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# Katherine Ezell

By Ben Norris

**K**atherine Ezell has thrived in her legal endeavors through a combination of versatility and resiliency. Throughout her career, Ezell has tackled cases in a variety of areas, never afraid to venture from her comfort zone. Today, as a partner at Podhurst Orseck, P. A., she has gained recognition as one of Miami's preeminent commercial litigators and child advocates in dependency cases.

Gaining a foothold in the legal realm wasn't easy for Ezell. When she graduated from Stetson University College of Law with a Juris Doctor degree in 1969, law firms were by and large still very much a "boys' club." Despite holding a law degree from a major institution, as a young female lawyer, Ezell found that many firms had no interest in hiring women. Consequently, she found herself initially working as a substitute teacher and school secretary. These experiences and ensuing motherhood delayed but never dampened her determination to fulfill her dream of being a lawyer, because from her perspective lawyers helped people with their problems. Ezell cares passionately about helping people in need.

Having initially put her legal career on hold to be a stay-at-home mom and zealous community volunteer, Ezell finally got off to a gradual start as a part-time law clerk for Podhurst Orseck in 1983, when her sons were old enough to attend junior high.

"Our agreement was that I would put in about 25 hours a week. I clerked in the mornings when the kids were in school and then rushed out the door to be there when they got home," Ezell said. "Of course, I was so thrilled to finally be immersed in the law, I typically took work home. After a couple of years I was given the chance to become an associate-- a 'real lawyer' representing clients and appearing

in court. What was most extraordinary was that even then--back in the mid-1980s-- my firm allowed me to continue working as a lawyer part time and with flexible hours as long as I needed. I have always been grateful for their trust and willingness to be at the forefront of what is now common practice."

Ezell said this flexibility was just the opening she needed to launch a rewarding career while achieving what was, for her at that time, the ideal life/work balance. Working fewer hours meant that she tried that much harder, soon earning a reputation for effectiveness and professionalism. She was named partner at the firm at the age of 45 in the early 1990s, and says she has never regretted her early choices regarding family and career.



Chief Justice Barbara Pariente presents Katherine Ezell with Tobias Simon Award in 2006.



Photo courtesy of Daily Business Review

Podhurst Trial Team, L to R: Stephen Rosenthal, Alexander Rundlet, Katherine Ezell, Robert Josefsberg

*“Trial work is challenging and fascinating in that every case is unique. Each brings its own sub-set of specialized knowledge with which you have to become conversant, so you are always learning.”*

Podhurst Orseck’s practice is devoted exclusively to trial and appellate litigation. Its early emphasis on torts, products liability and personal injury has expanded to include a substantial practice in commercial, matrimonial and criminal litigation and, more recently, complex commercial torts and class actions. This setting allowed Ezell to gain experience in several areas of law. She first worked on aviation and personal injury cases before moving on to commercial litigation, the area of her primary focus today.

“Trial work is challenging and fascinating in that every case is unique,” Ezell said. “Each brings its own sub-set of specialized knowledge with which you have to become conversant, so you are always learning.”

While Ezell is more than qualified to practice in several areas – and still does – she has a knack for commercial litigation and making complex legal issues easy for even the layman to understand. In fact, working directly with clients is what she finds most enjoyable about her work.

### Working Toward a Better Judicial System

Ezell is passionate about the independence of Florida’s judicial system and the caliber of its judiciary. She served four years on the Judicial Nominating Commission for the Eleventh Judicial Circuit and seven years later was nominated by the Florida Bar and appointed by then-Governor Crist to the Judicial Nominating Commission for the Florida Supreme Court.

“I have to say that having the opportunity to participate in the merit selection of our State’s judiciary has been one of the most satisfying and rewarding aspects of my career,” Ezell said. “I have met many wonderful people-- some of whom get appointed and some of whom do not. Interviewing, investigating and recommending judicial applicants has given me an appreciation for the variety and number of competent and talented lawyers

within our profession, and an immense appreciation for the many fine jurists who serve with distinction and integrity.”

Being a part of the judicial nominating process requires a great deal of time and effort. It is both a great responsibility and a controversial one. There continues to be vigorous debate in Florida regarding the pros and cons of merit selection versus judicial election of judges. Ezell says she can appreciate both sides of that argument.

“While in an ideal world, merit selection and retention are preferable, the need to ensure diversity on the bench and the fact that campaigns may foster a judge’s better understanding of all segments of the communities they serve are valid considerations. There is something to be said for the hybrid system we have in Florida.”

Ezell adds that while becoming a judge should not be a matter of politics, political considerations are often inevitable.

“This reality must be tempered with reason, fairness, and an overriding commitment to ensuring the competency of whoever is ultimately appointed by the governor. Happily, recent governors have demonstrated a conscious effort to enhance diversity on the bench through their judicial appointments, and the legal community has supported the nominations of people with the appropriate judicial temperament, wisdom, ethics, sense of fairness and scholarship.”

### Staying Involved in the Community

Throughout her career, Ezell has been a dedicated community volunteer and advocate for children. She has been actively involved for years with Foster Care Review, Inc., an organization whose specially-trained citizen review panels assist the Juvenile Court judges in monitoring the cases of children in foster care to help ensure that they receive the services they need and which the State should provide.

She has spent decades in pro bono legal representation of children, guardians, and parents enmeshed in Florida’s foster care system. Her clients have included parents who, after having their children removed from their homes by the Department of Children and Families, have demonstrated the ability to provide the level of nurture and care necessary to regain custody. In other instances, Ezell has secured the judicial termination of the parental rights of parents who have abused, abandoned or neglected their children.

“Fortunately,” Ezell says, “some of these children have gone on to be adopted into loving homes. Regrettably, however, some never receive the priceless gift of family.”

That aspect of her professional life can be as heartbreaking

as it is fulfilling.

“Quite often children in foster care are moved multiple times, even during the school year,” Ezell said. “I represented one young woman who, by the time she was 18, had been in 33 different foster homes. There is no way a young person can endure that much instability and turmoil and emerge with any real sense of security or ability to trust others. We have a very long way to go in Florida in terms of properly nurturing and protecting our children when they become wards of the State.”

Ezell has been widely recognized for her efforts on behalf of children. Perhaps the most significant instance was the honor of being chosen to receive the 2006 Tobias Simon Award, the highest award given annually by the Florida Supreme Court for pro bono service. She credits her partner/mentors Aaron Podhurst and Bob Josefsberg for allowing and, by example, encouraging this service.

Ezell is also actively involved with an organization called The Two Hundred Club of Greater Miami, Inc., which raises funds for the benefit of surviving dependents of first responders killed in the line of duty.

“It is a privilege to be a part of the Two Hundred Club’s efforts to provide financial support to families whose spouses, fathers and mothers have made the ultimate sacrifice in protecting our community,” Ezell says. “I am inspired by their courage in carrying on in the face of such loss. Also, I am deeply touched by the way the law enforcement community honors and lovingly cares for the bereaved survivors of their fallen comrades. It is a beautiful example for us all.”

### Time to Unwind

When Ezell does find time for herself, she relishes a good book. In fact, much of her time outside of the office is spent in the pursuit of serenity and finding beauty in nature, music and film.

An avid gardener, Ezell says, “I developed a love of watching things grow because I grew up on a farm,” Ezell said. “As with people, nurturing plants is both soothing and satisfying for the soul.”

Naturally, the love of watching things grow extends to her sons and grandchildren, who, along with her parents, siblings and husband, Ezell considers to be her greatest sources of interest and inspiration.