

Scott D. Makar

Solicitor General and  
Richard W. Ervin Eminent Scholar Chair

Scott D. Makar was appointed Solicitor General for the State of Florida by Attorney General Bill McCollum in February 2007. The position, first established in February 1999, is patterned in part after the U.S. Office of the Solicitor General, which conducts litigation on behalf of the United States in the Supreme Court and supervises the handling of litigation in federal appellate courts. The Solicitor General in Florida serves three primary roles: overseeing civil appeals involving the state's interests in all state and federal appellate courts; teaching at the Florida State University College of Law where he holds the Richard W. Ervin Eminent Scholar Chair; and serving as a policy advisor to the Attorney General.

Prior to his appointment, Mr. Makar was chief of the appellate division for the Office of General Counsel for the consolidated City of Jacksonville from 2001 to 2007. His practice involved appellate, constitutional and civil rights, election, local government, eminent domain, tort, procurement, and education law matters as well as complex litigation for various city departments, agencies, and independent authorities. He has over 100 reported cases on a broad range of topics.

Prior to working for the city, Mr. Makar was a capital partner in Holland & Knight, LLP. He worked in the firm's Tallahassee and Jacksonville offices from 1989 to 2001 on matters involving various areas of the law including appellate, antitrust, media, franchise, state and local taxation, administrative, elections and ethics, constitutional and civil rights, intellectual property, land use, public utility, and health care. Prior to joining Holland & Knight in 1989, Mr. Makar was a judicial clerk for Judge Thomas A. Clark, United States Court of Appeals, Eleventh Circuit in Atlanta, Georgia. He clerked for Holland & Knight in 1986 (Tampa) and 1987 (Tallahassee) and for the Department of Justice, Antitrust Division, Washington, D.C. in 1985.

Mr. Makar is a graduate of Mercer University (B.S. 1980 (mathematics/economics), magna cum laude) and the University of Florida (Ph.D. 1993 (economics), J.D. with honors, 1987, M.B.A. (finance) and M.A. 1982 (economics)). During law and graduate school, Mr. Makar was founder and Editor-in-Chief of the *University of Florida Journal of Law and Public Policy*. He was also a member of the *University of Florida Law Review*, which published his note and awarded it the *Gertrude Brick Note Award*. He is a 1977 graduate of Manatee High School, Bradenton, Florida.

He serves by appointment on the Florida Supreme Court's Standard Jury Instructions Committee (Civil) and is currently its chair. He was a founding member of The Florida Bar's Appellate Practice and Advocacy Section, serving on its First Executive Council. He was also a founding member of the Appellate Practice Section of the Jacksonville Bar Association, which he chaired from 2001-02. He is a member of the American Law Institute and served on the Board of Directors of the ALI-ABA Committee on Continuing Legal Education. He also served on Governor Bush's Task Force on Capital Cases, which prepared a report on Florida's capital punishment system as applied to race, gender, ethnicity and mental retardation.

Mr. Makar will teach the seminar "Florida, The Constitution, and the Supreme Court" at Florida State University College of Law this fall, a course he previously taught at the Florida Coastal School of Law. He will teach "Topics in Appellate Law and Policy" in the spring. At Florida Coastal, he also taught seminars entitled "Media Law and Ethics" and "Education and the Constitution" as well as courses on Florida Constitutional Law, Antitrust Law and Policy, and Civil Rights. Mr. Makar was also an adjunct and visiting professor of business law at the University of Florida for four years. In addition, he has taught "The United States Supreme Court and the Constitution" and "Ethics and Law of Communications" at the University of North Florida as well as "Law and Education" at Jacksonville University.

Mr. Makar has written several law review and journal articles on topics such as appellate practice, antitrust, franchise law, health care, medical malpractice insurance, workplace wiretapping, attorney advertising, antitrust immunity, administrative law, free speech on high school and university campuses and judicial staff ethics. Courts and commentators have cited many of his articles, a number of which have received legal writing awards. He has also written several CLE outlines on antitrust and medical staff privileges, antitrust and tying arrangements and antitrust implications of franchise relationships. Mr. Makar regularly reviews books on appellate practice for the Florida Bar appellate publication, *The Record*.

He is a 1999 graduate of Leadership Jacksonville and was a member of Florida Blue Key. He has been AV rated by Martindale-Hubbell for more than a decade. He was listed on *Florida Trend's* inaugural list of "Legal Elites" in 2004 by statewide vote of peers and made the 2005 list as well.

He is married to Nancy Hogshead-Makar and has three children, Aaron (7) and Helen-Clare and Millicent (2).