

## THEODORE W. SMALL JR.

P.O. Box 172 ♦ DeLand, Florida 32721 ♦ 386-740-0788 ♦ twsmallpa@gmail.com

*Well-practiced “lawyer’s lawyer” with both small and large firm experience and an AV rating by Martindale-Hubbell for being recognized by his peers as having the highest legal ability and ethical standards.*

### EDUCATION

- **University of Virginia School of Law – J.D., Hardy Cross Dillard Scholar.**
  - Received the Mary Claiborne and Roy H. Ritter Award.
  - Received the Herbert L. Kramer Public Service Award.
  - Received the Alumni Association Special Recognition of Leadership Award.
  - Received the Black Law Students Association Jack Gravely Award.
  - Co-founder/coordinator, Students United to Promote Racial Awareness.
  - Participant, Peer Advisor Program, Black Law Students Association.
  
- **Harvard College – A.B., Magna Cum Laude in History.**
  - Recognized on Dean’s List and with Harvard College Scholarships.
  - Received the Robert Winfrey Leadership Award.
  - Co-founder/coordinator, *Uplift*, Harvard’s Worship Services in the African American Tradition.
  - President, Harvard and Radcliffe Kuumba Singers.

### PROFESSIONAL EXPERIENCE

- **Law Office of Theodore W. Small, P.A. – Practicing Attorney, July 2004 - Present**
  - Represent *West Volusia Hospital Authority*, an independent special taxing district, as its outside general counsel concerning various local government matters such as contracting, regulatory compliance, public benefits eligibility guidelines, enabling act statutory interpretation, and compliance with internal and external rules governing the conduct of public meetings, including the Florida Sunshine Law and Public Records Law. (2007-Present).
  - Appear on behalf of plaintiffs and defendants as lead counsel for hearings, mediations and settlement negotiations in civil litigation matters pending in state courts, federal court, and before administrative agencies (EEOC and Florida Commission on Human Relations).
  - Provide business and employment law counsel on a variety of practice areas including: discrimination and harassment claims; wage and overtime claims; exempt/non-exempt misclassifications; executive employment and severance agreements; non-compete-non-solicitation-confidentiality agreements; human resource and personnel policies; personnel training; outside neutral workplace investigations; employment terminations; employment mediation or arbitration; contract disputes; partnership disputes; operating agreements and by-laws; general business law; elder law; local government; and Florida Sunshine and Public Records Law matters.

- **Council on African American Affairs, Inc. – President, September 2001 – July, 2004**  
*The primary mission of the Council on African American Affairs (CAAA) was to harness the intellectual talents of African American students affiliated with the Ron Brown Scholar Program and to engage these Scholars in quantitative and qualitative research projects designed to address the most pressing social problems.*
  - Coordinated with benefactor and founding board members to conceptualize and manage the start-up of a new DC-based research organization.
  - Recruited and supervised clerical, research, accounting, legal and construction assistance for program with over a half-million dollar annual budget, including the location and build-out of new office space and launch of quantitative policy research initiatives.
  - Managed annual meetings of Scholars and board members who traveled to Washington, DC from universities across the nation and residences around the world.
  - Designed and managed a policy selection process which guided Scholars towards reaching consensus based on the importance, ripeness and potential for CAAA to make a difference.
  - Mentored Scholar researchers to further their college, graduate school and professional career goals.
  
- **Holland & Knight LLP – Litigation Partner, January, 2000 – August, 2001; Litigation Associate, circa September, 1993 – December, 1999**
  - Represented firm clients in commercial litigation (appellate, construction, media, employment, ERISA, government contracts) and pro bono matters in the Tampa, Washington, DC and Orlando offices.
  - Represented firm clients in appellate matters; was primarily responsible for preparing briefs and handling oral arguments in appeals.
  - Appeared at hearings and served as the primary associate in complex civil litigation matters pending in Washington, DC and Maryland trial courts (federal and state).
  - Appeared at hearings and served as the primary or secondary partner on commercial litigation matters pending in Florida trial courts (federal or state).
  - Provided general employment counsel to dozens of business clients ranging in size from multistate Fortune 100 companies to regional and local small businesses.
  
- **Holland & Knight LLP – Community Services Team Associate, July, 1995 – circa December, 1997**
  - Appeared as a responsible lawyer in pro bono matters pending in the state of Florida and Washington, DC, including two major civil rights cases, one involving race and gender discrimination claims and the other involving claims related to lead-based paint in public housing.
  - Developed and managed the firm's Adopt-A-Neighborhood project which encompassed corporate, tax, legislative and litigation assistance to non-profit groups in DC's Shaw Urban Renewal Area.
  - Represented survivors and direct descendants of the 1923 massacre in Rosewood, Florida concerning the 1994 Claims Bill and the Rosewood Justice Center, Inc.
  
- **U.S. Court of Appeals, Eleventh Circuit – Judicial Clerk to the Honorable Joseph W. Hatchett, August, 1992 - August, 1993**
  - Assisted federal judge with research and drafting as he prepared for oral arguments, decided cases and wrote opinions on the wide range of civil and criminal appeals. Learned

from a judge who demonstrated by his example the importance of maintaining the highest standards of integrity, professional excellence and judicial fairness.

#### **BAR ADMISSIONS**

- **The Florida Bar** (#0968102; 12/1992)
- **U.S. Court of Appeals, Eleventh Circuit**
- **U.S. District Court, Middle District of Florida**
- **District of Columbia Bar** (#445820; 06/1995)
- **U.S. District Court for the District of Columbia**
- **U.S. Court of Appeals for the District of Columbia Circuit**
- **U.S. District Court, Northern District of Florida**

#### **COMMUNITY ACTIVITIES**

- **Legal Organizations**

The Florida Bar

- Access to Legal Services Committee of Vision 2016 Commission (2013-2015).
- The Florida Bar Delegate to ABA (2005-2012).
- President, Board of Directors, Florida Legal Services, Inc. (2010-2011).
- Member, Board of Directors, Florida Legal Services, Inc. (2005-2010).
- Judicial Nominating Procedures Committee (2006-2012).
- Member, Board of Directors, Florida Bar Foundation (2010-2011).

American Bar Association

- Chair, Commission on Homelessness and Poverty (2014-2017).
- Member, Commission on Homelessness and Poverty (2012-2014).
- Member, House of Delegates (2005-2012).
- Member, Standing Committee on Pro Bono and Public Service (2009-2012).
  - *Chair of subcommittee responsible for compiling quantitative study, "Supporting Justice III: A Report on the Pro Bono Work of America's Lawyers" (2013).*
- Member, Commission on Racial and Ethnic Diversity in the Profession (2000-2003).
- Chair, Public Schools Committee of Individual Rights and Responsibilities Section (1997-1999).

National Bar Association

- Vice President, Virgil Hawkins Florida Chapter (2009-2010).
- Secretary, Virgil Hawkins Florida Chapter (2008-2009).
- General Counsel, Virgil Hawkins Florida Chapter (2007-2008).

- **Civic Organizations**

- Board Member, The Hon. J.W. Hatchett Scholarship, Inc. (2023-Present).
- Co-founder and Chair, Joseph W. Hatchett Vaults of Opportunity Scholarship Selection Committee (2022-23).
- Diversity, Inclusion and Mission Committee of Red Cross National Capital Area (2019-2022).
- Organizer and Chair, Color Line Roundtable (2016-2022).
- Co-Organizer, Community Unity Day in DeLand, FL (2016-2017).
- City of DeLand Police Chief Selection Committee (2017).

- **Higher Education Organizations**

- Alumni Board of UVA Law School Program in Law and Public Service (2008-2014).
- University of Virginia University of Virginia Law School Alumni Council (2001-2004).
- Ron Brown Scholar Selection Committee (1997-2003).
- University of Virginia School of Law Dillard Scholar Selection Committee (1994-2006).
- Co-founder/coordinator, Students United to Promote Racial Awareness (1990-1992).
- Co-founder/coordinator, *Uplift*, Harvard's Worship Services in the African American Tradition (1988-1989).
- President of Harvard and Radcliffe Kuumba Singers (1986-1987).

#### **AWARDS & HONORS**

- **Professional Recognition**

- ABA Presidential Citation for Exemplary Leadership in Enhancing Pro Bono Legal Services and Improving the Legal Profession (2013).
- Fellow of the American Bar Foundation (2006-Present).
- "AV" Peer Review Rating, Martindale Hubbell (2008-Present).
- "Labor and Employment" Peer Review Rating, Super Lawyers (2006, 2008-2009, 2015-2017).

- **Community Recognition**

- Descendants of Rosewood Presidential Award for Lifetime Achievement (2023)
- NAACP West Volusia Branch "Difference Maker of the Year Award" (2019)
- City of DeLand Proclamation of Appreciation to Police Chief Selection Committee (2017).
- MLK Community Awards Community Legacy Recognition "Justice Is Blind" (2017).
- City of DeLand Proclamation of Recognition for Outstanding Legal and Public Service Career (2013).

#### **DISTINGUISHED SPEAKING ENGAGEMENTS**

- Chair, *Color Line Roundtable* in DeLand, Florida (Various dates, 2016-2022).
- Keynote Address, Stetson University *Second Annual Martin Luther King Jr. Life and Legacy* (1/20/21)
- Iron Sharpens Iron *Annual Retreat* (10/19/2019).
- Keynote Address, *Community Unity Day* in DeLand, Florida (4/29/2017).
- Chair, *Collaborate to Advocate Anti-Poverty Roundtables* in Houston, Miami, San Francisco, Charleston, Oklahoma City, Washington, DC (Various dates, 2015-2017).
- Chair's Welcome, ABA Commission on Homelessness & Poverty's *International Summit on Legal Needs of Street Youth* (6/16/2015).
- Panelist, Florida Bar 2008 Annual Diversity Symposium (6/20/2008).
- Keynote Speaker, Daytona Beach News Journal's *Medallion of Excellence Dinner* (4/27/2006).
- Keynote Speaker, University of Virginia BLSA Reunion Luncheon (2/19/2005).
- Panelist, Center for the Study of Race and Law Public Service Conference (2/28/2004).
- Speaker, Council on African American Affairs, Inc.'s annual meetings (February 2002-2004).
- Presenter, Ron Brown Scholar Program Triennial Conference (8/12/2002).
- Keynote Speaker, Stetson University's Dr. Martin Luther King, Jr. Breakfast (1/21/2002).
- Keynote Speaker, University of Virginia Dillard Scholar Selection Weekend (4/05/2001).

- Panel Moderator, Cleveland Elementary School Panel on lawyer involvement in Washington, DC public schools with panel including then-First Lady Hillary Rodham Clinton (2/14/1997).
- Speaker, National Conference on University Race Relations (2/01/1992).

#### **ARTICLES**

- "What my Florida town can teach us about racist policing", CNN Opinion (June 3, 2020).
- Editor and Contributor, DEI Facilitation & Consulting *DEI Blog* (Various, 2019-Present).
- Editor and Writer, Law Office of Theodore W. Small PA *Employment Law Newsletter* (Various, 2005-Present).
- "Human Resource Manager Fired for Advocacy of Women and Minority Applicants," Holland & Knight LLP Employment Law Letter (November 2000).
- "The Misfortunes of Misclassifying Workers," Holland & Knight LLP Government Contracts Newsletter (First Quarter 2000).
- "Employer Vicarious Liability For Sexual Harassment," The Construction Contractor (June 1999).
- "Engaging lawyers in the business of improving America's public schools," Human Rights (Winter 1997).
- "Rebuilding America's Neighborhoods: Inner City Community Retains Major Law Firm," The Metropolitan Corporate Counsel (August 1997).