

OPEN NINTH:

CONVERSATIONS BEYOND THE COURTROOM

SUSTAINING SUCCESS

FAMU, COVID, AND THE COMMUNITY

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HOSTED BY: DONALD A. MYERS, JR.

(Music)

NARRATOR: Welcome to another episode of “Open Ninth: Conversations Beyond the Courtroom” in the Ninth Judicial Circuit Court of Florida.

And now here’s your host, Chief Judge Don Myers.

CHIEF JUDGE MYERS: Hello, and welcome to Open Ninth. I’m here today with Deidre Keller, Dean of the Florida A&M University College of Law in Orlando. She comes to FAMU with an impressive resume of practicing and teaching law, specializing in intellectual property, trademarks, and copyrights. And most recently she served as the Associate Dean for Academic Affairs at Ohio Northern University. It’s great to have you here with us, Dean Keller. Thanks for joining me.

DEAN KELLER: Thank you, Judge, for having me.

CHIEF JUDGE MYERS: Great. So we are looking forward to being able to introduce you to our legal community through the Podcast and I’d love to talk with you just a little bit to start about your background. Tell us how it is you came to be a lawyer, where you studied and why the law.

DEAN KELLER: Absolutely. So I did my undergraduate degree at Yale in English and Sociology, good things to be majoring in to go on to law school. But I actually had not decided at that point that I was going to law school. So I left, graduated, kind of still trying to decide whether I would go get a Ph.D. in English or pursue a JD. And I didn’t really know any lawyers. I didn’t have any lawyers in my family. My mom was actually the first person in my family to get a degree. Yeah, and she got it when I was ten, so I was around for that which was nice. But I went and worked in law firms, so I was a legal secretary and then a paralegal. I like to say I’ve

had every client facing job you can have in a law firm and I did that for four years before I went to law school.

CHIEF JUDGE MYERS: Wow. That is something. I mean, it just begs the story of your mother's path.

DEAN KELLER: Yeah.

CHIEF JUDGE MYERS: For her to commit to do that with you as a child in the house and the example she had to set for you through that.

DEAN KELLER: Yes, it was a phenomenal example. So my mom immigrated to the States, to Florida actually, to Key West originally in the late seventies. And my sister and I were two and three years old at the time, so very small. We ended up in New York and my mother really was working in banks and things like that, and just pretty quickly came to the conclusion that, you know, to make a living for our family, she needed more education. And so she pursued a degree in computer sciences at Fordham University and graduated in 1988. So that really was a great inspiration for us and it really highlighted how higher Ed could, you know, change the trajectory of your life.

CHIEF JUDGE MYERS: That's a neat story. I'm one of four in my family and the first to have attended and completed college as well, so I appreciate the push and the energy and the commitment that it takes to get through when you don't have necessarily an example of how that looks in family or friends close to you. So what an inspiring story for your mom to have committed to do that. And so in your experiences leading up to law school, you had all of those client facing roles. What was it that you really loved about that that drove you then to go to law school?

DEAN KELLER: Yeah, so one of the lawyers that I was a paralegal for did Work Force and start up entities, and the stuff that I found really interesting and intellectually engaging, was the trademark work, right, so he did some trademark counseling just in connection with helping businesses start. And I found that stuff really just fascinating, right, so I went law school kind of thinking IP would be fun, right, but that was as much as I knew about it was just trademarks from the – from the corporate perspective, right. And then, so in law school, I took all the IP courses and really enjoyed them, and then my first summer in law school I worked at Kilpatrick, Stockton in Atlanta and did some IP work there. And the more – the more of that work that I got to do, the more that I enjoyed it. And so that's kind of how I ended up down the IP path. I ultimately started my career at Sutherland, Asbill & Brennan doing IP work in a practice that was primarily patent litigation. And so I did some of that, some generic drug work, and trademark and copyright counseling and litigation.

CHIEF JUDGE MYERS: Wow, those are incredible experiences, and a little heady for a lot of us lawyers that didn't – didn't venture into the IP world at all.

DEAN KELLER: They were a lot of fun.

CHIEF JUDGE MYERS: Yeah, favorite case or experience from that time?

DEAN KELLER: Yes, so my very first – it's actually a really funny story. I was involved in a matter before the Georgia Department of Agriculture that had to do with the Vidalia onion mark so you're familiar with Vidalia onions?

CHIEF JUDGE MYERS: Oh, yes.

DEAN KELLER: Yes, they're good. And they're grown in a particular region in Georgia and so they are – Vidalia is a trademark federally but it is also protected by statute and

regulation in Georgia. And if you run afoul of that regulation, you will be assessed a fine by the Georgia Department of Agriculture. And so I had prepared, you know, the whole – for the hearing and went -- maybe three days before, the partner that I was working with said, just so you know, you're going to present the argument, and I was like, no, I did not know that. That – okay, sure, I'm going to present the argument. And so I went and it was great, and we won and walked out with the client not having to pay any of the hundred thousand dollar fee which was fantastic. And so that's one of my favorites for sure.

CHIEF JUDGE MYERS: That's great. So you and I share in common some history at Emory University. I did my undergrad and Master's degree there. You went to law school there.

DEAN KELLER: I did.

CHIEF JUDGE MYERS: One of my roommates in my undergraduate was from that region that grows the Vidalia onions and had family connected to the farming business. I won't tell you his name because I don't want him to get in trouble under any of the Georgia laws related to those issues. I accepted it at face value.

DEAN KELLER: As long as he wasn't selling not Vidalia onions as Vidalia onions, he's okay.

CHIEF JUDGE MYERS: Okay. Good to know. So at some point in your practice you made the decision to move into academia and to start teaching. Tell us a little bit about that transition for you.

DEAN KELLER: I did. So I was about four years into practice. By then I was at Seyfarth Shaw and I was doing – my practice was primarily trademark counseling, a great practice that I really enjoyed a good bit. But I also was the mother of four little kids who were

ten – between the ages of ten and five and so I had my hands full in that way as well. And I met someone who was teaching at a law school in Atlanta, and we started talking, like, well have you ever thought about academics? And I was like, yeah, I have, but I don't – I don't think – I think I need a couple more years under my belt. And she said, no, now is exactly the right time for you to be on the market. So if you want to do it, I'll help you. And she did. And all along the way of that transition, folks kind of showed up and you know, did mock interviews for me. The Emory faculty was really super supportive in helping me make that transition and so that's how I ended up at ONU in 2010. I went on the market in fall of 2010 and there was this big conference, that's how you get hired in law academics. There's a conference that's usually in DC, that's not going to happen this year unfortunately, but it was in November of that year. And then you get call backs from there and so that's kind of how the transition happened. And I ended up in Ada, Ohio where I was for ten years before I came here.

CHIEF JUDGE MYERS: So that's fascinating. What sort of courses did you teach in Ohio?

DEAN KELLER: Yeah, I taught property, six credits of property so all year for nine years. Property was my anchor, the thing that I did over and over again. And then I taught intellectual property, the survey course, basically what do you need to know about IP as a business lawyer to not get in trouble. I taught internet law and the IP seminar, I taught a law literature seminar and then I taught legal problem solving and analysis, I taught trusts and estates. And then this January, I taught a course called the Legal History of Montgomery, Alabama where I went with the students to Montgomery, Alabama and we read Bryan Stevenson's book, Just Mercy. And it was really cool, so that – Ohio Northern has this intercession of three weeks, right, precisely to do courses like this where you're traveling or

something like that, that's harder to do during the semester. And so we took the opportunity to go to Montgomery and we all learned a lot, so that was a great experience.

CHIEF JUDGE MYERS: Well, that's fascinating. I happened to watch the movie recently. Did you journey some of the paths and places that the story was written in as a part of that process or education?

DEAN KELLER: Not really. We did the – so Bryan Stevenson's organization has a Peace and Justice Memorial that is the Lynch Memorial, and so we started there. And that is a fascinating place. I definitely – like I think everybody should go. If you want to know about kind of race relations in the south, you know, post reconstruction, it's a place that you should visit. And so we started there and then we did – there's this little rights museum that's run by the same organization, Equal Justice Initiative, and then the Southern Poverty Law Center has a memorial there as well. What else did we do? Oh, we saw the bus station where the bus boycott riot, basically in Montgomery took place. And then we did the Rosa Parks Museum and, of course, we went to the state house. It was kind of interesting because the state capitol is, of those places I just listed, it's the place with the least security, which we all found really interesting, right, because you go to the Lynching Memorial and you're like – your stuff is searched and those entities have all had, the Equal Justice Initiative, the Southern Poverty Law Center have all had bomb threats for years and years. And so they're very careful. But the state house, you can just walk right in. You can literally like park out front. It's amazing.

CHIEF JUDGE MYERS: Quite a contrast, you're right. At some point in your teaching career, you made the transition into administration. And why that? I mean, obviously, at least it sounds to me that you really enjoyed your time teaching.

DEAN KELLER: I did. I loved teaching. So actually, I transitioned into administration because there was a need. So Ohio Northern was in need of a new associate dean for academic affairs. And our dean at the time had sort of been pestering me for some time to give it some thought and so I really did it because I saw a need there and thought I could be of use, right, of service. And then once I was in the role, then I think I pretty quickly realized how much more impactful I could be in the lives of students from administration, just in terms of making policy decisions and a lot of my kids sort of joked that I was like the vice principal. A lot of sort of students who were in trouble academically, that ended up in my office, issues like that that really could intervene on behalf of a student who needed, you know, health services or needed – just needed some extra support. And so being in that role, I could intervene in those ways and really make a difference for a lot more students than I could as a teacher.

CHIEF JUDGE MYERS: That's great. So Florida A&M has been without a dean – or had been without a dean since some time in 2018 and –

DEAN KELLER: Yes, without a permanent dean.

CHIEFR JUDGE MYERS: Without a permanent dean, yes, correct. And so you've had some talented folks working in that role but none of them with the idea that they would be permanent and ultimately you came as a result of that search process. Tell us why? What is it that motivates you to come to Florida A&M and why now?

DEAN KELLER: Yeah, so what attracted me to Florida A&M is a couple of things. First, its access mission, right. So the institution that I came from also had an access mission. I've just told the story about my mom getting her degree and so, you know, I'm – the importance of higher Ed in changing lives is a real thing for me. And so working for an institution that's

committed to providing access to those who haven't previously had access, I think that's – that's a mission that I knew I could spend my life on, right. And it's one that FAMU and I share. That's part of it. The other reason is because of FAMU's history of commitment to and involvement in racial justice issues. And so over the course of my career, and really as my children got older, my own work has turned in that direction as well. And so that's how I sort of ended up in Montgomery, right. And so the combination of those things, right, the access mission and the commitment to racial justice are why FAMU was the right next step for me.

CHIEF JUDGE MYERS: That's great. So tell us what does a dean of a law school do?

I'm sure it's a very broad --

DEAN KELLER: Oh, a great many things.

CHIEF JUDGE MYERS: Yeah.

DEAN KELLER: A great many things, not all of which people think about when they think about a dean, right. Things from as mundane as, you know, certify a student has the requisite character, right, to take the Bar. So as mundane as that. And that's mundane, but it's also very important in the lives of each of those graduates, right.

CHIEF JUDGE MYERS: Sure.

DEAN KELLER: To being kind of the outward face of the college, like I'm doing right now with you, right, so that's a big part of my job, the engagement of the college with the community is essential to my role. To, you know, working through and dealing with scheduling issues, and managing the staff of the college. And so there are all of these various aspects of

deaning that are a little bit different from place to place, right. But the job entails all of those things.

CHIEF JUDGE MYERS: That's great. You come into a position like this and you've been here for how long now?

DEAN KELLER: I started in role on July 1st.

CHIEF JUDGE MYERS: Okay, so a grand total of about a month, almost two months.

DEAN KELLER: Almost.

CHIEF JUDGE MYERS: Yeah. So have you begun to capture a vision for FAMU?

DEAN KELLER: Yeah, I have. And really I will say, I started that work before I got here, so I had individual conversations with each member of the faculty before I came. And what I heard in those conversations as sort of a theme is that the college is really committed to the sustained success of the students through engagement with the community, right. And so that is our mantra for the year, sustained success through community and that has various facets, right, inside and outside of the building but that's the commitment that I heard to students and to their success is what really resonated with me and really cut across all of the faculty. And so that's the vision for the college.

CHIEF JUDGE MYERS: And that leads really pretty naturally into the next piece of this. I don't know that our listeners fully appreciate the different ways that the university engages in our community, the things that your students are involved in or that your faculty are involved in. I know personally that one of the local events that the courts have been involved in and certainly FAMU as well as other community organizations is an event called, He Got Up

which is a compassionate restorative justice sort of event in which the Orlando Serve Foundation partners with other agencies throughout the community to help individuals with driver's license issues, court cost issues, connect them to help child support arrearages. It's really a tremendous event, and I had the privilege of attending this last year in my role as Chief Judge and ran into your students there who were well represented and doing some really cool work. But are there other ways too, that the university engages here in the Central Florida community?

DEAN KELLER: There are. There are lots of ways. So I'll start with our clinic. So our clinic serves – does legal work, right, representing folks in matters like eviction matters. We have – run a homelessness clinic. I talked to our director of clinics today and she was telling me that our mediation clinic is back up and running so that's great. We've done some work in the criminal space, some defense of criminal defendants. And so the clinic does all of that legal representation work, that in-service to the community. In addition to that, the students are also engaged through various organizations, so I know the Christian Legal Society does various outreach in the community as do a number of other student work. So there's – there's those various kind of student engagement with the community. And then of course, the staff, or, I'm sorry, the faculty is engaged in the community in various ways as well so a great example of that is Patricia Broussard's work with the Mayor's MLK planning, that's on a board – committee, right?

CHIEF JUDGE MYERS: Um-hum.

DEAN KELLER: And so that's a good example of the faculty reaching out into the college and there are lots of other examples like that as well.

CHIEF JUDGE MYERS: That's excellent. In our experience, certainly here in the courthouse, we have a number of your students that come over to do internships or externships with our judges. We've seen your students working together with some of the lawyers that appear before us, and it's a tremendous resource I think for the community, for us and I love the interaction that we get to enjoy.

DEAN KELLER: Absolutely. Those are really beneficial experiences for the students as well.

CHIEF JUDGE MYERS: Yeah, so we find ourselves in the middle of a pandemic. And it's interesting to me to explore the impacts of the pandemic on some of our community partners. Tell us a little bit about how COVID-19 has changed the way things are happening there in the law school.

DEAN KELLER: Oh, a lot. Really, a remarkable amount. So you know, all law schools really across the country went virtual mid-semester in the spring. When, you know, public schools were shutting down, K-12 Schools, and things like that, and so we have been – we decided in July that we would continue virtual instruction through the fall. So our instruction this semester is primarily virtual with the exception of some experiential courses that will have some face-to-face meetings and some students in externships for example who may be onsite for those. But outside of that, all of our instruction is virtual this fall. And I think it's – issues arise because of that that you're not even thinking about, right, and so we have a part-time program and a lot of those students work in places around here, right near to Orlando – maybe they live at a distance. Well, so those students now are finding themselves in a position where it's very difficult to get home by the time their virtual classes begin. And so we're trying to figure out space for those students, right. These are issues that were not on the horizon at all, you know,

six months ago, a year ago and so the switch to virtual instruction has just been a challenge on multiple fronts, right from logistics to pedagogy to you name it, it has – the move to virtual instruction has impacted it.

CHIEF JUDGE MYERS: Well, clearly I think we're, to some degree, having to cause the people that we work with to adapt.

DEAN KELLER: Absolutely.

CHIEF JUDGE MYERS: And I know, you know, when I made the move out of private practice into the judiciary, I had a vision and expectation for how that was going to look on a daily basis. We're so far outside of that vision and expectation at this point, and I have been caused to change and adapt in so many different ways. You know, one of those cause and effect issues that has made its way into the media here over the course of this summer is the impact of the pandemic on your recently graduated students. Those that were preparing to take the bar examination in July, and unfortunately because of the pandemic, there have now been I think two or three extensions of the bar examination date as a time to go and get that taken. And the manner in which it will be taken, it's ordinarily thousands of participants sitting in a convention center room, a couple of feet from each other which is of course not possible during the time of the pandemic. Thoughts on that or impacts on those delays on your students.

DEAN KELLER: Yeah, it has been – that has been very impactful for recent graduates. I think the level of uncertainty is its own impact, right. It just is very stressful for them and you know, we all – everybody who has taken a bar exam knows and remembers well how stressful a period that is, right.

CHIEF JUDGE MYERS: Right.

DEAN KELLER: And none of us have done it in any – anything looking like this, right, and so the – the delay – actually my first day in office is the day that the Florida Bar – the Florida Bar said they were going to delay and so that has sort of been, you know, a patina on my time here already. But it's been really impactful for my students, some of whom, you know, are – have jobs that are dependent – on job offers that are dependent on them passing the bar exam. Some of whom who work full time and took time off to study for the bar and have now exhausted the time that they had, right, and are wondering how they're going to gear up again to get there in October. Some of whom have child care issues and et cetera. And so we here at the college are really thinking about how we can continue to support them through the exam when it happens in October. And that has been a real initiative that we're spending some time on because, you know, our commitment to them is to support them to success. And so the shifting sands notwithstanding, we're committed to doing that.

CHIEF JUDGE MYERS: So the Chief Justice has announced the implementation of a practice program for these students that have been unable to take the bar examination as scheduled and who have been awaiting the opportunity to be admitted to the bar until they have that passing experience. Your thoughts on practice prior to an exam.

DEAN KELLER: Yeah, I actually – I think that it's a great thing that they ultimately decided to put something in place for these students. I think it will be helpful, certainly to students who have job offers that the firms or employers are willing to provide that supervision, et cetera. I think it will be helpful to those – to those applicants, and you know, the challenging part of it is that it's – for the student, for example, who already has a full time job, it doesn't – it doesn't really help that student, right, because they're not going to leave their full time job to take a supervised position in the hopes that they – that they pass February, right, or that they pass

the October. And so there's still a lot of uncertainty there, right, so I think it is a solution for a subset of folks and that's great, but there's still a lot of – a lot of people who are – who are dealing with the shifting sands.

CHIEF JUDGE MYERS: Sure. So as we wrap up our conversation, I'm just curious – one of the questions we ask here around the courthouse is, what are some of the things that you're doing now that you recognize, I think this is good, I think this change has been good for us and this is something I'm likely to implement in the future. What do you see in the law school world there at FAMU that you think, yeah, we're doing well at this, I think we may consider how we adapt or built this into our future curriculum or methodologies?

DEAN KELLER: Right. So a couple of things. I do think that the forced migration to online learning has taught us that we can do some teaching online successfully, right. It can be done well. And I think law schools were kind of slow getting there, right. Other kinds of – especially other kinds of graduate schools have been faster on that – on that note. And so I think we've demonstrated now that it can be done well, right. You have to do it thoughtfully and strategically but it can be done well. And so I do think that going forward, we will continue to have at least some online learning opportunities. And then the other piece is that I think that it has forced us to be really intentional about engaging our students, right. It's not – I can't rely on the fact that the students are in the building and none of us can, and so we have to think and plan for opportunities to engage with our students. And frankly, to engage with each other, right, and I think that intentionality is a good thing. And we will continue to be intentional about it going forward.

CHIEF JUDGE MYERS: Excellent. All great lessons learned during this difficult time. Well, Dean Keller, welcome to the Central Florida community. We're excited to have you here

and look forward to the partnership that we've enjoyed with the law school over the years, and look forward to your leadership. Thank you so much for joining me today.

DEAN KELLER: Thank you. Thank you for having me. It's been a pleasure.

NARRATOR: You've been listening to "Open Ninth: Conversations Beyond the Courtroom" brought to you by Chief Judge Donald A. Myers, Jr. and the Ninth Judicial Circuit Court of Florida. For more information about the Ninth Judicial Circuit Court, follow us on Twitter, Facebook, Instagram and LinkedIn.

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