

Florida's UPHPA Story

By Sandra Thompson, Ed.D.

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- **Situation/Need:** Florida Family Heirs' Property (FHP) owners expressed dismay at the lack of educational and technical assistance available to help them clear title to their property. In response to the vacuum in FHP resource support services, FAMU's Cooperative Extension Program through Dr. Sandra Thompson, a former FHP owner, launched the FAMU Family Heirs Property Resolution Initiative (FFHPRI), renamed Family Heirs' Property Resolution and Transformation Program (FHP RTP). FHP as a real-world problem is fueled by social, economic, and environmental injustice (Wimberley and Morris, 2003). Thus, transformational and servant leadership (Lowney, 2003), Critical Race Theory (Delgado, 2001; Hartep, 2009; Riphagen, 2008), and Marginalization of Education are the foundational lenses undergirding the program (Haslam, Reicher, and Paltrow, 2011).
- **Community Outreach/Engagement:** In 2018, the FAMU FHP RTP began providing FHP Workshops and Family Consultations. On April 20, 2019 FAMU FHP RTP hosted a FHP townhall, which led to passage of Uniform Partitions of Heirs Property Act (UPHPA) in Florida. The townhall was publicized through media outlets, diverse stakeholders, churches, and word of mouth. The program consisted of light breakfast, FHP overview, panel with a Q/A session, deliberative dialogue group discussions (small groups organized around the counties where participants own FHP, followed by one large group to integrate group findings and outcomes), and a resource packet. The resource packet included: USDA FHP fact sheet, FHP Title Clearing Navigational Tool (Thompson, 2017), family tree development resource, and Uniform Partitions Heirs Property Act information. As an addition, the participants took part in a pre and post evaluation instrument on the day of the event.
- **Community Decision Making Through Deliberative Dialogue:** Effective deliberative dialogue ensures that deliberating participants have access to research-based information from experts, including participant researchers (Coghlan and Brannick, 2014). FHP townhall panelist represented FHP advocates (e.g., past and present FHP owners, and community groups), educators and researchers, trained professionals with subject matter expertise (e.g., legal, estate planning, county growth management-permitting, affordable housing, and real estate), and non-traditional stakeholders (conservationists).
 - Flowing from the panel discussion, a large group and several small group deliberative dialogue discussions occurred, consisting of FHP owners and professionals from various stakeholder disciplines. The prevailing consensus from the small and large group discussions was that FHP is a complex issue, requiring remedy on multiple fronts. However, as the meeting neared conclusion, a cross section of participants decided that the forced partition sale aspect of FHP should be the issue to address flowing from the townhall and thus effort should be made to ensure that the Florida Legislature enacts the UPHPA.
 - Kent Wimmer, senior Northwest Florida representative at Defenders of Wildlife), a panelist, volunteered to lead the loosely organized committee to drive adoption of the UPHPA in Florida. The Defenders of Wildlife represented a non-traditional stakeholder. However, the wildlife habitats they were interested in protecting often interest with FHP (Alcantara, Harper and Keys, 2015; Ahmed, et al, 2004). The Defenders organization viewed owners with historic connections to the land as less likely to disturb wildlife habitats than developers. Defenders also made it known that they had the human capital capacity to lead the committee, considering the high reach involved to educate and gain bipartisan agreement on a bill not yet developed, in the Florida Legislature. And further members of the Florida Bar were already on record, advocating that current private property law was sufficient. The loosely organized committee left the townhall knowing that success was not likely anytime soon because it was dependent upon acquiring a champion from both houses of the Florida legislature and support from the Florida Bar.

- **Helping a Community Act:** Critical to positioning the grassroots UPHPA committee for success was bringing together a melting pot of stakeholders with factual experience, professional subject matter expertise, and deep financial and human capital (power and influence). Significantly, Dr. Thompson began establishing relationships with panel participants months before the FHP townhall was a consideration, which allowed, selection of participants that could support transformational and servant leadership, Critical Race Theory and Marginalization of Education precepts, although they might not personally support and/or believe in the precepts. Additionally, reach to public policy experts beyond Florida was used to guide the group in best practices outreach to the Florida Bar and Legislature.
- **Always a Challenge to Success:** The challenge was giving over leadership of the UPHPA committee to the reigning national public policy expert Texas A&M University School of Law Professor Thomas W. Mitchell (Co-Director of Texas A&M's Program in Real Estate and Community Development Law and principal drafter of the original UPHPA). Professor Mitchell advocated a deft strategic approach as opposed to an all guns blazing approach. Heated discussions ensued about how to gain the support needed with Legislators and the Bar. In the end for the UPHPA committee to achieve success, it was necessary to employ servant and transformational leadership by moving out of the way for the good of FHP owners (Haslam, Reicher and Platow, 2011). Florida's Uniform Partition Heirs' Property Act was passed on April 20, 2020 using a deft strategic approach.

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