, key pleadings, orders, fee submissions, appellate briefs and the preliminary injunction in this case. I have also reviewed the time records submitted by the Plaintiffs' counsel in this case, as well as their resumes. I have conferred extensively with Mr. Siegel with respect to this matter. I am familiar with the work of Kramer Levin and that of the Brennan Center and its lawyers. I regard both Mr. Siegel and Ms. Weiser to be highly accomplished practitioners in their areas of expertise. I have great respect for the abilities of each of these lawyers.

12. I believe the attorneys did generally divide their research tasks into distinct components, so that they were generally not unreasonably doing the same work, and, thus, they can and should be compensated for the distinct contribution each of them made. Mr. Siegel, Ms. Walter and Ms. Weiser had the major responsibility for work in the district court and Ms. Walter, Ms. Weiser and Ms. Paradis had the major responsibility for work in the Eleventh Circuit.

13. In reviewing the time records of the attorneys who worked on this case, I recognize that large amounts of time had already been deleted in the exercise of billing judgment by the attorneys seeking fees. Plaintiffs' counsel exercised billing judgment in several stages. First, they eliminated claims for all time by Kramer Levin attorneys Trachtman, Groendyke, and Landman, local counsel, Becker & Poliakoff, P.A., as well as for numerous other associates and paralegals, *see* Declaration of Craig Siegel, totaling more than \$250,000.00, based on Southern District Florida rates discussed below. Second, after eliminating the claims for those lawyers and paralegals, Plaintiffs' counsel presented me with charts showing time spent by the remaining lawyers which exceeded 2,600 hours. I then questioned various entries and asked for more detail as to others, which was provided. I then told Plaintiffs' counsel that I could not justify 2,600

hours, and asked them to exercise more billing judgment, particularly in their claims for time at the preliminary injunction and motion to dismiss stage, which they did. They are now claiming 1,742.9 hours, which I find to be reasonable. However, I believe that it would be appropriate to consider an additional 3% across-the-board reduction to the remaining time sought for these lawyers to account for any duplication, and an additional across-the-board reduction of 2% for the lack specificity and clarity in some of the time entries.¹

14. With respect to the reasonableness of the rates claimed by Plaintiffs' lawyers in this case, I have the following observations.

15. The Brennan Center, the ACLU and the NAACP Legal Defense Fund are the three top public interest firms in the nation with expertise in voting rights, and the Brennan Center and its lawyers' work in voting rights is highly regarded nationwide. Mr. Siegel has demonstrated remarkable skill in his career as a lawyer, first with the Brennan Center and now at Kramer Levin. The Advancement Project's familiarity with Florida voting laws and officials contributed invaluable to the preparation for the cross examination of Defendants' witnesses. The rates sought by each of these lawyers are well within the range of rates for lawyers of their skill and reputation in the Southern District of Florida, which I believe is the relevant market.

16. Hourly rates must be based on the prevailing market rates in the relevant community, regardless of whether plaintiff is represented by private or nonprofit counsel. *Blum v. Stenson*, 465 U.S. 886, 895 (1984); *Copeland v. Marshall*, 641 F.2d 880, 890-900 (D.C.Cir.1980) (*en banc*) (attorneys in civil rights cases must be paid the full value their efforts

¹ Some the time entries on Plaintiffs' counsels' time charts do not meet the exacting requirements of existing case law for specificity and clarity. This is inevitable in this kind of multi-firm, complex and novel litigation, where time entries are not reviewed monthly (and even daily in some instances) by the client's general counsel, as is customary in private practice on behalf of many private sector clients. Rather, the time entries here were logged in daily but reviewed only at the end of the litigation, and this is normal, customary and reasonable. But I believe this practice calls for the 2% reduction indicated above.

would receive on the open market in other cases). Of particular note is Judge Forrester's observation in *Norman v. Housing Auth. of Montgomery*, 836 F.2d 1292, 1299 (11th Cir. 1988):

The Court recognizes that few practitioners who regularly defend the poor and disadvantaged have the ability to bill and collect on an hourly basis. Accordingly, it may be virtually impossible to establish a prevailing market rate for such services. Therefore, fee counsel in such cases must seek out close cohorts to provide a measure. *Major civil rights class action matters might be akin to plaintiffs' class actions in antitrust and securities matters...*"

Id. at 1300. (emphasis added.)

17. I have also personally surveyed various law firms in this District and have reviewed the Daily Business Review's 2007 survey of South Florida attorney billing rates. In my opinion, the rates sought by Plaintiffs' counsel tend to be at the low end of the range of rates charged by law firms in the Southern District.

18. In my opinion, the range of current market rates for attorneys of the skill and experience of the attorneys who provided services in this case is as follows:

Attorney	Firm	2008 Hourly Rates in New York	Range of Reasonable Rates in the Southern District of Florida
Eric Tirschwell, Partner	Kramer Levin	\$645	\$450-550
Craig Siegel, Tenth-year Associate	Kramer Levin	\$620	\$350-425
Erin Walter, Tenth-year Associate	Kramer Levin	\$620	\$350-425
Wendy Weiser, Deputy Director	Brennan Center	N.A.	\$350-425
Elizabeth Westfall, Senior Attorney	Advancement Project	N.A.	\$350-425
Renee Paradis, Staff Attorney	Brennan Center	N.A.	\$250-325
Amy Weiner, Associate	Kramer Levin	\$365	\$225-275

19. The current market rates for paralegal services are \$60-\$175, although I

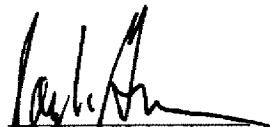
am aware that some paralegals in our district are billed at rates exceeding \$225 per hour.

20. The rates charged, and the hours for which compensation is sought, are both fair and reasonable in this case.

21. In my opinion, plaintiffs' counsel have exercised excessive billing judgment, far beyond what they are required to do under existing case law, in submitting their fee petition to the court. In other words, I believe that they are not billing for hundreds of thousands of dollars of time to which they could be entitled.

22. The costs requested are similarly reasonable; they also reflect what I consider to be billing judgment far in excess of that normally exercised by private law firms in this District.

I declare under penalty of perjury that the foregoing is true and correct. Executed on this 20th day of June, 2008.


James K. Green

STATE OF FLORIDA

COUNTY OF PALM BEACH


Before me, the undersigned authority, personally appeared James K. Green, who, being duly sworn, deposes and says that the foregoing affidavit is true and correct.

Sworn to and subscribed before me this 20th day of June, 2008, by James K. Green, who took an oath administered by me and:

 ✓ is/are personally known to me
 produced a current Florida driver's license as identification
 produced _____ as identification

(NOTARY SEAL)

Raida Avila
(Signature of Notary)

(Type Name of Seal) 

Commission Number (if not on Seal)
My Commission Expires: _____

EXHIBIT A

RESUME

JAMES K. GREEN
James K. Green, P.A.
Esperante' Building - Suite 1650
222 Lakeview Avenue
West Palm Beach, Florida 33401
Telephone: (561) 659-2029
Facsimile: (561) 655-1357

EDUCATION

B.A.	University of Pennsylvania Dean's List	1973
J.D.	Antioch School of Law Honors Thesis; Reginald Heber Smith Fellowship (declined)	1976

PROFESSIONAL EXPERIENCE

Office of the Public Defender
West Palm Beach, Florida 1976-1979

From July 1, 1976 through July 1, 1979, I practiced criminal law exclusively on all levels in state and federal courts.

Green, Eisenberg & Cohen
West Palm Beach, FL 1979-1990

From 1979 through 1990, I engaged in the private practice of law. During that period of time, I spent a significant amount of time litigating criminal, death penalty and civil rights cases in state and federal courts.

James K. Green, P.A.
West Palm Beach, FL 1990- present

BAR ADMISSIONS

Supreme Court of Florida 1977

United States Supreme Court 1980

United States District Court
for the Southern District of Florida 1977

United States District Court
for the Middle District of Florida 1983

United States Circuit Court of Appeals

for the Fourth Circuit	1999
United States Circuit Court of Appeals for the Fifth Circuit	1977
United States Circuit Court of Appeals for the District of Columbia	1979
United States Circuit Court of Appeals for the Eleventh Circuit	1982
District of Columbia Court of Appeals	1978

GENERAL LITIGATION EXPERIENCE (partial list of published and significant cases)

A. Antitrust

Marquis v. U.S. Sugar Corporation, et al., 652 F.Supp. 598 (S.D. Fla. 1987) (represented claims of U.S. workers in antitrust action against sugar companies).

Harvey v. NASCAR, 84-95 Reed (M.D. Fla.) (represented race car driver in antitrust action against racing association).

B. Attorneys' Fees

Jonas v. Stack, 758 F.2d 567 (11th Cir. 1985) (held that prevailing attorney entitled to reimbursement for attorneys' fees expended in litigating fee application).

Dunbar v. City of Belle Glade, Case No. 79-8341-CIV-HASTINGS (S.D. Fla.) (testified as plaintiffs' expert regarding reasonableness of fee request).

Calaway v. South Florida Water Management District, Case No. 85-1173, 15th Judicial Circuit, State of Florida (represented successful attorney in fee application).

Church of Lukumi Babalu Aye, Inc. v. City of Hialeah, 508 U.S. 520 (1993) (represented successful attorneys in fee litigation).

Mendelson et al. v. City of St. Cloud, et al., Case No. 87-205-ORL-18 (M.D. Fla.) (represented successful attorneys in fee application).

C. Constitutional Rights

American Civil Liberties Union, Inc. v. The Florida Bar, 744 F.Supp. 1094 (N.D. Fla. 1990) (declared unconstitutional application of Canon 7(B) of the Code of Judicial Conduct to campaign speech).

American Civil Liberties Union, Inc. v. The Florida Bar, 999 F.2d 1486 (11th Cir. 1993) (State bar was proper defendant in challenging constitutionality of judicial code where candidate was lawyer who fell within bar's disciplinary jurisdiction when suit was filed; controversy remained live even after bar and JQC stated in court papers that code could not constitutionally be applied to candidate's proposed campaign speech).

Baptiste, et al. v. City of West Palm Beach, et al., Case No. 86-8335-CIV-DAVIS (S.D. Fla.) (class action challenging pattern of Fourth Amendment violations against Haitians by police department; consent decree).

Blackmun v. Wille, 980 F.2d 691 (11th Cir.1993)(represented inmate class in jail conditions case in Palm Beach County; obtained sweeping injunctive relief).

Bland v. Norvell, Case No. 80-8251-CIV-PAINE (S.D. Fla.) (represented inmate class in jail conditions case in St. Lucie County; obtained sweeping relief by partial consent decree and injunction).

Bruce v. Beary, 498 F.3d 1232 (11th Cir.2007)(fact issues existed as to whether warrantless administrative inspection of shop was reasonable; fact issues existed as to reasonableness of officers' seizure of, and refusal to return, owner's property; fact issues existed as to whether sheriff had policy of inadequately training officers regarding execution of administrative inspections; single instance of withholding property seized from auto body repair shop, after state court ordered that such property be returned to shop owner, could subject county sheriff, as policymaker, to liability for constitutional violation)

Bryant v. Wainwright, 686 F.2d 1373 (11th Cir. 1982) (represented black woman in federal habeas corpus challenge alleging racial and sexual discrimination in Florida grand jury selection process).

City of Delray Beach v. Barfield, 579 So. 2d 315 (Fla. 4th DCA 1991) (public records case).

Chandler v. Baird, 926 F.2d 1057 (11th Cir.1991) (evidence created genuine issue of material fact whether conditions of administrative confinement, principally with regard to cell temperature and provision of hygiene items, violated the Eighth Amendment, precluding summary judgment)

Cooper v. Dillon, 403 F.3d 1208 (11th Cir. 2005) (Police chief had final policymaking authority for City of Key West in law enforcement matters, and his decision to enforce Florida statute prohibiting disclosure of nonpublic information by participant in internal investigation of law enforcement officer against newspaper publisher was adoption of "policy" that caused deprivation of publisher's First Amendment rights sufficient to render municipality liable under § 1983)

Cronin v. Holt, Case No. 81-8309 CIV-SPELLMAN (S.D. Fla.) (represented inmate class in jail conditions case in Martin County; obtained sweeping relief by consent decree).
DeWeese v. Town of Palm Beach, 812 F.2d 1365 (11th Cir. 1987) (declared Palm Beach shirtless jogging statute unconstitutional).

Department of Revenue v. Kuhnlein, 646 So.2d 717 (Fla. 1994) (Because Florida courts are tribunals of plenary jurisdiction, federal standing requirements do not apply to Florida courts; neither the sovereign immunity nor common law defenses apply to claims brought under either the state or federal constitutions).

Doe v. Florida Supreme Court and the Florida Bar, 734 F.Supp. 981 (S.D. Fla. 1990) (declared unconstitutional a regulation requiring confidentiality of complaints against lawyers to the Florida Bar).

Doe v. Gonzalez, 723 F. Supp. 690 (S.D. Fla. 1988) (declared unconstitutional a Florida statute requiring confidentiality of complaints to Florida Ethics Commission).

Doe v. State of Fla. Judicial Qualifications Comm'n., 748 F. Supp. 1520 (S.D. Fla. 1990) (declared unconstitutional a Florida constitutional prohibition on disclosure of fact that complaint had been filed with Judicial Qualifications Commission.)

Esquivel v. Village of McCullom Lake, 633 F.Supp. 1199 (N.D. Ill. 1986) (trial counsel for family whose house was wrongfully demolished for health code violations without due process of law).

Florida Consumers Federation v. City of Plantation and City of Tamarac, Case No. 83-6141 CIV-EATON (S.D. Fla.) (declared municipal canvassing ordinances unconstitutional).

Frazier v. Alexandre, et al., 434 F.Supp.2d 1350 (S.D.Fla. 2006)(Florida statute mandating parental permission for students to refuse to recite pledge declared unconstitutional).

Fulani v. Krivanek, 973 F.2d 1579 (11th Cir. 1992) (declared unconstitutional a Florida statute allowing independent but not minor party candidates from obtaining waiver of signature verification fees upon showing of indigency).

Hickox v. Tyre, Case No. 87-8327-CIV-ZLOCH (S.D. Fla.) (declared unconstitutional §112.533, Fla.Stat., that criminalized

dissemination of truthful information concerning complaints against law enforcement officers).

Jakin v. City of Sebring, Case No. 82-8224 CIV-MARCUS (represented former inmate challenging constitutionality of jail strip search policy).

Johnson v. Bush, 214 F.Supp.2d 1333(S.D.Fla. 2002); aff' d in part, rev' d in part and remanded, 353 F.3d 1287 (11th Cir. 2003); rehearing en banc granted, opinion vacated, 377 F.3d 1163 (11th Cir. 2004)(co-counsel in class action challenging Florida's felon disenfranchisement law)

Kerr, et al. v. City of West Palm Beach, 875 F.2d 1546 (11th Cir. 1989) (reinstated jury verdict finding city encouraged atmosphere of lawlessness and was grossly negligent in supervision of police canine unit).

Morgan v. Tice et al., 862 F.2d 1495 (11th Cir. 1989) (represented newspaper columnist in action for damages against municipality and official for conducting retaliatory investigation).

Naturist Society, Inc. v. Fillyaw, 958 F.2d 1515 (11th Cir. 1992) (adoption of amended regulations did not render controversy moot; state beach was a public forum).

Spillias v. City of West Palm Beach, Case No. 82-8319 CIV-GONZALEZ (S.D. Fla.) (represented county commissioner in successful First Amendment challenge to constitutionality of municipal sign ordinance).

Strickland v. Sheppard, Case No. 83-8428 CIV-NESBITT (S.D. Fla.) (represented inmate class in jail conditions case in Highlands County; obtained sweeping relief by partial consent decree and injunction).

Sydney v. Pingree, 564 F.Supp. 412 (S.D. Fla. 1982) (declared Section 393, Florida Statutes, unconstitutional as violating parents' constitutional right to name children).

United Farm Workers of America, AFL-CIO v. Quincy Corp., 681 So.2d 773 (Fla. 1st DCA 1996) (Ex parte temporary injunction, prohibiting farm workers' union from taking certain actions in support of union organizing efforts, violated rule governing temporary injunctions; nothing in record indicated that notice was given to union, and injunction did not define injury, state findings as to why injury might be irreparable, or give reasons why injunction was granted without notice).

Vogt v. School Board, Case No. 81-8217 CIV-GONZALEZ (S.D. Fla.) (First Amendment case establishing right of access for draft counselors to public schools).

Wallace v. Town of Palm Beach, 809 F.2d 1525 (11th Cir. 1987) (declared Palm Beach worker identification laws unconstitutional).

Warner v. City of Boca Raton, 267 F.3d 1223 (11th Cir.2001)(Class action challenging City's prohibition on vertical grave decorations; issues of first impression relating to application of Florida Religious Freedom Restoration Act (RFRA) to owners' claims certified to Florida Supreme Court; questions answered, 887 So.2d 1023, 1033 (Fla.2004)).

Whiting v. Traylor, 85 F.3d 581 (11th Cir.1996) (§ 1983 claim for malicious prosecution in violation of Fourth Amendment rights exists, at least insofar as it is based on some actual, unlawful, forcible restraint of plaintiff's person, and boat owner stated such claim).

Wodka v. Jamason, Case No. 80-8375 CIV-HASTINGS (S.D. Fla.) (represented inmate class in jail conditions case in City of West Palm Beach; jail closed by consent decree).

Wright v. Sheppard, 919 F.2d 665, 669 (11th Cir.1990) (Remand necessary in civil rights action arising out of alleged battery during deputy sheriff's attempt to collect private debt where trial court did not address various types of compensable damage that debtor claimed to have suffered, such as physical injuries other than loss of teeth, nonphysical injuries such as humiliation, emotional distress and suffering, continued pain in debtor's mouth, and loss of use and physical pain caused by arm injury; also "This case cries out for punitive damages as punishment. The wrongs were especially offensive in their nature.")

D. Disability Rights

Concerned Parents v. City of West Palm Beach, 846 F. Supp. 986 (S.D. Fla. 1994) (budget cuts which resulted in disproportionate reduction in recreational services for people with disabilities violated ADA).

Doe v. Judicial Nominating Commission, 906 F.Supp. 1534 (S.D. Fla. 1995) (questions concerning physical and mental health on applications for judicial appointments violated ADA).

Doe v. Stincer, 175 F.3d 879, 884 (11th Cir. 1998)(nothing in the PAMII Act requires a P & A to name a specific individual in bringing suit to redress violations of the rights of individuals with mental illnesses; rather, "[t]he text of PAMII grants standing to protection and advocacy systems to pursue legal remedies to 'ensure protection of individuals with mental illness.'")

Ellen S. v. Florida Board of Bar Examiners, 859 F. Supp. 1489 (S.D. Fla. 1994) (questions on bar application and follow-up inquiries regarding treatment for mental illness violated ADA).

Johnson v. Florida, 348 F.3d 1334 (11th Cir.2003)(class action challenging quality of treatment and placement at state mental hospital; obtained sweeping relief by partial consent decree requiring placements of 375 patients in community and closure of over 450 hospital beds; forced closure of hospital; state was not entitled to termination of consent decree).

E. International Human Rights

Arce, et al. v. Garcia and Vides-Casanova, 434 F.3d 1254 (11th Cir.2006)(co-lead counsel in Torture Victim Protection Act (TVPA) and Alien Tort Claims Act (ATCA) case for plaintiffs who obtained \$54.6 million jury verdict against former Salvadoran Ministers of Defense; featured in National Law Journal Top 100 Verdicts, 2002; district court did not abuse its discretion by equitable tolling of statute of limitations on Salvadoran refugees' claims under TVPA and ATCA, which alleged that two Salvadoran military officials were responsible for torture of refugees by soldiers in El Salvador during the course of a campaign

of human-rights violations, until the end of the civil war in El Salvador, even though officials left El Salvador to reside in the United States three years earlier; prior to end of civil war, refugees legitimately feared reprisals from Salvadoran military, as military regime remained in power until end of civil war.)

F. Labor

Okeelanta Corporation, et al. v. Bygrave, 660 So.2d 743 (Fla. 4th DCA 1995) (co-counsel in class action on behalf of over 25,000 foreign sugarcane cutters for breach of contract; obtained \$51,000,000 judgment for class; reversed and remanded for trial).

Mitchell v. Osceola Farms Co., 408 F.Supp.2d 1275 (S.D.Fla.2005) (federal question jurisdiction existed over migrant agricultural workers' individual claims against sugar cane grower alleging they were not adequately paid pursuant to employment contracts)

G. Land Use

Boca Development Associates, Ltd. v. Palm Beach County, et al., Case No. 85-6792 CIV-PAINE (S.D. Fla.) (represented developer in land use case alleging denial of due process).

Southern Entertainment v. City of Boynton Beach, Case No. 89-8210 CIV-SCOTT (S.D. Fla.) (defended constitutionality of zoning law for municipality).

Educational Development Center, Inc. v. City of West Palm Beach Zoning Bd. of Appeals, 541 So.2d 106 (Fla. 1989) (established extent of district court's certiorari review of circuit court's order overturning decisions of administrative agencies).

H. Privacy Rights

Rios v. Direct Mail Express, Inc., 435 F.Supp.2d 1199(S.D.Fla. 2006) (motorists stated a claim that marketer knowingly obtained records in violation of Drivers' Privacy Protection Act (DPPA); marketer was not entitled to defense of good faith reliance on state motor vehicles department to comply with law; statute did not require allegation that marketer knowingly violated DPPA; DPPA preempted state constitutional provision and state statute governing disclosure of motor vehicle records; and DPPA did not violate Tenth Amendment.)

I. Amicus Curi

In Re: The Petition of Kerry Mark Hooper to Change Name, 436 So.2d 401 (Fla. 2nd DCA 1983) (wrote amicus brief for Florida Association of Woman Lawyers).

City of Pompano Beach v. Capalbo, 455 So.2d 468 (Fla. 4th DCA 1984), cert. denied, 461 So.2d 113 (Fla. 1985); cert. denied 474 U.S. 1000 (1985) (wrote amicus brief for American Civil Liberties Union of Florida, Inc.).

Long v. State of Florida, 570 So.2d 257 (Fla. 1990) (wrote amicus brief for American Civil Liberties Union of Florida, Inc.).

Butterworth v. Smith, 494 U.S. 624 (1990) (on amicus brief for American Civil Liberties Union of Florida, Inc.).

State v. Davis, 516 So.2d 953 (Fla. 4th DCA 1986) (wrote amicus brief for Florida Public Defender's Association).

Florida v. Riley, 488 U.S. 445 (1989) (on amicus brief for American Civil Liberties Union Foundation of Florida, Inc.).

Palm Beach County v. Hudspeth, 540 So.2d 147 (Fla. 4th DCA, 1989) (wrote amicus brief for American Civil Liberties Union Foundation of Florida, Inc.)

J. Miscellaneous

Former outside counsel to cities of Boynton Beach, Riviera Beach, and Palm Beach Gardens, Florida

Legal Director for the American Civil Liberties Union of Florida (1987-1992)

K. Special Master

Givens v. Hamlet Estates, Ltd., Case No. 90-1908-CIV-NESBITT (S.D. Fla. 1990) (Appointed special master to determine damages of individual class members in \$3.4 million settlement of class action housing discrimination lawsuit.)

PUBLICATIONS

Jury Challenges in Florida: Improving the Composition of Juries, Florida Bar Journal (May 1980)

Truth Maybe, But At What Consequence?, Palm Beach Post (April 1985)

James K. Green & Barbara Kritchevsky, Litigating Attorney's Fees: Running the Gauntlet,
37 URB. LAW. 691 (2005)

LECTURES

AMERICAN ASSOCIATION OF LAW SCHOOLS, San Francisco (Speaker on attorney's fees litigation in civil rights cases)

AMERICAN CIVIL LIBERTIES UNION, University of Wisconsin (Speaker on

monitoring compliance in jail and prison conditions cases)

AMERICAN CIVIL LIBERTIES UNION OF FLORIDA, West Palm Beach, Florida
(Moderator of panel discussion of police misconduct/prisoner litigation)

FEDERAL BAR ASSOCIATION, Fort Lauderdale, Florida (Speaker on Section 1983
litigation)

FEDERAL PROBATION OFFICER'S ASSOCIATION, Ft. Lauderdale, Florida (Speaker
on corrections in the community)

NATIONAL IMMIGRATION LAW CENTER, Miami, Florida (Speaker on Section 1983
remedies for state/local official misconduct involving aliens)

TULANE LAW SCHOOL CLE, New Orleans, Louisiana (speaker on ethics and Section
1988 attorney's fees)

CIVIC ACTIVITIES

President, American Civil Liberties Union of Florida, Inc. (1993-1996)

Legal Director, American Civil Liberties Union of Florida, Inc. (1987-1992)

Director, Haitian-American Community Center, Inc. (1984-1987)

President, Palm Beach Rowing Association, Inc. (1980-1982)

Member, Bicentennial Constitutional Commemorative Committee (1986)

Honors Recipient, President's Pro Bono Service Award, The Florida Bar (1990)

William Reece Smith, Jr. Public Service Award, presented by Stetson University College of
Law (1991)

ACLU Legal Award, presented by the American Civil Liberties Union of Florida, Central
Florida Chapter (1992)

Nelson Poynter Civil Liberties Award, presented by the American Civil Liberties Union
Foundation of Florida (1997)

Chairperson, Charter Review Commission of the City of West Palm Beach (1992)