



FULL COURT PRESS

THE OFFICIAL NEWSLETTER OF THE STATE COURTS SYSTEM OF FLORIDA

A Message from PK Jameson, State Courts Administrator

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In 2004, Bonnie, Charley, Frances, Ivan, and Jeanne hit Florida; Dennis, Katrina, and Wilma struck in 2005. Following an 11-year calm, Florida took a pounding from Hermine and Matthew in 2016; from Irma last year; and most recently, from Michael. To anyone who has lived in Florida since the turn of the century, these names likely evoke memories of fear, helplessness, destruction, and loss. And for many in the 14th and 2nd Circuits, the memories are still raw.



When Hurricane Michael struck the Panhandle in October, it left a trail of devastation for 80 miles, from the Gulf of Mexico to the Georgia border: it blasted communities and their courts, taking lives, destroying property, and hamstringing communications and transportation. Although the court facilities, and the people who work there, are still recovering, those courts were able to reopen with limited capacity within two-and-a-half weeks, thanks to the tireless work of emergency responders, utility crews, the National Guard—and the local judges and court and county staff. However, the recovery efforts will continue for months ahead.

Also playing a significant role was the judiciary’s emergency preparedness infrastructure. Florida is the most hurricane-prone state in the nation, sustaining 40 percent of all US hurricane strikes, so Florida’s courts have had a lot of experience with tropical systems—and with emergency management. The supreme court adopted branch-wide policies and procedures for anticipating and managing emergencies soon after the 9/11 attacks.

But because each crisis is unpredictably unique, a timely recovery also depends on the flexibility and resourcefulness of local branch leaders. After Michael, for instance, 14th Circuit Chief Judge Elijah Smiley delivered a handwritten news release about court closures to the only still-broadcasting radio station in Bay County. Although the circuit was without power, he managed to access the e-Portal and could see emergency motions filed with the courts. Once the circuit’s continuity of operations plan was initiated, essential hearings were able to be conducted, and judges were able to go to jails to conduct first appearances.

Movement toward recovery also depends on the support of judges and court personnel from other circuits. After Michael, judges and staff from across the state pitched in to help the 14th. Judges in less-impacted, adjoining circuits presided over detention hearings. The 14th Circuit was without any means of communication; even some local law enforcement did not have a means of communication. Therefore, the 2nd Circuit and OSCA gathered up satellite phones and, because roads were still impassable, the Florida National Guard delivered them to Panama City, where they were loaned to court personnel as well as law enforcement. OSCA’s Finance and Accounting made sure that everyone, even those without direct deposit, would be able to get paid. Recovery teams from courts across the state helped repair the technology infrastructure damaged in the storm. These are just a few of the things our branch did to make sure the 14th and the people who work there did not face this crisis alone.

Michael was a blunt reminder that having tested emergency measures in place—coupled with local resourcefulness, an energetic team effort, and generous resource-sharing—helps to minimize the effects of natural disasters on our courts and on the people who work there. When one or more of our courts experiences a disruptive event, the courts system quickly begins to fill voids and to provide support in order to ensure the public’s access to justice continues. Thank you to everyone who continues to provide support in our crisis areas.

Sincerely,
PK Jameson

Farewells

Florida sets the retirement age for judges and justices at 70, the exact date of their retirement depending on when, in their six-year term, they observe their seventieth birthday. Justice Barbara J. Pariente (appointed to the supreme court bench in December 1997), Justice R. Fred Lewis (appointed in December 1998), and Justice Peggy A. Quince (also appointed in December 1998) are the three longest-serving justices currently on the Florida Supreme Court, and each will have reached what jurists jocularly refer to as “constitutional senility” before the year ends. Therefore, they face mandatory retirement when their terms expire, in January 2019. (Note: A recently adopted constitutional amendment increases to 75 the mandatory retirement age for jurists; it will take effect July 1, 2019.)

Supreme court history buffs might be interested to know that this is the first time in the court’s 172-year history that three justices will be leaving the bench at the same time. This is also the first time in more than 100 years that three justices will be joining the court at the same time: the last time was in 1902, after voters approved a constitutional amendment expanding the court from three to six justices.

In the following articles, read about some of the poignant memories and incisive insights that Justices Pariente, Lewis, and Quince have to share about their years on the supreme court.

Farewell, Justice Barbara J. Pariente

Born in New York City, Justice Barbara J. Pariente has been a Floridian since 1973, when she moved to Fort Lauderdale for a two-year judicial clerkship with Judge Norman C. Roettger, Jr., of the United States District Court for the Southern District of Florida. In 1993, after 18 years in private practice specializing in civil trial litigation in West Palm Beach, she was appointed to the Fourth District Court of Appeal, where she served until her appointment to the Supreme Court of Florida in 1997. She was the court’s chief justice from 2004 – 2006, the second woman to serve in that role. (Take this link for more biographical information about [Justice Pariente](#).)

Justice Pariente distinctly remembers her first visit to the Florida Supreme Court. It was November 1985. In private practice at the time, she had traveled from West Palm Beach to Tallahassee to witness an historic event: Fourth DCA Judge Rosemary Barkett, her longtime friend, being sworn in as the supreme court’s first woman justice. On a visit to Tallahassee more than a decade later, after having applied to fill a vacancy on the state’s highest court, she was struck by the realization that she, too, might someday be sitting on the supreme court bench. She was visiting the state capital with Doris Davis, a young woman whom, through the Take Stock in Children Program, she began mentoring in 1996 (that relationship continues today: Ms Davis is now an attorney, mother of two, and wife living in Tallahassee). Recollecting that day, she said, “I have a memory of standing at the Capitol. I looked across the street at the supreme court and said to Doris, ‘I may be working there one day!’ And that excitement I felt is something I’ll never forget,” she exclaimed.

By the time Justice Pariente retires, she’ll have been on the supreme court bench for just over 21 years, making her Florida’s ninth-longest serving justice (since the court first sat, in 1846, it has had 86 justices). For those who know her at all, it should be no surprise that, when asked what she has most looked forward to while driving to work each day, this quintessential people-person instantly replied, “the people! Being able to interact with my staff attorneys and with Brenda Williams [her judicial assistant] to do the work of writing opinions and the administrative work—that’s something I’ve really enjoyed. When I come to work, there’s Brenda, and no matter what’s going on, she’s always upbeat. A cheerleader! She’s been a great source of joy in my life.” After a pause, she added, “There are so many people here at the court that I have



Justice Barbara J. Pariente

courtesy of FL Supreme Court

great affection for. Like some of the deputy marshals who've worked here." She also singled out the staff of the Office of Court Improvement, a unit in the Office of the State Courts Administrator, to whom she expressed gratitude for having done "some of the heaviest lifting" in helping the branch implement its visionary family court (a project she spearheaded) and problem-solving court initiatives.

In addition to the people, Justice Pariente has "really enjoyed" the behind-the-scenes work of the court, especially "the crafting of opinions," a process that has altered dramatically "because technology has improved so much over the last 20 years." She remembers "having to rely on my staff to make handwritten changes in the past," but now, "features like *track changes* and *bold* and *strike through* make the process so much easier." She also looks forward to court conferences, which she described as being, "with a couple of exceptions over the years, generally very collegial. We do important work during this time, in a way that respects everybody's opinion." When speaking to new judges, Justice Pariente invariably stresses the values of collegiality and of "being willing to listen, learn, dialogue." She conceded that while the justices "don't always agree, we are always collegial." As of late, justices are no longer expected to live in Tallahassee full-time, so building collegiality might become a greater challenge, and she worries that "That change is going to have an effect on the court." But she suggested that this potential issue "could be remedied by the times when everybody is here, during oral argument and court conferences; the justices can make it more collegial by maybe having lunch or dinner together. Collegiality is an important part of being on a seven-member court," she emphasized.

But of everything Justice Pariente has worked to accomplish since January 1998, when she officially began her work as a supreme court justice, she is "most proud of the movement in the court system over the last 20 years in the area of family and problem-solving courts." The judicial branch's Steering Committee on Families and Children in the Court—which just awarded her its inaugural Justice for Children and Families Award—attributes much of this "movement" to Justice Pariente's vision, passion, and dedication over the years.

She has also "always looked forward to oral arguments—though not everybody has that same view," she acknowledged. As to her "demeanor" on the public bench she noted that "I have been criticized—as well as praised—for being an active questioner! But I enjoy the process of having

lawyers who are prepared—and are prepared to answer tough questions that really help me understand their views so that I can make an informed decision."

On the heels of her musings about the pleasures of opinion-writing, court conferences, and oral arguments, a query about the accomplishments of which she is most proud led her to reflect on some of the most consequential cases on which the court has ruled during her two decades on the bench. Naturally, *Bush v. Gore* came to mind first: "I was proud of the court during that time, and I was proud of what the majority of the court decided in the final decision that the US Supreme Court disagreed with," she declared. "I think we were right," she added, "And we did it under very difficult circumstances. I'm very proud of that." She also referred to "the court's rulings on reapportionment, which went on for several years," calling this work "something that will live on" (the Florida Supreme Court was called upon first to rule on whether the 2012 apportionment of Florida's legislative districts violated the Florida Constitution and then on whether both the state house and congressional districts violated the Fair District Amendments to the constitution by advancing partisan political intent).

She is also categorically proud of the concerted way in which everyone in the branch worked to facilitate the smooth implementation of Revision 7, a 1998 voter-approved constitutional amendment designed to relieve local governments of the increasing costs of subsidizing the trial courts and to ensure equity in court funding across each county, enabling every Floridian to have access to essential trial court services. Revision 7 took effect on July 1, 2004—the day before Justice Pariente began her two-year term as chief justice. Her pride in the success of this branch-wide transition process is captured in her "Message from the Chief Justice" heading up the *2004 – 2005 Florida State Courts Annual Report*; here, she called attention to the momentousness of the achievement and to the stalwart efforts of the judges and court personnel who made it possible: "This has been an historic year for Florida's judiciary. The excitement began the very first day of the fiscal year, when the branch finally became a truly unified court system funded with state money. Although

realized on a single day, this major transformation was several years in the making. And it simply could not have been accomplished without the hard work of many people in all three branches of state government. Most Floridians never noticed a thing on July 1, 2004. That was a good thing—and it was thanks to the skill and dedication of the hundreds of people who spent many thousands of hours on the transition to the state-funded court system that voters demanded when they approved Revision 7 to the Florida Constitution in 1998,” she wrote.

But of everything Justice Pariente has worked to accomplish since January 1998, when she officially began her work as a supreme court justice, she is “most proud of the movement in the court system over the last 20 years in the area of family and problem-solving courts.” The judicial branch’s Steering Committee on Families and Children in the Court—which just awarded her its inaugural Justice for Children and Families Award—attributes much of this “movement” to Justice Pariente’s vision, passion, and dedication over the years. Her formal involvement with family court began in January 1999, when she was named supreme court liaison to the Family Court Steering Committee. The steering committee’s crowning achievement was its development of recommendations, guiding principles, and essential elements for a model family court, which were unanimously approved by the court in a [2001 opinion](#). She worked closely with this committee and its subsequent iteration for 17 years, serving either as its chair or its justice liaison, guiding its multidisciplinary efforts to establish a fully integrated, comprehensive approach to handling cases involving children and families.

While she recognizes that “There will always be much work to be done for Florida’s vulnerable children and families,” she also “beams with pride” when she considers the steering committee’s accomplishments over the years: the creation of resources to assist judges, court personnel, and litigants; helpful changes to the rules of judicial administration, family law rules of procedure, and Florida statutes; the coordination of statewide conferences and workshops as well as regional trainings, technical assistance site visits, and local training events; the development of streamlined procedures to help with the identification of related cases; and the implementation of the one family/one judge model in circuits across the state.

Justice Pariente’s top priorities as a justice have consistently been her determined focus on family court and her efforts to ensure that lower income, disabled, abused, and neglected children have greater access to the courts; she has also been a steadfast advocate for drug court and other problem-solving courts. Since her arrival at the supreme court, two of her “mantras” have been, “We must invest in the front end so that we can keep our young people from graduating from our juvenile justice system into our adult prison population,” and Martin Luther King, Jr.’s “The time is always right to do what is right.”

Although Justice Pariente will miss being on the front line of these life- and paradigm-changing initiatives, at the same time, she is quick to assert that she will decidedly not miss certain elements of the job. “On a personal level,” she affirmed, “I will not miss being separated from my husband” (until he retired in 2013, Fred Hazouri was a DCA judge in West Palm Beach). “Being separated from him, from my mother [who passed away in December 2017], and my family has been a real hardship,” she confided. Because she has lived at a distance from her family, she’s had to go through “some very difficult things here by myself,” she said, mentioning the Bush v. Gore cases and her treatment and recovery from breast cancer (with which she had been diagnosed in March 2003).

“And these years on the supreme court have not exactly been a walk in the park” on a professional level, either, she admitted, calling them “very stressful, sometimes contentious.” She understands that “You’re



Sandy Neidert, OSCA

For being “a fearless mentor, coach, and taskmaster (in the most inspiring of ways)” who “reminded all of us that there is no time to waste in the life of a child involved in the judicial system,” Justice Pariente was recently awarded the inaugural Justice for Children and Families Award by the branch’s Steering Committee on Families and Children in the Court. Behind her is Judge Christine Greider, Collier County, who chairs the steering committee.

never going to please everyone. In fact, in any case, there's going to be someone who's winning and someone who's losing, so you're never going to please all the litigants." And she also knows that "You have to try to keep a thick skin when you're attacked by people who are unhappy with the decisions we reach. But it can be difficult at times," she revealed.

The difficulties were particularly pronounced in the months leading up to the 2012 election, when she and two other justices were on the ballot for merit retention: she and Justices Lewis and Quince encountered organized, well-funded, highly vocal opposition from several conservative political groups. When powerful special interest groups seek to influence the scales of justice, the fairness and impartiality of the courts is threatened—and Justice Pariente saw this as a call to action: since that election, she has been involved with the Informed Voters – Fair Judges Project (<https://ivp.nawj.org/>), a non-partisan voter education initiative of the National Association of Women Judges. Through Informed Voters, she has spoken to groups across the country about the importance of insulating judges from unfair political attacks. And, once retired, she will continue these efforts to educate voters, "especially when judges are unfairly attacked, and to encourage lawyers to be warriors for the court."

Although she is a staunch supporter of enhancing civic education for young people, in retirement, her educational focus is likely to be on adults. She wants to "continue to inform the public and the press that judicial opinions are more than just the label 'activist,' 'reactionary,' 'conservative,' 'liberal.' Those labels never end up helping people understand what the controversy was. They reduce opinions to soundbites, which can undermine public trust and confidence. That's something I want to keep working on—to help people have a thoughtful understanding of what the justice system is about and how the court makes its hard decisions."

Retirement also means returning to West Palm Beach and spending more time with her family. Another grandchild—her eleventh!—was born a few months ago, and she is eager "to enjoy another newborn. It's the best thing, to be a grandparent, because you don't have to get up at night, and you can just enjoy the innocence of this new life!" she enthused. As for leaving the court, she said, "I've gotten so much out of this and hopefully have given a lot. I feel I will miss it. But by then, I will have been a justice for 21 years, which is long enough. I am looking forward to the next chapter in my life: to be home with my husband and family and friends. But hopefully to help make a difference for those who cannot advocate for themselves, especially children!"



BC Schwartz

Justice Pariente poses for a photo with Office of Court Improvement staff, whom she credits with having done "some of the heaviest lifting" in helping the branch implement its visionary family court and problem-solving court initiatives.

Farewell, Justice R. Fred Lewis

Born in Beckley, West Virginia, Justice R. Fred Lewis made Florida his home in 1965, when the offer of a basketball and academic scholarship from Florida Southern College drew him to Lakeland. Upon graduating, he moved to Miami to attend the University of Miami School of Law; after receiving his law degree, he attended the United States Army Adjutant General School. Following his discharge from the military, he entered private practice in Miami, specializing in civil trial and appellate litigation. He remained in Miami until his appointment to the Florida Supreme Court in December 1998; he served as chief justice from 2006 – 2008. (Take this link for more biographical information about [Justice Lewis](#).)

“Son, how’d you like to come to Florida?” asked the coach from Florida Southern College—visiting Beckley, West Virginia, to recruit the town’s most promising student athletes. “Holy Jesus, thank you! I’ve been asked to go to heaven!” was the first thought of the bright, gifted basketball and baseball player—and future Florida Supreme Court justice. For the young R. Fred Lewis, son of a coal miner from “the city that thrives on smokeless coal”—as Beckley has proudly called itself since the 1920s—moving to Florida was “beyond the dreams I had. Where I come from, only special people could go to Florida back then,” Justice Lewis elucidated. “It was expensive, so it was a place you only heard about, like you hear about Disneyland. And now I was being offered the opportunity not only to go to Florida but to live there and have it paid for! —Not a bad deal,” he exclaimed.

“And I’m still here. Never went home again. And I’ve never regretted it at all,” he added—doubtless in part because Florida offered him yet another “opportunity of a lifetime”: to be a Florida Supreme Court justice. This prospect surpassed all imaginings for him: “I never in my wildest dreams ever thought I’d have this privilege, this opportunity to serve on the supreme court,” he emphasized. Even after nearly 20 years, his gratitude for having been selected for this honor is still fresh: “I come to work each morning feeling very thankful. Each morning, I say, ‘Thank you, God, for giving me the opportunity to serve the people of Florida.’ That’s a consistent thought every day,” he shared.



courtesy of FL Supreme Court PIO Office

Annually, up to 25 middle and high school teachers are selected to participate in the Justice Teaching Institute, a five-day education initiative on the fundamentals of the judicial branch, sponsored and hosted by the supreme court. Here, after his session on Case and Applicable Law, Justice Lewis enjoys the chance to talk with some of the participating teachers.



Justice R. Fred Lewis

courtesy of FL Supreme Court

But even though Justice Lewis has remained in Florida all these years, never far from his heart, or his conversations, are anecdotes about his hometown and the people, values, and customs that nurtured him: “I respect my background, my roots, and the people in Beckley; I love them dearly,” he said. That he continues to be shaped deeply by his cultural inheritance is palpable to anyone who has visited him in his chambers: signs of his birthplace ornament his desk and walls, serving as constant reminders of his modest beginnings (the jar of coal from near his mother’s home—which also figures prominently in his official portrait—is probably the most stirring memorial).

When asked how he navigated the twisty and unforeseeable journey from Beckley to Florida’s highest court, Justice Lewis was quick to attribute much of his success to the encouragement and guidance he received from his Beckley school teachers, whom he called “the backbone of the state,” adding, “There’s

something about that little state; It doesn't produce much of anything, but it does seem to produce good teachers. In a small community like I come from," he elaborated, "teaching is probably the highest profession. My dad didn't care a hoot about lawyers and judges, but, boy, teachers and coaches to him were the epitome. He never went to school, and he considered teachers as bastions of the community."

For Justice Lewis, teachers are "formative people," sources of constancy, stability, and continuity, and they played a particularly important and poignant role in his early years. He grew up in "a rough and tumble community" with a dad whom he described as "a rough and tumble guy." Even though his mom "had no education—she left school when she was 15 to marry my dad"—it was she who provided him with "a semblance of genteelness and social appropriateness." But his mother passed away when he was very young. "After she died, I didn't have any relatives around who could help mold me or guide me to where I should be," he explained. "It was my teachers who filled that role, helping me understand what I should and shouldn't do. When they corrected, it was not done as a punishment; it was very loving direction. And they did it in such a way that I grew from it. They watched after what I was doing and encouraged me." He called his teachers "good, loving, kind people who were very interested in the children and looked after them. For them," he observed, "teaching was truly a profession, it wasn't just a job, and their support built in me a trust and confidence, a respect, and love for educators. It just became part of who I was. And that doesn't leave you; throughout life, it's always there." He then spontaneously reeled off the names of all his elementary school teachers, in grade order—and offered to recite the names of all his junior high and high school teachers as well!

Justice Lewis concurred that the early and profound guiding influence of his teachers could easily account for his passionate, hands-on commitment, as a justice, to Florida's teachers and its students. For instance, consider his longstanding and extensive involvement with the [Justice Teaching Institute](#), a program that invites up to 25 Florida teachers to the supreme court each year for a five-day education program designed to help them introduce their students to the vital roles courts play in our society. Moreover, consider his establishment, while serving as chief justice, of [Justice Teaching](#), an initiative that has grown to pair more than 4,000 volunteer judges and lawyers with elementary, middle, and high schools in Florida to enhance civic and law-related education. As soon as he came to the court, years before Justice Teaching became formalized, he explained, "I started going out on my own to the schools to teach the kids."

Justice Lewis has no regrets about his decision to serve on the court. "As you get older," he philosophized, "you recognize how short life really is. I could have had more fun not coming here. But I probably could not have accomplished much of anything other than representing my own clients. And that's what tipped it over for me to come here: I came to an understanding that it was time for me to do more for more people than just my client base. And to try to get it right, not just help them win."

He described "seeing an extreme need that needed to be addressed because of the woeful status of civic education for our kids. Providing them with good, correct information to me was of critical value." He counts the founding of Justice Teaching as one of his greatest achievements as a justice. Indeed, he was nationally honored for this effort: in 2014, he received the prestigious Sandra Day O'Connor Award for the Advancement of Civics Education, which recognizes Justice Teaching as one of the top civic education programs in the country.

Responding to a question about other accomplishments of which he is particularly proud, Justice Lewis noted that, "As we rotate through the front office [i.e., serve as chief justice], each of us has ideas about concerns that we think ought to be addressed." He served as chief from 2006 – 08, and that was his opportunity to focus on some of the issues that he felt needed attention. In addition to wanting to do something about the state of civic education in Florida, Justice Lewis was troubled by the increase in the number of repeat offenders with untreated mental illnesses coming into Florida's courts. To address this issue, he convened the court system's first inter-branch mental health summit, which culminated in the development and proposal

of a comprehensive strategy for addressing the needs of people with mental illnesses who are caught up in the criminal justice system. He knows the progress in implementing this strategy has been slow, but he is “thankful for baby steps; I understand you can’t climb a mountain all in the first day.”

As chief justice, he also established a committee to develop a survey with which to audit all court facilities in the state, with the goal of identifying and removing barriers that inhibit access to justice for people with disabilities. “I firmly believe that the denial of access to a disabled individual is as heinous and illegitimate as racial or ethnic bias or any other barrier to getting into the courthouse,” he emphasized. But he did face some hurdles: “Our biggest obstacle regarding architectural accessibility is that the courts do not own or control the trial court buildings,” he pointed out, “but I thought it important that we at least identify the problems in an honest and open way, in an informational way, to help the counties make the necessary changes.” He has been “so pleased with the results” of the survey and the counties’ responses, and he praised the “many wonderful people from all across the state who helped with this.”

In addition, because of his background in civil litigation, Justice Lewis saw the need for better jury instructions in complex cases. When he was chief justice, he finally had a chance to do something about it: he created the Supreme Court Committee on Standard Jury Instructions—Contract and Business Cases, which produced a complete, stand-alone set of jury instructions for contract and business litigation. “For years, I had been the liaison to the Standard Jury Instructions Committee—the negligence committee—and every time I’d ask that group, ‘Why don’t we expand the standard jury instructions to cover other areas?’ the response was, ‘Oh, it can’t be done.’ Well, all you gotta do is tell me it can’t be done, and I’ll show you it can be done! I knew it could be. The question was having the energy and the will to do it. So I was very pleased when we were able to establish these instructions as a permanent fixture; I consider it to be extremely important to the people of Florida and to the trial lawyers.”

And, finally, Justice Lewis called to mind some of his efforts to implement updates and improvements to the Florida Supreme Court Building. “I was concerned about this building,” he admitted. The building was new when the court moved into it in 1949, but “It never had a replacement program in place that office buildings typically have to ensure they keep current.” He had the carpet replaced with more durable coverings—granite and tile—and authorized other functional improvements. He also had the supreme court’s four floors renumbered: the floors used to be labeled subbasement, basement, first floor, and second floor, but “I told the marshal I don’t want any basements, any subbasements. It didn’t seem right. I don’t want anybody to have to say, ‘I go to work in the subbasement of the Florida Supreme Court.’ We’re going to number our floors one to four. That to me was a dignity kind of thing.” The interior of the building continues to be fully functional and to look beautiful today, thanks to the improvements Justice Lewis initiated.

Certainly, his years on the court have not always been easy, and 2012 was particularly difficult: “The loss of my daughter Lindsay, of course, had a major impact on our family. And the loss of my father that year, who lived with us and died when he was 102. And all of this happened during that merit retention period,” when he and Justices Pariente and Quince were gearing up for their final merit retention votes and faced organized opposition from several conservative political groups. “The impact was at least perceived by my family as being heightened because you couldn’t get away from it,” Justice Lewis remarked; “You’d get up every morning, and something else was going wrong.” That was an unspeakably painful period for him and his family.



courtesy of NCSC

For their work on the Justice Teaching program and other civic education initiatives, Justice Lewis and Ms Annette Boyd Pitts, executive director of the Florida Law Related Education Association, were awarded the 2014 Sandra Day O’Connor Award for the Advancement of Civics Education, conferred by the National Center for State Courts. Here, Justice Lewis and Ms Pitts stand beside the former US supreme court justice (in center).

However, he has no regrets about his decision to serve on the court. "As you get older," he philosophized, "you recognize how short life really is. I could have had more fun not coming here. But I probably could not have accomplished much of anything other than representing my own clients. And that's what tipped it over for me to come here: I came to an understanding that it was time for me to do more for more people than just my client base. And to try to get it right, not just help them win."

Asked if he'll miss anything when he leaves the court, without pause he said, "I will miss participating in the process to get it right, that's what I will miss. Because I think what this court does and needs to do affects so many people in Florida, and I will miss the opportunity to assist in that process. It may be egotistical to think I have a worthy idea of what's right. But I do believe, based on my background and where I come from, that there are certain things that are right and certain things that are not right. There are certain fundamental things that are the way they need to be to be fair to all people, and I'll miss having a role in that." In the end, he said, "I'm truly, truly thankful that I've had this opportunity, and I know in my heart that, although I do make mistakes, I've tried my very best to get it right in serving the people of Florida."

Farewell, Justice Peggy A. Quince

Born in Norfolk, Virginia, Justice Peggy A. Quince has been a Florida resident since 1978, when she settled in Bradenton and opened a law office to practice general civil law. She began a thirteen-and-a-half year tenure with the Florida Office of the Attorney General, Criminal Division, in 1980; as an assistant attorney general, she handled appeals in the Second DCA, the Florida Supreme Court (including death penalty cases), the Eleventh Circuit Court of Appeals, and the US Supreme Court. Then in 1993, she was selected to serve on the Second DCA—the first African-American woman to be appointed to a Florida district court of appeal. She also has the distinction of being the first African-American woman to serve on the state's highest court, to which she was appointed in 1998; she was chief justice from 2008 – 2010. (This link goes to additional biographical information about [Justice Quince](#).)

Open to the public since 1996, the Florida Supreme Court's Passing of the Gavel ceremonies tend to be uplifting, hope-full rituals that celebrate the achievements of the out-going chief and give voice to the aspirations of the incoming chief. In keeping with this tradition, when the gavel passed from Justice Lewis to Justice Quince, the new chief justice spoke ardently about some of the issues she hoped to spotlight in her two years as the chief administrative officer of the judicial branch. In particular, she emphasized the branch's indelible commitment to Florida's children and families, reminding listeners of the need to keep working to ensure that all children in the court system have a voice. To augment the pool of volunteers authorized to speak for these children in court, she urged attorneys to become guardians ad litem and to support a program she hoped to establish to address the needs of older children aging out of the foster care system. She also pledged to continue addressing the hardships faced by individuals with serious mental illnesses who become involved in the justice system, thanking Justice Lewis for his leadership in this endeavor. And she extolled his court diversity and sensitivity awareness program and vowed to sustain that effort. Finally, she spoke about her goal of advancing the production of a book that captures the oral and written histories of Florida's first black lawyers.

Against the backdrop of this buoyant, auspicious ceremony, however, history was about to lob some huge challenges at the new chief justice. For the Passing of the Gavel took place on June 27, 2008, only a few months after what would later be designated the official beginning of the Great Recession. The second year



Justice Peggy A. Quince

courtesy of FL Supreme Court



courtesy of FL Supreme Court PIO Office

Justice Quince talks to the Beaux of Tallahassee Chapter of The Links, Incorporated, about the courts and the legal rights and responsibilities of adults during the group's visit to the Florida Supreme Court.

of Chief Justice Lewis' tenure had already suffered fallout from the financial upheaval: between October 2007 and May 2008, the judicial branch was hit with three rounds of budget cuts, resulting in a 9.8 percent reduction from its original 2007 – 08 appropriations. But the consequences to Florida's courts, and to state government generally, were particularly uncompromising through the span of Chief Justice Quince's incumbency.

While she was chief, among the ramifications of the economic debacle for the judicial branch were austere staff cuts (the branch lost nearly 300 full-time positions), stiff reductions in operating budgets, a hiring freeze, a travel freeze, the curtailment of judicial education programs, the temporary suspension of some court committees and task forces, and a two percent pay cut for elected officials (a reduction that disproportionately affected Florida's judges)—all at a time when demands on the courts dramatically increased, as they generally do at difficult economic junctures. Simultaneously, like the rest of the world, Florida's courts were trying to prepare for the possibility of an influenza pandemic, a disaster that could conceivably disrupt court operations for up to 18 months—precisely when courts would likely be facing an increase in emergency matters and case filings. And also within this timeframe, the mortgage foreclosure crisis hit its peak, provoking a colossal spike in backlogged foreclosure cases.

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In the course of this precarious period, even some of the long-familiar faces on the court changed: Justices Cantero and Bell resigned in fall 2008, and Justices Anstead and Wells retired in early 2009. Chief Justice Quince was soon sharing the bench with four new jurists: Justices Canady, Polston, Labarga, and Perry.

Despite the intense challenges, Chief Justice Quince spearheaded some significant efforts to improve the administration of justice during her term. For instance, she established the Judicial Branch Governance Study Workgroup, which examined the structure and functions of the governance system (e.g., policy-making, budgeting, rulemaking, leadership, decision-making, planning, and intergovernmental relations) and made recommendations to improve the effective and efficient management of the branch. (Take this link to [read about the workgroup](#).) In addition, under her direction, a statewide, multidisciplinary Dependency Court Improvement Panel was created to improve courtroom practices and decision-making in dependency cases. She also appointed a task force to address the effects on the courts of the mortgage foreclosure crisis. And she laid the groundwork for the creation of the Florida Innocence Commission, which was directed "to conduct a comprehensive study of the causes of wrongful conviction and of measures to prevent such convictions." (This link goes to the [administrative order creating the commission](#).)

Not surprisingly, however, most of her time and energy had to be trained on figuring out ways to stabilize the operations of the court and on developing a solution for providing long-term, sustainable funding so that the courts could continue to meet their constitutional obligations. Throughout this extraordinarily turbulent period, she led the judicial branch with aplomb, providing what Justice Canady, when the gavel passed to him in 2010, called "firm and steady leadership."

The daily stresses of those two years, however, have in no way tarnished Justice Quince's memories of her nearly 20 years on the supreme court bench. She was quick to admit that she'll miss many aspects of the job, especially the people with whom she's worked side by side all these years, many of whom she has "become very attached to." She also knows she'll reminisce fondly about the extraordinary diversity of her responsibilities as a justice: she described "driving to the supreme court building every morning, knowing

there's going to be a different case, even a different kind of case, each day. Today, I might be consumed with a death penalty case; tomorrow, it might be a bar discipline. It is the variety of issues that makes me look forward to coming to work every day."

She will also miss playing a part in the supreme court's deeply meaningful work and the far-reaching ramifications of its decisions. She has been humbled by the solemnity and consequence of the cases she has been called upon to decide. Some of these cases have "absolute importance"—especially death penalty

Once she has retired, Justice Quince has plans to immerse herself deeply in some of the very causes she highlighted at her Passing of the Gavel ceremony. Because she feels called to do something to help "the many young kids of this state who have no voice about what is happening to them," first on her list is to become a guardian ad litem: "I want to do what I can to assist these children who are being taken care of by the state, involved in dependency and termination of parental rights and foster care."

cases, which represent a large portion of the justices' work and require "a higher degree of attention and time." Others are high profile cases that have had national significance. Naturally, the first such case she mentioned was Election 2000, calling it a "once in a lifetime experience" and "one of the shining moments for the court." She remembers those 36 days as a "very challenging, intense, focused time." And she still marvels that, despite the substantial workload addition and the intense public scrutiny, and despite

the throngs of reporters, photographers, demonstrators, and sightseers clustered densely in front of the supreme court building, the justices still successfully "carried on with our regular docket at the same time."

But she was quick to point out that most of the supreme court's cases are not high profile, and she emphasized that "Our other cases are no less important, for they touch on a wide variety of issues that affect so many people in Florida. Personal injury, criminal law, family law: whatever decision the court makes, apply it to the 20 million people in the state of Florida. Whether they attract media attention or not, the cases that come before this court will impact a great number of people for years to come," she underscored. Along these lines, she would offer the following advice to a prospective or new justice, if invited: "Even what looks like a simple case with a simple solution has far-reaching impact and consequences. Each case needs to be taken very seriously."

Once she's retired, Justice Quince still intends to continue engaging in some of the important civics-related activities she's enjoyed these many years as a judge. Judges, both active and retired, are encouraged to take part in teaching audiences of all ages, from all walks of life, about the law, the legal system, and the administration of justice, and she has no intention of withdrawing from this role once she steps down. Indeed, she confessed that she has "already been booked" to give talks to numerous school groups, civic groups, church groups, and bar associations.

In addition, after taking what she called a "four-to-six-month breather before getting into anything," Justice Quince has plans to immerse herself deeply in some of the very causes she highlighted at her Passing of the Gavel ceremony. Because she feels called to do something to help "the many young kids of this state who have no voice about what is happening to them," first on her list is to become a guardian ad litem: "I want to do what I can to assist these children who are being taken care of by the state, involved in dependency and termination of parental rights and foster care. Once the state has taken them from their parents," she explained, "I believe it is incumbent on us to make sure these children are treated as well as our own biological children. We need people advocating for them, committed to their best interests."

One of five children raised by their father in a single-parent household, Justice Quince reflected on the critical role her dad played in her own childhood. For this reason, she said, "I believe there should be someone in everyone's life to help them through the rough patches. When I was 18, going off to college, I was look-

ing forward to not having my father there to tell me what to do all the time. I felt so grown up! But I knew if there was any issue, I could call my father." She realizes how fortunate she was—for "Many of these foster kids don't have anyone they can call on." She also pointed out that many of them "are at an age where no one wants to adopt them. A 13 year old is not likely to be adopted and will probably age out of foster care. Yet this is a crucial point in their lives." For they age out at the very time in their lives when they have to start making so many important decisions: "They have to think about getting an apartment, continuing their education, taking care of their finances, buying a car. They have legal issues to deal with, personal issues. In the normal scheme of things," she added, "they could talk about these issues with their parents around the dining table. But these foster care kids often don't have the benefit of that." As a guardian ad litem, Justice Quince will be able to be that person for some of these kids.

Many people suffer some anxiety when thinking about retirement; they fear they won't have enough to do to fill their time or they won't be occupied gainfully. But Justice Quince clearly has it figured out for herself: "The key to retiring is having meaningful things to do with your life," she declared. For her, this meaningfulness will include "being a guardian ad litem, travelling, and speaking to civic organizations, school groups, church groups." With such a richly tapestried future, she is quite certain that retirement will offer many rewards.



Ramon Waters, OSCA

Justice Quince was honored with the Florida Dispute Resolution Center's 2017 Sharon Press Excellence in Alternative Dispute Resolution Award, presented annually to a person for "visionary leadership, professional integrity, and unwavering devotion to the field of alternative dispute resolution." Here, Justice Quince is flanked by Ms Susan Marvin, chief of the Dispute Resolution Center (on right) and Ms Sharon Press, the center's former chief and currently the director of the Dispute Resolution Institute at Hamline University.

Chief Justice Awards for Judicial Excellence

The Chief Justice Awards for Judicial Excellence, established in 2015 and presented annually, recognize one county court judge and one circuit judge who demonstrate exceptional commitment to the judicial branch and who personify judicial excellence, embodying qualities such as strength of character, integrity, fairness, open-mindedness, knowledge of the law, sound judgment, professional ethics, intellectual courage, compassion, and decisiveness. These prestigious awards are bestowed at the annual education programs for each level of the trial court. At this year's education program of the Conference of County Court Judges of Florida, Justice Labarga conferred a 2018 Chief Justice Award for Judicial Excellence on Judge Belle B. Schumann, Volusia County. And at the education program of the Florida Conference of Circuit Judges this year, Justice Labarga recognized Judge Alice L. Blackwell, Ninth Judicial Circuit, with a 2018 Chief Justice Award for Judicial Excellence.

Judge Belle B. Schumann, Volusia County, Receives the 2018 Chief Justice Award for Judicial Excellence

Appointed to the Volusia County bench in 2005, Judge Belle B. Schumann is distinguished for “her unwavering integrity, impeccable character, and innovative intellect in addressing the challenges placed before her.” Letters supporting her nomination call her a “valued team player and mentor to all members of the Volusia County court” and “a leader in the community, in the local bar association, in the Conference of County Court Judges.” She is esteemed for all her efforts “to provide the highest level of professionalism to the judicial branch.”

Judge Schumann’s accomplishments are extensive, but her achievements in two areas particularly stand out: she has spearheaded numerous court initiatives that, while improving efficiencies and saving taxpayer dollars, have also brought “justice to the poor and marginalized in our community”; and she is also appreciated for her commitment to creating educational opportunities for many different groups of learners.

While serving as the administrative judge for Volusia County (2009 – 2013), Judge Schumann implemented several practices to make more effective and efficient use of court resources. For instance, as one letter writer notes, “She addressed the chronic issue of caseload imbalance among civil county court judges by creating an assignment system based on zip codes. This plan was so effective that it was later adopted by the circuit court. She further organized the criminal division assignments to make them more balanced, even though it caused more cases to be assigned to her own docket.” While saving the court time and money, many of Judge Schumann’s initiatives also have a strong “community service” component. For example, since 2008, she has chaired the Advisory Board for the Corrections Treatment Diversion Program for jail inmates; as one letter writer explains, this substance abuse program “provides a badly needed treatment option where none previously existed, and it eliminates thousands of jail days every year, saving taxpayers millions of dollars.” Further, in 2012, Judge Schumann founded the Volusia County DUI Treatment Court to provide supervised treatment for repeat DUI offenders. That same year, she established the Sentencing Alternatives for Volusia Enforcement (SAVE) Docket “to divert homeless and indigent non-violent offenders to community service instead of burdening the court system.”

Innovative practices like these have inspired a groundswell of appreciation for Judge Schumann, both in her court and in the Volusia County community in general. Indeed, community organizations have honored her for a great variety of humanitarian endeavors over the years. Perhaps she is most extolled for having led a county-wide effort to create a much-needed homeless shelter/service center; expected to open in 2019, Volusia Safe Harbor will “merge the resources of local governments, faith-based groups, businesses, chambers of commerce, and social service providers.” Letter writers praise Judge Schumann for having “worked tirelessly to obtain this facility for our community.”

Judge Schumann is also a “staunch advocate for enhanced educational opportunities for others,” as her letters of support emphasize. She has served as judicial faculty at statewide judicial conferences since 2008, teaching judges about topics like jury trials, legal writing, and evidence. In addition, as the chair of Seventh Circuit Professionalism Committee, she established a biennial professionalism seminar that regularly brings lawyers and judges together for free-ranging discussions on matters of ethics and professionalism. She has also been active in the court’s Afternoon at the Courthouse event, which is designed to educate attorneys and members of the public about different court divisions. Further, she is certified by the state to teach classes that help police officers satisfy continuing training requirements, and she also teaches courses



courtesy of Volusia County

Justice Labarga confers the 2018 Chief Justice Award for Judicial Excellence on Judge Schumann.

in basic law enforcement issues to the officers. Finally, she is committed to teaching the state's youngest citizens as well: she coordinated speakers for the Volusia County Bar Association's Law Week activities for five years, reaching more than 3,500 students each year, and she presided over trials for the Florida High Mock Trial Program for two years.

The letters of support all focus on the many ways in which Judge Schumann strives fervently "to improve the quality of justice in our county." Indeed, as one of the letter writers concludes, "Judge Schumann epitomizes all the qualities of a model judge."

Judge Alice L. Blackwell, Ninth Circuit, Receives the 2018 Chief Justice Award for Judicial Excellence

Judge Alice L. Blackwell, appointed to the Ninth Circuit bench in 1991, is celebrated for her "intelligence, fairness, punctuality, professionalism, decisiveness, and courtesy." One letter writer, who served on a committee Judge Blackwell chaired, recalls her "calm and courteous manner and her ability to get to the heart of a matter while showing respect for everyone involved"—which he calls "qualities that one associates with judicial excellence and leadership." She is considered "an inspiration for so many other judges."

Judge Blackwell's accomplishments are indeed wide-ranging, but her supporters are especially eloquent about her embrace of judicial branch leadership roles, her commitment to education, and her efforts to improve the court system for families and children throughout the state.

Referred to as "one of our branch's true leaders," Judge Blackwell is praised for her years of service on a multitude of judicial and bar committees: her judicial branch service includes membership on the State Courts Civil Litigation Task Force, the Judicial Management Council, the Committee on District Court of Appeal Performance and Accountability, the Supreme Court Judicial Branch Governance Study Group, and the Supreme Court Commission on Trial Court Performance and Accountability (which she chaired for 10 years). She is currently a member of the Select Committee on the Justice Teaching Institute, the Steering Committee on Families and Children in the Court, and the Ninth Circuit's Unified Family Court Committee, and she chaired, and continues to serve on, the Florida Conference of Circuit Judges. With her "selfless devotion toward the constant improvement of our justice system" and her "quiet, consensus-building leadership style," Judge Blackwell "has dedicated her career to thinking critically about the role of the judiciary and how it can better provide transparent and high-level service to the communities it serves."



Justice Labarga confers the 2018 Chief Justice Award for Judicial Excellence on Judge Blackwell.

Rose Patterson, OSCA

Perceived as "a leader in judicial education," Judge Blackwell is described as having a "passion to educate and interact with members of the bench and bar." This passion even extends to The Florida Bar's future members—she has served as adjunct faculty at Barry University School of Law since 2010. In addition to teaching at various local and state bar education programs and giving presentations for manifold organizations that seek to improve the lives of children and families, Judge Blackwell has taught for the Florida Judicial College since 2010 and at the Florida College of Advanced Judicial Studies for nine of the last 12 years. One letter writer calls her "a dedicated and talented faculty member" for judicial education programs, adding that, "In this, as in all her endeavors, she pursues excellence with a passion." Another letter writer muses, "I have had the privilege of teaching with her for new family

court judges for many years. She is brilliant in a common sense, logical way. She is a wonderful teacher and mentor to new judges and other experienced judges new to the Family Law Division. After 10 years on the bench, I continue to learn from her as we co-teach."

Judge Blackwell has also been "tireless in her efforts" to improve the court system for families and children. In addition to serving on committees dedicated to family court matters and to teaching the fundamentals of family law to a range of audiences, she recently worked with Chief Judge Fred Lauten to reorganize the Ninth Circuit's Family Division, helping to make "incredible improvements...to better serve the families and children during their difficult times." Moreover, several letters of support discuss Judge Blackwell's "efforts in stopping domestic violence and protecting domestic violence victims." As one letter writer explains, "Before 2007, Orange County did not have an organized way to address its domestic violence cases. Seven family court judges alternated weeks of responsibility for domestic violence injunctions, bringing varying levels of expertise and no specialized training to a multi-faceted legal and social issue. Batterers and their victims all crowded into one room, free to interact with one another before, during and after their hearings. Judge Blackwell's vision overhauled this system, and Orange County now stands at the forefront of how domestic matters are addressed throughout the nation." In addition to improving the circuit's Domestic Violence Division, Judge Blackwell has "reached out to the community to form partnerships to better recognize and assist in the area of domestic violence. Untold people have benefited from her efforts."

Judge Blackwell "exemplifies the qualities one expects of our finest judges"; she "personifies and exudes all that defines judicial excellence"; "Her 25 years on the bench embody the spirit of this Award." All the letters of support agree that Judge Blackwell is precisely the sort of jurist who deserves to be recognized with a Judicial Excellence Award.

Access to Justice

Self-Help @ the Seventeenth: Offering Broward Residents "One-Stop Shopping" for Legal and Social Services

With the exception of celebratory rites of passage like marriages and adoptions, courthouse visits are not typically associated with happy times in most people's lives, notes Ms Lynn Allen, family court manager with the Seventeenth Circuit. Indeed, "Going to a courthouse can be an exhausting, confusing, and stressful time" for people, she emphasizes. And if they also need legal or social services to help them navigate court processes, and if they don't know (or don't know how to find out) which service providers to seek out—or if they go to an agency that can't help them and they are directed to another agency across town, for instance—they may feel they're having to negotiate "layers of barriers to get the assistance they need"—and to get access to the court generally. In addition to being frustrating and overwhelming, this experience "wastes precious moments" and heightens people's unease at an already-strained time in their lives. Aiming to mitigate these kinds of tribulations, the Seventeenth Circuit recently introduced a new initiative called Self-Help @ the Seventeenth, which facilitates people's access to the services they need, all under one courthouse roof.

Self-Help @ the Seventeenth comprises five different self-help centers that assist people with various legal and social issues. From 9 a.m. to 5 p.m. five days a week, anyone—regardless of income and regardless of whether a lawsuit has been filed—can visit the courthouse to receive free, on-site help from the following agencies:

- **Coast to Coast Legal Aid** provides assistance with family cases and also provides referrals and assistance with domestic violence injunctions;
- **2-1-1 Broward** identifies and assists families in crisis or in need of housing and is also a referral base to all Broward social services;

- **South Florida Wellness Network** is a recovery-focused, peer-run program that supports people wrestling with behavioral, emotional, mental health, trauma, and/or substance abuse issues;
- **Henderson Behavioral Health** offers a variety of mental health and behavioral health services, crisis intervention, and referrals to local in-patient and out-patient services; and
- **Women in Distress of Broward** provides victim compensation and relocation services and assistance to victims of domestic violence, including referrals to attorneys for legal assistance.

The “stars aligned” to make Self-Help @ the Seventeenth a reality, agree Ms Allen and Ms Kathy Pugh, the circuit’s trial court administrator. When Broward County’s new courthouse, the Central Judicial Complex in downtown Fort Lauderdale, opened in March 2017, they quickly realized that they had more small offices for mediations and depositions than they needed for those purposes. So a lightbulb went on in Ms Allen’s head: she has been working in court administration for 24 years, so she remembers when the supreme court’s Family Court Steering Committee issued a recommendation, in a [2001 report](#), that each court institute a self-help program to provide intake, screening, and procedural guidance to self-represented litigants in family court cases. And she also remembers that the Seventeenth Circuit had such a program—until it was eliminated with the 2004 implementation of the constitutional amendment known as Revision 7 (Revision 7 shifted a significant portion of the responsibility for funding the trial courts from the county to the state, and programs like self-help centers were no longer provided by the courts system). With the un-utilized space in the new courthouse—and with the realization that no funding from the court or the state would be needed to bring the idea of a self-help program to fruition—Ms Allen and Ms Pugh reasoned that this would be an opportune time to restore the self-help program to Broward County. And with Chief Judge Jack Tuter’s blessing, they began to flesh out their vision.

Ms Allen—whom Ms Pugh refers to as “the captain of this ship”—says that while the idea for this program evolved over a period of years, the last three years required most of the “hard work.” But finding service providers who would be willing to get involved was not difficult: when invited to participate in this venture, “No agency said ‘no thank you’; they all said, ‘How can we do this? Let’s see how we can make this work,’” Ms Allen underscores. “It’s been a collaborative effort since the beginning,” Ms Pugh adds.

To sustain their continued and constructive collaboration, Ms Allen and all the agency representatives have once-a-month meetings to identify and address any concerns or issues they may have. The agency representatives also reaffirm their responsibility to identify the needs of all the people who seek them out, providing referrals to one another to ensure that each client receives the assistance he or she is seeking. Moreover, if none of the five agencies provides a service that a client needs, they are responsible for referring that person to another community resource—and for helping them access that



courtesy of the 17th Circuit

At the ribbon-cutting ceremony for Self-Help @ the Seventeenth are (l – r) Ms Cristina Castellanos, South Florida Wellness; Mr. William Spencer, 2-1-1 Broward; Ms Gretchen Rovira, Henderson Behavioral Health; Chief Judge Jack Tuter, Seventeenth Circuit; Ms Kathleen Pugh, trial court administrator, Seventeenth Circuit; Ms Lisa Goldberg, Coast to Coast Legal Aid of South Florida; Ms Lynn Allen, family court manager, Seventeenth Circuit; and Ms Mary Riedel, Women in Distress.

resource. "The point is that anyone can hand a person a pamphlet," Ms Allen stresses; "It's the one-on-one face-time that is critical"—and that's what Self-Help @ the Seventeenth guarantees.

Judges, court staff, and clerk of court staff across the state refer people to community-based services all the time. That is nothing new, for "We know that the court is not the end-all answer to all a person's needs," Ms Allen points out. But what's different about Self-Help @ the Seventeenth is that "All these services are under the same roof—a one-stop shopping kind of experience. This makes it so much easier for people," she adds. At the same time, Self-Help @ the Seventeenth is good for the court; as Ms Allen explains, "Someone might initially feel their only avenue for relief is a lawsuit. But these resources might show them that they have other, better options," thereby conserving the time and resources of the court (as well as of the parties themselves).

The judicial branch is committed to ensuring that people have meaningful access to the courts, and with Justice Jorge Labarga's 2014 creation of the Florida Commission on Access to Civil Justice, Floridians are becoming more aware of the branch's accessibility initiatives. Self-Help @ the Seventeenth clearly supports court accessibility, particularly for people who represent themselves in court. As Chief Judge Tuter says, "Our circuit continues to strive to address the needs of the self-represented. Services provided by our expanded self-help center are available to people not just in the legal system, but anyone in need of help and regardless of income."

Marking Guardianship Month: Judicial Branch Efforts to Enhance the Quality of Care of Vulnerable Floridians

Guardians are surrogate decision-makers who are appointed by the court to manage the personal and/or financial affairs of a person who is legally unable to manage his or her own affairs (e.g., a minor or an adult with a developmental disability, a mental health disability, or an age-related disability) and for whom less restrictive alternatives are found by the court to be inappropriate or unavailable. October is Guardianship Month in Florida—a time when local governments all across the state issue proclamations thanking guardians for providing a voice and vital services to these vulnerable Floridians. In addition to being an opportunity to acknowledge the critical work of Florida's public, professional, and family guardians, Guardianship Month is

In addition to being an opportunity to acknowledge the critical work of Florida's public, professional, and family guardians, Guardianship Month is also an ideal time to highlight some of the ways in which Florida's judicial branch is working to identify, assess, and improve guardianship practices and other decision-making alternatives so as to best meet the needs of people requiring decision-making assistance.

also an ideal time to highlight some of the ways in which Florida's judicial branch is working to identify, assess, and improve guardianship practices and other decision-making alternatives so as to best meet the needs of people requiring decision-making assistance.

Florida, the nation's third most populous state, has the highest rate of residents with one or more disability: 23.5 percent of adults in

Florida are said to have some type of disability ([Centers for Disease Control and Prevention](#)). Florida also has the highest rate of residents aged 65 years and older, and, since the risk of having impairments grows with age, the number of people with disabilities in Florida is likely to increase in the years ahead. Currently, nearly four million Floridians, approximately 19.5 percent of the state's inhabitants, are at least 65 years old ([Florida Department of Elder Affairs](#)). The state's burgeoning elderly population has significantly intensi-

fied the growth in guardianship cases; in fact, guardianship is one of the few case types in the state that has shown growth over the last five years. Perceiving the rise in guardianship cases as a potential trend, the judicial branch has been involved in two significant efforts to improve guardianship processes.

First is the supreme court's Guardianship Workgroup. Established in October 2016 under the umbrella of the supreme court's Judicial Management Council, this workgroup, chaired by Judge Olin Shinholser (ret.), Tenth Circuit, examined judicial procedures and best practices pertaining to guardianship to ensure that courts are best protecting the person, property, and rights of people who have been judged to be incapacitated and people who may have diminished capacity to function independently. The workgroup also developed strategies for improving accountability to better protect people under guardianship.

And second, with a grant and technical assistance from the American Bar Association and the National Center for State Courts, the supreme court has been guiding a court-community partnership focused on improving practices in adult guardianship and providing less restrictive decision-making options. Florida's Working Interdisciplinary Networks of Guardianship Stakeholders—WINGS—is a broad-based, interdisciplinary, collaborative initiative that aims to facilitate the coordination of key representatives from the various stakeholder groups to ensure that efforts are not duplicated and that collective impact is preserved.

Between July 2017 and May 2018, stakeholders met statewide four times to develop and prioritize future goals. At their last meeting, they finalized and prioritized the WINGS goals as follows:

- Determine which circuits do not have a sufficient number of physicians participating on their examining committees and develop a recruitment plan for those circuits to use;
- Design a toolkit containing comprehensive information about decision-making options, for distribution to the public;
- Provide law enforcement officers and first responders with one or more tools to assist them in identifying and reporting abuse, neglect, or exploitation;
- Develop a new component of the annual guardianship report that comprehensively addresses restoration of rights;
- Develop and pilot a volunteer court visitor program for individuals who have a family guardian;
- Create model annual guardianship/guardian advocacy reporting forms for use in all Florida circuits;
- Design an evaluation guide for courts to use when approving family guardianship training courses, in order to improve course consistency, quality, and content; and
- Establish a process for courts to notify the Social Security Administration when a guardian of the property who is also a representative payee is removed.



Tricia Knox, Supreme Court

WINGS coordinated two public hearings to gather information about, and identify areas of need and concern regarding, the current state of guardianship, the public perception of guardianship, and other ways of providing decision-making assistance in Florida. Pictured here is the WINGS public hearing held in Orlando last February.

Divided into three groups, stakeholders have begun directing their efforts toward the first three goals. As the committees complete their goals, new committees will be formed to focus on the next three goals. (This link goes to more information about [Florida WINGS](#).)

Through the recommendations of the supreme court's Guardianship Workgroup and the concerted efforts of the stakeholders involved in the WINGS initiative, the judicial branch is working to improve processes in and increase the effectiveness of the state's guardianship systems, thereby enhancing the quality of care and lives of vulnerable Floridians.

Education and Outreach

A Day in the Life of a Florida Supreme Court Justice

By Maya-Allegra Hendry & Taylor Rich, interns with the Florida Supreme Court Public Information Office

Long black robes, fast-paced oral arguments, and complex opinion-writing are some of the typical things that come to mind when people think of the Florida Supreme Court justices. But contrary to popular belief, the day-to-day life of a justice consists of much more. Their work extends far beyond their public presence on the bench. The fact that no two days are alike makes the jobs of the justices exciting and worth sharing with readers. With the input of Chief justice Charles T. Canady, Justice Peggy A. Quince, and Justice Alan Lawson, this article will provide a look at some of their daily responsibilities.

Behind the scenes, the justices have to spend a lot of time preparing for oral argument. The Florida Supreme Court accepts and reviews approximately 2,500 cases each year. The justices set oral arguments for about 100 of those cases. During oral argument week, which takes place during the first full week of each month, the courtroom is filled with lawyers, family members and friends on each side, and members of the public eagerly waiting to hear not only how each side pleads their case, but also how the justices will weigh in. Oral argument is also an exciting educational experience, so school groups and groups of university students are often in attendance as well. Each attorney is allotted 20 minutes for his/her argument, but the justices frequently interject with questions about the case, making the arguments more of a dialogue-style proceeding. The justices reserve a lot of time to prepare for oral argument, for this is their only chance to question attorneys in person about the material they have included in their written briefs. (This link goes to more [information about oral argument](#).)

Whether or not a case is set for oral argument, before the justices can arrive at a decision, they have to spend a significant amount of their time preparing for each case. Preparation involves extensive reading and reviewing of the filed briefs. "Most of our

days involve many hours of reading," Justice Lawson said. "When it comes to our decisional work, I spend time researching issues using an online legal research database and drafting or editing opinions. Our decisional work also involves court conferences, during which the justices discuss cases in person." For convenience and efficiency, the justices also utilize an online system to electronically cast their votes on cases. Since six of the seven justices do not live full-time in Tallahassee, this online system allows them to do some of their work remotely. "It is necessary to log into that system regularly because many cases require prompt action and are noted as emergency matters in the online voting



courtesy of FL Supreme Court PIO Office

Justice Lawson gives a talk to a group of legislative scholars visiting from the University of Central Florida.

system,” Justice Lawson said. “We each vote on thousands of cases a year. Many of these cases do not require extensive research or drafting, but each requires time reviewing the case materials and internally-created memoranda and proposed orders that are accessible through our online voting system.”

Also behind the scenes, the Florida Supreme Court justices oversee the entire state courts system (with approximately 1,000 judges and hundreds of court personnel), The Florida Bar (with approximately 100,000 lawyers), and the Florida Board of Bar Examiners. Among their responsibilities, justices serve as liaisons to various supreme court committees, Florida Bar rules committees, and other bar-related groups. For instance, Justice Lawson serves as a liaison to the supreme court’s Trial Court Budget Commission. “I attend their meetings, review materials in connection with the work of that commission and am in regular contact with commission members and others regarding the important work of that commission,” Justice Lawson said. “This and other governance roles require frequent phone conversations and electronic communication. They can also involve days of meetings.”



BC Schwartz

Justice Quince conducts a session on preparing for oral arguments for teachers participating in the 2018 Justice Teaching Institute.

The justice’s daily to-do list isn’t complete once they have made their decisions on cases or conducted their committee work. In fact, many of the justices share a passion to extend their work beyond the walls of the supreme court building. “Our jobs are not just to handle cases but to let people know about the judiciary,” Justice Quince said. “We’re here to serve people.” Through the organizations she is involved in, such as the Tallahassee Barristers Association and the Tallahassee Women Lawyers, Justice Quince has made it a priority to educate as many people as possible about the justice system by making appearances and speaking at events and schools. Another important education initiative that the justices are involved in is the Justice Teaching Institute (JTI). In this unique, annually-held program, up to 25 middle and high school teachers are selected to participate in a comprehensive, five-day training session in civics education. All of the justices are very hands-on during this program, providing detailed information to the teachers not just about the trail of justice through Florida’s trial and appellate courts, but also about the federal court system. (Take this link for more information about the [Justice Teaching Institute](#).)



courtesy of FL Supreme Court PIO Office

Chief Justice Canady talks about the fundamentals of the judicial branch with a visiting school group.

Since July 2018, the chief administrative officer of Florida’s judicial branch has been Chief Justice Charles T. Canady. Many often wonder how the role of the chief justice differs from that of any other justice. The chief justice presides over oral arguments and court conferences, and he or she also faces unique day-to-day challenges the others do not face. In the Florida Supreme Court’s June 2018 podcast, [Beyond the Bench](#), Chief Justice Canady describes his special role. “The chief justice takes on all administrative responsibilities. It can vary from time to time,” he said. “There are some days when the [chief justice’s] whole day is

spent on administrative matters. At the same time, the chief justice has the regular job of justice...participating in and deciding on cases. [The role] has special demands that other members of the court don't face."

Although being a Florida Supreme Court justice can be quite rigorous and demanding, the justices still make spending time with their families a priority. Balancing work and personal life surely has its challenges, but Justice Quince shared the importance of making time for herself and her family each day. Justice Quince, who is set to retire this January, discussed how she managed raising younger children with the demands of being a justice when she first started at the supreme court. "I had to make sure they were fed, had their homework done, went to soccer practice....You get it done because you know it has to be done," she said. Now that her children are adults, Justice Quince has more time to travel and participate in education and outreach engagements.

Justice Lawson also shared his experience with juggling his duties at work simultaneously with his duties as a husband and father. "I am getting better about disengaging from work and giving full attention to my family during meals and other designated times," he said. "For example, I will frequently take my wife to dinner and leave the phone at home."

The justices are indeed dedicated to their work, but they cherish the special moments with their family as well in order to keep them going. Serving on the state's highest court and affecting the lives of all Floridians, they know how important it is to find that crucial balance.

Constitution Day at the Florida Supreme Court

Observed annually on September 17, Constitution Day marks the day on which the US Constitution was signed in 1787. At Constitution Day events all across the nation, celebrants are informed that the Constitution—which established this country's national government and fundamental laws and which guarantees certain basic rights to all its citizens—is the basis for America's great heritage and is the foundation for the American way of life; are reminded that they are responsible for protecting and defending the Constitution; and are encouraged to study the historical circumstances that led to the formation of this cardinal document.



At the Constitution Day event at the supreme court, young visitors relish the chance to participate in mock oral arguments.

courtesy of FL Supreme Court PIO Office

To celebrate Constitution Day this year, the Florida Supreme Court opened its doors to walk-in visitors on Saturday, September 15. This family-friendly event, which took place between 10:00 a.m. and 4:00 p.m., was a rare opportunity to see the state's highest court outside of regular business hours. Visitors who ventured into the courtroom were invited to don long, black robes and sit in the justices' chairs for photos. Guests could also visit the other public areas of the building: the rotunda, the portrait gallery, the Lawyer's Lounge, the rare book room, and the library, where they could watch a video introducing them the supreme court, narrated by Chief Justice Charles T. Canady. ([Take this link to the Welcome to the Florida Supreme Court video.](#)) Court staff handed out pocket constitutions to everyone and were available to answer questions about

Florida's judicial branch of government and to provide information about the history of the Florida Supreme Court and the treasures in its rare book room.

Even though court staff had little time in which to coordinate and advertise this event, 64 people—42 adults and 22 children—participated. Given its success, staff are hoping to make Constitution Day an annual happening at the supreme court.

Annual Reporters Workshop at the Florida Supreme Court

Recognizing the importance of playing a proactive role in heightening reporters' understanding of the court system, the supreme court has hosted an Annual Reporters Workshop each fall since 1989. Presented by The Florida Bar Media and Communications Law Committee, these two-day events are designed to teach the basics of legal reporting to print, TV, radio, and online journalists who are new to the legal/courts beat, providing them with a helpful introduction to covering justice system issues.

The sessions vary each year, but they generally focus on matters such as effective techniques for reporting high-profile cases, merit retention in Florida, public records and how reporters can obtain the ones they need, libel law and defamation, lawyer regulation, and journalism in the world of social media. In addition to veteran reporters, presenters include justices, judges, attorneys, and professors. Twenty-one journalists participated in this year's Reporters Workshop, which took place on September 24 – 25.



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At the 2018 Reporters Workshop, Judge Augustus Aikens, Leon County, facilitates an interactive session called Words Matter: Reporting on the Courts and the Constitution.

Mediation Day at the Florida Supreme Court

The third Thursday of October is Conflict Resolution Day. Celebrated all across the world, Conflict Resolution Day was established to promote awareness of mediation, arbitration, conciliation, and other methods for resolving disputes creatively and amicably. Because mediation is the alternative dispute resolution (ADR) process that Florida's courts utilize most frequently, this special day is commemorated with a Mediation Day event in the Florida Supreme Court courtroom.

Each year, students studying conflict resolution skills at neighboring schools mark Mediation Day with a trip to the state's highest court, where they participate in education sessions facilitated by Florida Dispute Resolution Center staff. This year, 32 high school students from Florida State University School and 15 students from Fairview Middle School visited the court to learn about peaceful methods of dispute resolution, do a small-group mediation exercise, and take a tour of the supreme court library and rare book room. The highlight of their visit was a presentation by Justice Peggy A. Quince, who talked to them about the values of mediation and then answered questions about ADR and about her journey to the supreme court bench.



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Visiting students were divided into groups of three, with one student playing the part of a mediator and the other two playing the roles of parties in a dispute; using a hypothetical case, the students were given a chance to experience how the hypothetical conflict could be resolved through mediation.



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Fairview Middle School students and their teachers pose in front of the "Let's Peace it Together" quilt (on display in the Florida Supreme Court Library), which was created to remind everyone to use mediation and not violence.

The immediate goal of peer mediation is to teach students how to resolve disputes peacefully in their schools. But it has a far-reaching goal as well. The essence of democracy is the ability to resolve differences through civil means; in learning ADR skills, these students are learning how to listen respectfully to and to care about what other people say. In short, the ADR skills they are developing are also helping them become better citizens. (Take this link to learn more about [mediation and alternative dispute resolution in Florida](#).)

Turning Points

Awards and Honors

The Florida State Courts System was honored with a 2018 Top Court Technology Solutions Award for its Florida Courts Help App. Developed by OSCA, under the direction of the Florida Commission on Access to Civil Justice, the app provides easy access to a repository of resources for self-represented litigants seeking help with family law issues such as a divorce, an order of protection, a name change, or a stepparent adoption. Conferred by the National Association for Court Management, the award was presented to Florida courts "in recognition of improved communication, operational efficiency, and access to justice using technology."

Judge Robert Branning, Twentieth Judicial Circuit, was awarded the Trailblazer of the Year by the News-Press; given to someone who has built a pathway of success for others through innovation, determination, and commitment, this award was presented to Judge Branning for his work piloting the therapy dog program in Lee County dependency court.

Judge Melinda Brown, Broward County, was honored with a Community Service Award from the Jewish Community Center of Plantation, which recognized her for her work with the Jewish Community Center Board, Make-A-Wish Foundation, Broward Children's Center, Florida United Methodist Children's Home Advisory Board, and the Broward Crime Commission Advisory Board.

Judge Pamela Campbell, Sixth Judicial Circuit, was honored with the Jurist of the Year award by the Florida Chapter of the American Board of Trial Advocates.

Judge Dawn P. Fields, Volusia County, was awarded Woman of the Year by the Volusia Flagler Association for Women Lawyers.

Judge Jack Helinger, Sixth Judicial Circuit, was given the William Castagna Award for Judicial Excellence by the Barney Masterson Inn of Court, a legal organization whose mission is to promote civility and ethics in lawyer-to-lawyer and lawyer-to-judge relations. In addition, Judge Helinger was recognized by the Clearwater Bar Association with a John U. Bird Judicial Excellence Award, created to recognize honor, high ideals, personal character, judicial competence, and service. He was also presented with a Judicial Professionalism Award by the Women Lawyers of Pasco County; this award recognizes a jurist's continuing efforts to foster a relationship between the bench and the bar and to encourage those who practice law to maintain high ethical standards and to present themselves as models of civility and patience for others to emulate.

Judge John E. Jordan, Ninth Judicial Circuit, was presented with The Honorable James B. Glazebrook Professionalism Award. Bestowed by The George C. Young American Inn of Court, this accolade "honors a current or former Inn member whose combination of service to the Inn and professionalism and integrity in practice display a course of excellence."

Judge Debra L. Krause, Seminole County, received the Seminole County Bar Association's Judge of the Year Award.

Judge Cindy Lederman, Eleventh Judicial Circuit, was distinguished with the 2018 Janet Reno Women's Leadership Award; coordinated by the Center for Juvenile Justice Reform at Georgetown University, this award is given to a nominee who has demonstrated a commitment and ability to effect change in her community or organization to benefit youth, particularly those at-risk of entering the juvenile justice or child welfare systems. Among other achievements, Judge Lederman was recognized for serving in the Miami-Dade Juvenile Court since 1994; leading the team that created the Domestic Violence Court; developing a special docket for drug-involved mothers of newborn babies; issuing a groundbreaking ruling that paved the way for adoption by gay and lesbian couples in Florida; and founding the Girls Advocacy Project, an award-winning intervention for girls in the Juvenile Detention Center in Miami-Dade.

Judge Janeice Martin, Collier County, the presiding jurist in Collier County's veterans court, was distinguished with an American Legion Award; she was honored for her tireless service and devotion to American veterans and their families.

Judge Melanie G. May, Fourth District Court of Appeal, was honored with a National Center for State Courts Distinguished Service Award; in the press release announcing the award, Judge May is distinguished for her longstanding efforts, on the local, statewide, and national levels, "to improve the justice system and the lives of those involved in that system."

Judge Edward H. Merrigan, Jr., Seventeenth Judicial Circuit, who serves in the Army Reserves, was recently promoted to Brigadier General; the promotion ceremony was held at the Judicial Complex in Broward County.

Judge Kelly J. McKibben, Eighteenth Judicial Circuit, was presented with the 2018 Outstanding Jurist of the Year Award by the Florida Association for Women Lawyers; this award recognizes jurists who have consistently, fearlessly, and impartially promoted the rule of law, respecting the equal rights of all who come before them.

Justice Barbara J. Pariente, Florida Supreme Court, was distinguished with the inaugural Justice for Children and Families Award. Conferred by the supreme court's Steering Committee on Families and Children in the Court, this award "honor[s] a person or entity advancing the spirit and ideals of a model family court, while accomplishing the judicial branch mission of protecting rights and liberties, upholding and interpreting the law, and providing for the peaceful resolution of disputes." The inspiration for the award was "Justice Pariente's innovation and her dedication to justice for families and children in court through her work on the steering committee." She is described as "a fearless mentor, coach, and taskmaster (in the most inspiring of ways)" who "reminded all of us that there is no time to waste in the life of a child involved in the judicial system."

Magistrate Gil Perez, Twentieth Judicial Circuit, was awarded the Gavin Letts Memorial Jurist of the Year Award for 2018 by the Florida Chapter of the American Academy of Matrimonial Lawyers; this award is presented for the most outstanding contribution to the field of matrimonial law by a member of the judiciary.

Mr. Steve Simon, Ninth Judicial Circuit, head of the circuit's Project Management Team, received the Arnie Wilkerson Memorial Court Service Award from The George C. Young American Inn of Court; this award honors individuals working in the judicial system who display the highest standards of character, integrity, and ongoing dedication to the judicial system.

Judge Maria Sampedro-Iglesia, Eleventh Judicial Circuit, received the 2018 William E. Gladstone Award. Presented by the Florida Department of Children and Families, this award is named after the late Eleventh Circuit Judge William E. Gladstone for his pioneering work in the placement, motivation, treatment, and education of the delinquent and abused, abandoned, or neglected children who came before him. It is presented each year to the greatest contributor to the protection and well-being of Florida's most vulnerable children.

Chief Judge Bertila Soto, Eleventh Judicial Circuit, received the Johnnie M. Ridgely President's Award, created by the Dade County Bar Association in 2005 to honor Johnnie Ridgely's life and commitment to service during her more than 42 years as executive director of the organization.

Mr. Joseph Stelma, Jr., Trial Court Administrator with the Fourth Judicial Circuit, was selected for the Jacksonville Bar Association's 2018 Liberty Bell Award, presented annually to a non-attorney who has made a significant contribution to the legal system in Northeast Florida.

Judge Lisa Walsh, Eleventh Judicial Circuit, received an Outstanding Jurist Award from the Young Lawyers Division of The Florida Bar; this award recognizes a jurist of outstanding reputation who demonstrates a "concern for and willingness to assist young lawyers and respects their abilities."

Judge Joseph M. Williams, Baker County, received the Harvey Ford Award, the highest honor of the Conference of County Court Judges of Florida, in recognition of his service to the community, the legal profession, and the conference.



Florida Supreme Court

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In Memoriam

Retired Judge John Adkins served on the bench in Brevard County from 1989 – 2000.

Retired Judge Eli Breger served on the bench in Miami-Dade County from 1987 – 1996; he also served as a senior judge from 1996 – 2017.

Mr. Dwight Brock served as the clerk of the circuit court in Collier County from 1992 – 2018.

Retired Judge Lynn Gerald, Jr., served on the bench of the Twentieth Judicial Circuit from 1989 – 2011.

Retired Judge D. Bruce Levy served on the bench of the Eleventh Judicial Circuit from 1981 – 2005.

Retired Judge Edward Rodgers served on the bench of the Fifteenth Judicial Circuit from 1973 – 1995.

Senior Judge David L. Tobin served on the bench of the Eleventh Judicial Circuit from 1987 – 2000; he also served as a senior judge from 2005 – 2014 and from 2015 – 2018.

Retired Judge W. Rogers Turner served on the bench of the Ninth Judicial Circuit from 1973 – 2002.

Retired Judge Winifred L. Wentworth served on the bench of the First District Court of Appeal from 1970 – 1991.

Retired Judge William A. Wilkes served on the bench in Clay County from 1980 – 1985 and on the bench of the Fourth Judicial Circuit from 1985 – 2010; he also served as a senior judge from 2011 – 2015.

Senior Judge Robert E. Williams served on the bench in Nassau County from 1984 – 2007; he also served as a senior judge from 2007 – 2018.

Judge Clyde E. Wolfe served on the bench of the Seventh Judicial Circuit from 2006 – 2018.

November

- 26 – 30 2018 DUI Adjudication Lab
- 26 – 29 Handling Capital Cases Course
- 27 – 28 Florida Court Personnel Faculty Training
- 29 – 30 Judicial Faculty Training Specialty Course

December

- 6 Advanced Mediator Ethics Training, Daytona
- 7 Advanced Mediator Ethics Training, Orlando
- 14 Florida Commission on Access to Civil Justice Meeting

January

- 13 – 18 Florida Judicial College, Phase I
- 15 – 18 County Mediation Training, Panama City
- 29 – 31 Court Interpreter Oral Performance Examinations, Ft. Lauderdale

February

- 6 – 8 Court Interpreter Oral Performance Examinations, Tallahassee
- 7 Pro Bono Service Award Presentations
- 17 – 21 Justice Teaching Institute
- 25 – 28 Court Interpreter Orientation Workshop, Tampa

ON
THE
HORIZON



Under the direction of
Supreme Court Chief Justice Charles Canady
State Courts Administrator Patricia “PK” Jameson
Chief of Innovations and Outreach Tina White

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