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A Message from Lisa Goodner, State Courts Administrator

This summer edition of the *Full Court Press* is somewhat different from its usual format and focus. Instead of concentrating on events and achievements over the previous quarter, this issue is a retrospective of the special undertakings and major accomplishments of Florida's judicial branch under the leadership of Chief Justice Barbara J. Pariente. Each chief justice is charged with carrying forward a biennial operational plan that advances the Long-Range Strategic Plan for Florida's Judicial Branch. Chief Justice Pariente, with the help and support of the other justices, has worked tirelessly to realize the objectives of the 2004-2006 operational plan, *Horizon 2006*. Her three priorities were to continue to ensure full and fair funding of the courts; to take advantage of the opportunities that new technologies have created; and to encourage trial courts to implement unified family courts and work with justice system partners to find successful models of representation for children.



Under Chief Justice Pariente's watch, much has been achieved. Her energy, warmth, determination, genuine love of people, and passion for the judicial branch have all aided her in reaching her goals. Anyone who has had the opportunity to work with her would agree that there's no mountain she won't climb: her enthusiasm, curiosity, and optimism are limitless! Also, she's such an affirming personality that, whether she's talking to a roomful of 600 strangers or, one-on-one, to a staff member's child, she typically makes everyone feel recognized, reinvigorated, and re-inspired. These traits helped the chief and the branch face the unusual challenge of eight hurricanes and their devastation these past two years. Her response was a perfect example of her style of leadership: she visited the damaged courthouses and personally met with judges and court staff to convey the Florida Supreme Court's concern for, and commitment to, them.

I hope you find this retrospective informative and engaging. And, I am certain that Chief Justice Pariente would be the first to thank all of you for your contributions to the many judicial branch achievements over the past two years.

Sincerely,

Lisa Goodner

Post-Revision 7 Challenges

CREATING AN INTEGRATED COURT SYSTEM

“My highest priority is to continue our work to ensure full and fair funding of the courts so that the people of Florida have equal access to justice no matter where they live or what they do for a living.” So wrote Chief Justice Barbara J. Pariente in her companion letter to *Horizon 2006*, the court’s operational plan. She was referring, of course, to the July 1, 2004, implementation of Revision 7, which shifted the primary funding responsibility for the state court system from the counties to the state. This shift took place—technically, literally—the day before her Passing of the Gavel ceremony. And, because the mechanisms for the trial courts’ budgetary unification were well established (thanks to the efforts of Chief Justices Wells and Anstead), the transition to Revision 7 was almost flawless—described by some as “so smooth that it shocked us all.” After she became chief, the legislature passed two “glitch bills,” one in 2004 and one in 2005, behind which the chief justice enthusiastically threw her support. All in all, though, one might say that, in general, there really wasn’t a whole lot left for her to do in terms of transitioning to Revision 7.

But that would be inaccurate. It’s true that the budgetary unification was in place before the gavel was passed to her. However, budget issues aside, the branch hadn’t yet learned how to conceptualize itself as or to act as a single entity. And this is what Chief Justice Pariente has been able to accomplish: rather than nurture the now-dated perception that the one supreme court, five DCAs, 20 circuit courts, and 67 county courts are each discrete, self-defined, self-contained entities, she has vigorously promoted a vision that encourages the entire court system to re-imagine itself as an integrated unit. In other words, her triumph has been in getting the courts to practice what Lisa Goodner refers to as “systemic thinking.” As a result of her efforts, judges and state court personnel have learned to think in terms of what is best for the whole rather than what’s best for

their particular court. Without question, the groundwork for Revision 7 laid by the Trial Court Budget Commission, the trial court administrators, the chief judges, and OSCA staff was almost ineffably challenging. But getting people to change the way they think about themselves—or, in this case, inspiring a system of autonomous courts to change the way it thinks about itself—has been no easy task, and Chief Justice Pariente deserves much of the credit for revolutionizing the court system’s self-conception.

The accomplishment of the Judicial Compensation Committee is one of many examples of the chief’s success in transforming the court system’s self-image. Under the chief’s guidance, judges from all four tiers of court, recognizing the advantages of presenting a unified proposal to the legislature, participated collectively in arriving at a decision regarding judicial pay and benefits. Instead of county court judges, circuit judges, DCA judges, and supreme court justices each advocating solely on behalf of their own interests, they determined to create a united front. With the cooperation from all levels of the court, this committee proposed a graduated judicial pay scale that earned universal approval.

But the justices and judges weren’t concerned only about their own salaries—they also advocated forcefully on behalf of salary raises for all court personnel. After Revision 7 was implemented, it became clear that court employees in parallel positions across the state often do not receive parallel salaries, and, in some cases, the disparities are flagrant. The chief justice initiated a major branch-wide pay and classification study in an effort to address these pay inequities, making it one of her pre-eminent goals for this past legislative session.

Unfortunately, close to the eleventh hour, the legislature decided not to provide funding to the courts to redress this fairness issue. In response, the chief justice sent a memo to all employees of the state court system, calling the legislature’s decision “a personal disappointment to me.” However, she added, “Our judges and court managers have already committed themselves to making the case for fair and equitable pay for court employees in next year’s legislative session, or for as many as it takes,” and she concluded by promising, “We will not give up!” So, even though the pay plan initiative didn’t succeed, her efforts are a palpable tribute to her ability to get the court system to think like a system, to speak in a strong and united voice, and to stand up for the best interests of all of its employees.



The Trial Court Budget Commission meets regularly to address budgetary issues affecting county and circuit courts. Pictured here are Trial Court Administrator Mark Weinberg, 7th Judicial Circuit; County Court Judge Nancy Perez, Palm Beach County; Chief Judge William Roby, 19th Judicial Circuit; and Trial Court Administrator Ruben Carrerou, 11th Judicial Circuit.

Education and Outreach

BUILDING PARTNERSHIPS ACROSS THE STATE

She “exudes energy and charm”; she has been described as “an irresistible force”; people remark on “her sincerity in her connections with people on a personal level” and say that even when they don’t agree with her, she ably engages them in a “constructive exchange”—this is just a sampling of the sorts of responses one gets when one asks court personnel about Chief Justice Pariente’s adroitness at reaching out to others and building valuable relationships with them. And this ability certainly accounts, in part, for her conspicuous success in creating meaningful collaborations with a wide range of state and community partners in order to promote her cherished judicial branch projects. Nowhere has her dexterity in initiating and maintaining consequential conjunctions with people been more evident than in the breadth of her education and outreach efforts over the last two years.

During her Passing of the Gavel ceremony, the chief justice expressed the hope of establishing “a statewide civic education campaign so that we can educate and re-educate all Floridians, from our youngest to our oldest, on the important values of citizenship, the true meaning of the rule of law, and the genius of the three branches of government.” Although a formal program has not yet been founded, the chief has clearly made civic education one of her key priorities: her involvement in Law Day, Constitution Day, and Mediation Day events and her commitment to the Justice Teaching Institute, the student moot court competitions, the mentoring program, and the docent program all speak to her passion for reaching out to children, hoping to provoke them to become active and responsible citizens. Nor are children her only audience, for she is equally interested in their parents and grandparents and has been the driving force behind the court’s popular library exhibits—historical displays, photography exhibitions, rare book collections, dioramas, and other educational tools—over the last two years.

Though an essential beneficiary of Chief Justice Pariente’s education and outreach endeavors, the public is by no means their only recipient. In an effort to create a constituency of support for the courts among Florida’s business leaders, for instance, she was instrumental in designing last year’s Judicial Institute for Business Leaders and this year’s General Counsel Meeting.

And to build constructive alliances across Florida, she has also reached out to a broad compass of state agencies and associations. Just looking at the list of members of the chief’s Children’s Leadership Forum gives one a sense of the sweeping spectrum of entities that she has been able to gather together to work toward a common purpose: employees of the Department of Children and Families, the Department of Health, the Florida Coalition Against Domestic Violence, the Florida School Board Association, the Department of Revenue, the Department of Juvenile Justice, the Department of Education, the Office of Drug Control, the Agency for Workforce Innovation...and the list goes on. It’s a monumental accomplishment to be able to bring together—and engender a productive work coalition from—such a divergent group of people.

As State Courts Administrator Lisa Goodner said, Chief Justice Pariente, with the support and involvement of the other justices, has “put a face on the Florida Supreme Court.” And that has been especially helpful in strengthening the court system’s relationships with the legislature and the governor’s office. Last year, for example, she was the force behind the Florida Justice Institute, an outreach program framed for legislators, and this year, she and House Speaker Allan Bense jointly sponsored a “Meet and Greet” event at the supreme court library, offering legislators an opportunity to converse with the justices and tour the court.



In the supreme court library, Chief Justice Pariente prompts laughter and good spirits at this year’s “Meet and Greet” with the legislators.

Both years, she also promoted a Spouses Day happening at the court, inviting the spouses of the legislators to tour the court and sit in on Oral Arguments. In addition, she has been working closely with Governor Bush on various drug court initiatives over the years. These activities have all been somewhat formal, but even

informally, the chief has been pressing the judiciary to forge stronger relationships with members of the other branches; in every dialog she has with chief judges, for instance, she reinforces the importance of building relationships with local legislators and of working with their local bar associations to make known the court system’s needs.

And, naturally, the chief justice’s community-building skills have also extended to the judicial world, reaching out to judges both in this state and across the country. The United Judicial Conference, held last December, offers a case in point because it represented a union of the annual education programs of the Florida Conference of Circuit Judges and the

Florida Conference of District Court of Appeal Judges. For the first time in two decades, the program was specifically fashioned with the two conferences in mind. And when Hurricane Katrina subverted New Orleans's efforts to host the Conference of Chief Justices this past January, Chief Justice Pariente, recently elected second vice president of this conference's board of directors, warmly welcomed to Florida, and provided an educational program for, 46 chief justices (or their designees) from across the country.

Not surprisingly, the chief's relationship-building has also touched OSCA and supreme court employees. She was behind the organization of a Friday "lunch bunch," which gives personnel a chance to eat together and get to know one another better in an informal setting; always a strong believer in the benefits of exercise, she inspired the offering of a weekly Pilates class, taught by a local instructor; she instituted unit recognitions as well as employee awards and recognitions; and she has invariably found a way to keep personnel knowledgeable about the court system, whether through her monthly brown bag lunches, for which a special guest speaker is invited to give a talk, or through the educational activities she has promoted for events like Law Day, Constitution Day, or Take Your Child to Work Day.

Understandably, considering the scope of educational and outreach activities, the Florida Supreme Court Building has been humming. Given all this edifying busyness, the chief has been determined to preserve this historic building and create an aesthetically pleasing environment for the building's employees and visitors. As a result, the courtroom is being thoroughly renovated; the lunchroom was painted and retiled; and much of the building was repainted. When she became chief, she made a commitment to "reinforce the foundations of our great democracy," and by working to preserve and dignify the building, the court, and their history, she truly has fortified—both literally and figuratively—the judicial branch.

Studies and surveys have demonstrated that people's appreciation of and support for a strong judiciary are driven by their knowledge about the court system. Through her incalculable education and outreach efforts, Chief Justice Pariente has certainly worked with passion and conviction to ensure that everyone—from the people on the street to the people "across the street" (i.e., those in the legislature

and the governor's office)—comprehends the role and function of the branch and also understands his/her own crucial role as a stakeholder in the state's court system.

Emergency Preparedness

BRACING THOUGHTFULLY FOR POTENTIAL COURT CRISES

"Access to justice" is nothing more than a compelling concept if the courts fail to open or to function—for any reason. One of the ways to ensure that access to justice is, in fact, a reality is to make certain that the courts have deliberately-designed strategies for dealing with potentially court-closing emergencies of all kinds. Unswervingly committed to "ensuring high-quality service in every courthouse" and to "enhance[ing] public access and service," Chief Justice Pariente has made emergency preparedness one of her major concerns.



Chief Justice Pariente talks with Chief Judge Charles Francis before giving a presentation for last year's Juror Appreciation Month at the 2nd Judicial Circuit.

It was the tragedy of 9/11 that prompted then Chief Justice Wells to instruct Florida's court system to devise emergency preparedness measures. He created the Work Group on Emergency Preparedness, charging it with "develop[ing] a plan for the State Courts System to better respond to emergency situations." Through the efforts of the Court Emergency Management Group (CEMG), the courts continue to work toward the two main goals that Justice Wells articulated: to "deal with crises in a way that protects the health and safety of everyone at the court facilities" and to "keep the courts open to ensure justice for the people." Over the

last two years, Chief Justice Pariente has reinforced and extended Justice Wells' commitment to these goals.

Because the Work Group on Emergency Preparedness was first fashioned in the wake of 9/11, it was, unsurprisingly, the human-made disasters that were at the forefront of everyone's mind. However, it was not people-contrived disasters that afflicted Floridians after the gavel passed to Chief Justice Pariente—it was the nature-made ones: within three months of her swearing in, Bonnie, Charley, Frances, Ivan, and Jeanne—a severe tropical storm and four disastrous hurricanes—pounded Florida. And what Floridian can forget that, in 2005, this state was buffeted by Dennis, Katrina, Rita, and Wilma? Fortunately, though, the courts already had a tested plan in place for preparing for, responding to, and recovering from emergency events, whether human-made or nature-induced, and, under

Chief Justice Pariente's leadership, the Florida courts have demonstrated that they're up to the challenge of accomplishing the goals established by Justice Wells.

Under Chief Justice Pariente's direction, the Florida State Courts System has also focused its attention on other embryonic threats. In particular, the chief charged the courts with developing and implementing a blueprint for addressing a potential influenza pandemic (e.g., avian flu)—a disaster that could significantly disturb court operations for up to 18 months. A pandemic of this magnitude could have almost unimaginable repercussions, making it the sort of emergency that the courts have not had to deal with in almost a century—when we lived in a much simpler time and had a far more rudimentary court system. Contemplate the following possibilities. A flu pandemic could precipitate a colossal absenteeism rate (estimates say that up to one third of all employees could be ill or deceased), so mission-essential functions could suffer dramatically. And, although a flu wouldn't physically harm the court facilities and infrastructure or public utilities and services, normal operations could certainly be afflicted due to an inevitable lack of staffing resulting from isolation, quarantine, illness, and death. Also, consider the legal ramifications of the enforced quarantines and isolations imposed by public health officials: CEMG anticipates that forced confinements could instigate a significant increase in emergency matters and case filings. Further, given the inevitably severe restrictions on face-to-face contact, the courts, dealing with a highly-stressed caseload, would have to discover new, legal, technology-driven ways of enabling normal court operations to proceed (e.g., telephone, teleconference, videoconference).

In an effort to address a pandemic threat head on, in March of this year, CEMG presented the supreme court with a strategy document, *Florida State Courts Strategy for Pandemic Influenza: Keeping the Courts Open in a Pandemic* ([read this document online](#)). All seven justices endorsed the report, and the courts were directed to initiate efforts immediately to complete all applicable tasks described in it (courts have until November 30 to work out their tactical plans).

As recent history has emphatically proven, leadership is the most important factor in being able to respond effectively to and to recover successfully from emergency events. Chief Justice Pariente has repeatedly demonstrated the strong leadership skills that have led to the successful handling of crises affecting the courts.

Technology

CUTTING-EDGE STRATEGIES FOR IMPROVING COURT ACCESS AND EFFICIENCY

Since the first days she began presiding over the supreme court, Chief Justice Pariente has insisted that "We must continue to embrace technology," striving for an "integrated judicial system so that each judge has access to the information needed to make informed decisions that will better serve our litigants and ensure that justice can be done." To that, she added, "We must move toward electronic filing of documents in order to better serve the litigants of this state and to help provide a more timely appellate review process." She identified these obligations during her Passing of the Gavel ceremony, but she set the technology bar even higher in her letter accompanying *Horizon 2006*, the court's operational plan. Here, in addition to emphasizing the above commitments, she declared that one of her top priorities is to "take advantage of the opportunities that new technologies have created in a way that...facilitates

access to our courts, produces efficiencies in case processing, and enables responsible resource management in the administration of justice." These ambitious goals, articulated during her earliest days as chief, offer only a hint of the energetic pace with which she would drive the court system's technology revolution during her two-year stewardship.

For example, as of June of last year, only 45 of Florida's 67 counties were connected to the

State Courts Network—the infrastructure that enables the Florida Supreme Court, the five DCAs, the 20 judicial circuits, and OSCA to have access to a private and secure network that supports electronic communications, including email services, online legal research, Internet and Intranet access, and videoconferencing capabilities. During her midterm review, the chief underscored the imperative of getting the remaining 22 counties onboard, and, thanks to her advocacy—and to the necessary expansion of the Judicial Inquiry System (JIS)—the Network has expanded dramatically: at last, all 67 counties are connected.



After Hurricane Ivan battered the Panhandle, wreaking havoc on the Escambia County Courthouse, Chief Justice Pariente and Justice Bell made a site visit to Pensacola to view the extent of the damage.

The JIS is a web-based system that enables judges, judicial staff, and other government entities to access multiple data sources through one point of entry. Through the JIS, information is streamlined from a variety of local, state, and federal agencies (e.g., Florida Association of Court Clerks, Department of Corrections, Department of Highway Safety, Department of Law Enforcement, National Crime Information Center, and the like). By extracting and making readily accessible the information from a range of databases, the system lets judges obtain comprehensive search results from a single query, saving both time and money. Judges can also get necessary information rapidly, retrieving a complete criminal history background check more speedily than ever before. As of January of this year, all circuits have a connection to the JIS, which now has over 1,000 users.



Jason Sourbeer, supreme court systems administrator, performs maintenance and updates on the court file exchange server.

demands of the Jessica Lunsford Act (JLA), signed into law in May 2005. This law requires that people who prey on children under 12 be sentenced to at least 25 years in prison and that they be tracked for life if they're ever released. As of April 17, the expanded JIS includes what is called a "JLA First Appearance Calendar"—a function that gives judges and other criminal justice officials automatic access to information essential for the appropriate treatment of the recently-arrested both before and during their first appearance for arraignment. Among other things, it has a risk status alert section that immediately identifies high risk sexual offenders, sexual predators, and those who are on supervised release status. The expansion and enhancement of JIS is undeniably a major accomplishment of Chief Justice Pariente's term.

The chief has also made digital court reporting (DCR) a focal point. Necessarily, an accurate and complete record must be created of everything that is said at a trial, and DCR is a cutting edge technology that soundly observes,

records, and annotates court proceedings. This technology is not only labor saving and cost effective, but it also enhances the ability to create accurate transcripts of court proceedings, thereby increasing the effectiveness of the courts by improving the quality, expeditiousness, and efficiency of the decision-making process. As a result of this breakthrough technology, the courts now have standards in place requiring all DCR vendors to meet certain system specifications and functionality; the courts also have improved access to court transcripts; court-required information and new services are now being delivered without an increase in operating costs; and the courts now own the automated record. Significantly, over the past two years, the number of courtrooms capable of providing these services has increased from 200 to over 600.

Expanding electronic filing has been another of the chief's major targets. By providing safe and secure electronic transactions over the Internet, facilitating the filing of court documents, decreasing the likelihood of data errors, enabling the online review of documents, and reducing paper, postage, and storage costs, e-filing roundly enhances and improves court operations. Eleven counties are currently authorized to proceed with their e-filing initiatives.

Another project that the chief has championed is the On-line Sentencing System. Enhancing but not replacing the sentencing process, the On-line Sentencing System is a secure, web-based application designed to guide judges through the process. It electronically provides sentencing data to judges, state attorneys, clerks of court, the Florida Department of Law Enforcement, and the Department of Corrections. Once fully implemented, it will have numerous benefits, including a more concise sentencing document, the creation of accurate and timely Commitment Packets (which should reduce the amount of time defendants serve in the county jails), the elimination of the need to re-key data (which will reduce data entry errors), and accurate criminal court assessment reports. The criminal justice entities in Alachua County were instrumental in providing the required system specifications. OSCA is in the process of adding functionality to create probation orders, to handle probation violations, and to populate screens automatically with the conditions of sentence required by statute. Once these modifications have been made, the system will be ready for deployment.

Finally, a vehicle for tracking events in child abuse and neglect cases, the Judicial Case Management Information System Project is another enterprise that has been close to the chief's heart. The system is designed to provide the courts with a statewide dependency case management system that methodically collects and reports the information that judicial case managers need in order to handle their caseloads effectively. The Judicial Case Management Project team has been working closely with

Miami-Dade and Polk counties, getting ready for a live courtroom implementation this summer.

Through her vigorous support of technology initiatives, Chief Justice Pariente has underscored her commitment to improving the administration of justice, enhancing public access, and providing efficient, high-quality assistance in every courthouse.

Children and Families

FAMILY COURT:

“INVESTING IN THE FRONT END”

Cases involving children and families provoke “some of the most complex and important decisions that we in the judicial branch can make,” Chief Justice Pariente declared in her Passing of the Gavel address, and as her speech drew toward its crescendo, she exhorted her listeners to “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.” Her allegiance to finding better ways of managing these cases has become legendary.

Although all of Florida’s circuits have moved forward with unified family court, one of the chief’s highest priorities has been to inspire them to continue to implement unified family court strategies, including increasing the use of the one family/one judge model, improving case management practices, and expediting the processing of domestic violence cases. The recently-published *2004-2005 Compendium of Family Court Practices* is probably the most tangible emblem of the progress that has been made over the last two years. This “promising practices” document—organized by category (e.g., “Family Law Advisory Groups,” “Case Management: Delinquency Cases,” “Case Management: Dependency Cases”)—is an extensive overview of the successful innovations implemented by the circuits. The practices—many of which are relatively easy to execute—include ideas like instituting child-friendly waiting areas, family resource services, expanded use of mediation for family cases, biweekly adoption status hearings, monthly “open mic” sessions for kids in family court, family court town hall meetings, a domestic violence judicial review

process, and monthly status conferences for pro se litigants. Enabling a branch-wide sharing of suggestions and ideas, this compendium aims to encourage all the circuits to try promising, new unified family court practices.

The chief also fostered the coordination of the two statewide family court conferences, with a third one scheduled for this August. Over 500 people attended each, and, in both cases, the diversity of the participants reflected admirably on the chief’s outreach successes, for the conferences drew together not only judges, court support staff, and clerks, but also child advocates, domestic violence advocates, parenting coordinators, school officials, attorneys, law enforcement officers, employees from a range of state agencies, and other interested parties.

In addition, Chief Justice Pariente supported the compilation of the *Domestic Violence Benchbook*, which is designed to offer judges technical legal assistance; it includes the statutes governing domestic violence cases, relevant state law, and a host of useful tools and information that judges might want to consider when dealing with a batterer. The chief was also behind the authoring of the *Domestic Violence Injunction Case Management Guidelines*, which is about to be published. This set of procedural guidelines will fill a conspicuous gap, for never before did the courts have a central set of standards, processes, expectations, recommendations, and hands-on practical applications for

case managers. Covering topics such as the “The Legal Basis for Case Management,” “DV Case Manager Qualifications and Training,” “DV Injunction Case Process,” “The Use of ADR in DVI Cases,” “Ethics and Case Management,” and “DV and Substance Abuse,” this document was designed as a prototype for case managers overseeing all kinds of family cases.

Chief Justice Pariente was also instrumental in the recent creation of the Children’s Leadership Forum—a compelling “brainstorming initiative” that

convokes individuals who share an interest and investment in the welfare of children. The chief’s underlying motivation is that there’s far greater power in collective efforts than in individual efforts. Through this forum, she brings together people who represent a wide array of agencies and organizations in order to give them a venue for sharing their knowledge and building understanding; her goal is to enable everyone involved to achieve a bigger vision of what can be accomplished if they work as partners rather than as separate, unrelated entities.



Chief Justice Pariente shares her vision with members of the Children’s Leadership Forum; pictured with her are Bambi Lockman, Dept. of Education; John Hogenmuller, FL. Prosecuting Attorneys Association; and Angela Orkin, Executive Director of the FL. GAL Program.

Typically, for instance, the Department of Children and Families is concerned with dependency; the Board of Education worries about truancy; the Department of Juvenile Justice focuses on delinquency—and these agencies don't often have a forum in which to communicate with each other. But if these agencies can think and move and work beyond their typical, somewhat specialized spheres, making foremost their consideration of what's in the child's best interests, then they will be able to collaborate more usefully, spend the limited allocation of money more wisely, and, ultimately and most importantly, provide better services to the children in need. In her letter accompanying *Horizon 2006*, the court's operational plan, the chief pledged to "work with our justice system partners to find successful models of representation for children," and the Children's Leadership Forum is one of the most exciting brainchildren of this pledge.

DRUG COURT: WORKING TO KEEP FAMILIES WHOLE

The Florida Office of Drug Control, the Department of Children and Families, the Department of Juvenile Justice, the Department of Corrections, circuit courts, state attorneys, public defenders, law enforcement, drug treatment centers, city and county commissions, and various local social agencies: for drug courts to succeed, they need the input and cooperation of all of these individuals and organizations. And given Chief Justice Pariente's passion for—and her deftness in orchestrating—collaborative efforts, it is no surprise that the supreme court's drug court initiatives have met with great success over the past two years.

Her commitment to drug court didn't begin with her ascension to chief; in fact, when the Florida Supreme Court's first Drug Court Committee was established in 1998, Justice Pariente, still fairly new to the supreme court, was appointed its liaison. So, since soon after her arrival in Tallahassee, she has been mindfully involved in Florida's drug court efforts.

Over the last two years, the chief's greatest drug court accomplishment was no doubt her advancement of the Dependency Drug Court Training Initiative. This initiative, funded by Florida's Dependency Court Improvement Grant, involved two three-day training sessions (one, last November, and the second, last February), coordinated by OSCA and the National Drug Court Institute, which organized the sessions, put together the agenda, and provided the training and support. As a result of this initiative, five more circuits have completed training, which means that

17 of the circuits now have, or soon will have, a fully-implemented dependency drug court program. Typically, such programs have been prompted by local, grass roots efforts; somewhat unusually in this case, however, the chief and the supreme court actively reached out to the circuits, encouraging them to take advantage of the training.

Chief Justice Pariente has also been closely involved in and a staunch supporter of the statewide drug court conferences (the state has had five so far), which always achieve the far-reaching goal of fortifying partnerships with state and community agencies. In addition, she has been a guest speaker at the statewide drug court graduation events these last two years; this year, the May 17 event took place in Jacksonville, where 178 drug court graduates were honored. And, in early June in Tallahassee, the chief justice participated in the governor's Eighth Annual Drug Control Summit, a venue in which all of the stakeholders gathered together to offer their input into the future direction of the Drug Control Strategy for the state; also, for the first time ever, the summit commemorated 13 recent drug court graduates for their accomplishments since completing the program.

In her Passing of the Gavel speech, Chief Justice Pariente emphasized that "We must continue to ensure the continuation of programs that have proven success, including

"Every time that we have to terminate the rights of a parent because of a treatable addiction, we have fractured a family with potential, devastating effects on the parent and child." -Chief Justice Pariente

the drug court approach for juveniles and for parents of children in dependency, because every time that we have to terminate the rights of a parent because of a

treatable addiction, we have fractured a family with potential, devastating effects on the parent and child." Ultimately, her dedication to drug court has been fueled by her unwavering commitment to children; as she so eloquently stated, "Florida's oft-repeated pledge that our children come first cannot ring hollow in, of all places, our halls of justice." Through her allegiance to the drug court effort, the chief has made good on her promise to reach out to the children who have been placed in the trust of the judicial system.

Fairness and Diversity

ELIMINATING INAPPROPRIATE BIAS FROM THE COURTS

Since one of the foundations of Chief Justice Pariente's vision is "Respecting Diversity," it is no surprise that, within four months of becoming chief, Pariente, by Administrative Order, established the Standing Committee on Fairness

and Diversity, whose purpose is to “advance[e] the State Courts System’s efforts to eliminate from court operations inappropriate bias based on race, gender, ethnicity, age, disability, or socioeconomic class.”

Consisting of a broad and heterogeneous group of members from both the public and private sectors, this committee has already celebrated numerous achievements. Its first notable accomplishment was the creation of a Court Diversity Information Resource Center website, envisioned as a “marketplace of ideas” that enables viewers to access readily all sorts of relevant information ([click here to visit this website](#)). For instance, it has links to germane Florida Committee Reports (e.g., *Gender Bias Study Commission: Executive Summary*; *Guardianship Mentoring*; *Florida Supreme Court Committee on Court-Related Needs of the Elderly and Persons with Disabilities Action Plan*; “*Where the Injured Fly for Justice*”: *Report and Recommendations of the Florida Supreme Court and Ethnic Bias Study Commission*). Viewers can also connect with studies and articles on fairness and diversity by various organizations and agencies, including The Florida Bar and the National Center for State Courts. And the site has links to court education curricula on fairness and diversity as well as to descriptions of best practices for diversity recruitment and retention. In addition, aiming to create a dialog of sorts, the website has a page from which viewers can offer feedback about the site as well as submit, for possible posting, details about their own best practices as well as announcements of upcoming fairness and diversity-related events.

Another notable accomplishment of the standing committee is its December 2005 completion of the report, *Promoting and Ensuring the Diversity of Judicial Staff Attorneys and Law Clerks Within the Florida State Courts System* (link to this report from the Resource Center website). Based on data gathered from Florida’s eight law schools, current law clerks and staff attorneys, and members of the judiciary, this report addresses the perception of judicial clerkships, the percentage of racial minorities in clerkship positions, and the role of law schools and private employers in encouraging aspiring attorneys to become—or discouraging them from becoming—law clerks. Addressing possible reasons for the lack of minority law clerks, the report offers a detailed “Action Plan” that spells out strategies for

promoting and ensuring diversity of judicial staff attorneys and law clerks.

The standing committee also mass-distributed surveys to judges, attorneys, court staff, jurors, and litigants in order to gather information about their perceptions of unequal treatment in Florida’s courts; altogether, 5,060 surveys were completed (240 by judges; 1,333 by attorneys; 1,084 by court staff; 1,232 by jurors; and 1,171 by litigants). The committee also held a two-day public hearing in



At this year’s Take Your Child to Work Day, Chief Justice Pariente talks to the children of OSCA and supreme court employees about the Bill of Rights and the separation of powers.

Miami, receiving testimony and information from 31 individuals and organizations about their perceptions of inequitable treatment in the courts. Speakers addressed a range of topics, among them, gender, racial, and ethnic bias; language barriers and other challenges for immigrants; the elderly with disabilities; attorneys with disabilities; and sexual orientation. Several more public meetings are being planned. Once the data from the surveys and the comments from the public meetings are compiled, the committee will compose a

report chronicling the perceptions of Florida’s court system by both stakeholders and the public.

In addition to establishing the Standing Committee on Fairness and Diversity, Chief Justice Pariente actively campaigned to create two OSCA positions to oversee equal employment opportunity compliance and training for the courts. A human resources officer was hired in March to fill the EEO position, and, within the next few months, she will be hiring an assistant. The HR officer will conduct regular training programs on all aspects of employee relations, e.g., ADA, sexual harassment, cultural diversity, family medical leave, fair labor standards, and civil rights complaint procedure—and this training will be available to the supervisors, managers, and employees in all of Florida’s courts. The HR officer will also collect, monitor, and analyze data about the courts’ workforce demographics to ensure that the system’s workforce is in compliance with its personnel rules and regulations as well as with federal and state employment laws and regulations.

By establishing the Standing Committee on Fairness and Diversity and by promoting the addition of the two EEO positions, Chief Justice Pariente has evidenced an indisputable commitment to advancing the cause of fairness and diversity in Florida’s court system.

Equal Access and Equal Justice

JUSTICE FOR ALL FLORIDIANS

“The time is always right to do what is right.” Quoting Martin Luther King at the poignant closing of her Passing of the Gavel speech, Chief Justice Pariente ended with a pledge: “Over the next two years, I will give my best efforts as chief justice to do what is right—in trying to make a difference in bringing Floridians together, to bring us closer to the ideal of equal justice under law that is inscribed over the entrance to our nation’s highest court and the principles upon which the ideals of this country’s democracy are based.” As she promised on July 2, 2004, the chief justice has been working indefatigably to ensure “Justice for All Floridians.”

Services for Pro Se Litigants

“Access for Self-Represented Litigants” has been one of the pillars of her vision as chief, and in January of this year, she gathered together 31 people—trial and appellate judges, clerks, court administrators and other court staff, lawyers, and other stakeholders—to begin building a vehicle for enabling pro se litigants to utilize the court system effectively and to realize meaningful access to justice.

The participants in the workgroup identified 47 “threshold services” that they deemed essential for meeting the needs of self-represented litigants, and, based on the considerations of work group members, an action report and recommendations were prepared. The court performance and accountability commissions are considering this information as they develop an assessment tool that will enable trial and appellate courts to evaluate their current level of support, identify the necessary modifications and the budget requirements, and plan and collaborate with other court and community stakeholders to address the needs of the self-represented. As envisioned, the court-based self-help program will have two purposes: to connect litigants with legal services when possible, and to provide access, information, resources, and procedural assistance to pro se litigants.

This endeavor represents the first pervasive, statewide implementation measure since Revision 7, and, in fact, it embodies the essence of Revision 7 because it promotes statewide equity and it requires that services be uniformly available to similarly-situated litigants, regardless of where they reside or how much money they have. Once in place, this program of self-help services—which Chief Justice Pariente enthusiastically supports—will go a long

way toward fulfilling the strictures of Florida’s constitution, article I, section 21, which states that “The courts shall be open to every person for redress of any injury, and justice shall be administered without sale, denial or delay.”

Measuring the Performance of the Jury Management System

In her efforts to encourage citizens to be eager collaborators in the pursuit of justice, the chief has been a passionate expounder and defender of the American jury system. In her Passing of the Gavel speech, for instance, she avowed, “Although many may see the judiciary as being removed from the public—which is sometimes necessary to maintain our impartiality—in fact we are the only branch of government that truly shares power with the people—by making them partners in the justice system and integral to decision-making through the genius of our jury system.”

But our jury system has changed dramatically in the last 15 years, and the jury management system has begun showing signs of inefficiency. To address this problem, the chief, by Administrative Order in September 2004, created the Work Group on Standards for Jury Panel Sizes. She charged this workgroup with evaluating and updating the standards for measuring performance of the Florida State Court’s jury management system. After numerous meetings throughout the state and a public hearing in Miami at the beginning of last year, the work group issued its final report this past March ([read the final report online](#)). The report was reviewed and accepted by all seven justices, and efforts are now underway to implement the group’s recommendations.



Chair of the Work Group on Standards for Jury Panel Sizes, Judge Thomas Bateman, 2nd Judicial Circuit, talks to a Leon County jury pool about their responsibilities as jurors.

Among other issues, the recommendations concentrate on the need to establish new guidelines for jury panel sizes; the necessity for collaboration and communication among all relevant parties associated with the management of cases and jurors; the efficacy of improving the management of cases, especially those that involve complex litigation; the expediency of accessing the most up-to-date information in compiling the juror source list so as to improve juror summoning yield; the benefits of maximizing the efficient use of jurors reporting for service; and the advantages of continuing juror appreciation efforts with an eye toward increasing citizen participation in the jury process. Through her commitment to the American jury, the chief has worked

assiduously toward making the jury experience a useful one to the justice system and a meaningful and gratifying one to the jurors.

DCA Workload and Jurisdiction

Since 1999, Florida's trial courts have had a standardized mechanism for determining judicial workload, establishing recommended caseloads for trial court judges, and evaluating the need for new judges (the Delphi-based weighted caseload system). The DCAs have had a method for ascertaining the need to increase or decrease the number of DCA judges—but this procedure was designed to be the basis for making recommendations to the Legislature; it didn't provide a helpful analysis of case mix, of workload, or of internal and external trends that have affected or are likely to affect Florida's courts. Responding to this deficiency, Chief Justice Pariente, by Administrative Order in September 2004, established the Committee on District Court of Appeal Workload and Jurisdiction, charging it with developing recommendations to the court "on uniform criteria as a primary basis for the determination of the need to increase, decrease, or redefine the appellate districts."

As its guiding question, the committee asked itself "whether, given the totality of the circumstances, Florida's district courts are able to effectively and efficiently perform their primary functions in service to the people." And to arrive at an answer to this question, the committee considered several factors: it charted the case mix—over a 40-year period—of the five DCAs; it evaluated judicial workload based on established relative weights for cases disposed on the merits; and it studied the impact of caseload and workload on case processing.

In October 2005, the committee delivered its report and recommendations to the supreme court, along with a proposed Rule of Judicial Administration for the court's consideration. The justices approved the recommendations without dissent, and the new rule was adopted. Praising the committee's "well-reasoned recommendations," the chief thanked the committee for providing the court "with objective, performance-based criteria for assessing our district courts and a certification process designed to assist the Court in ensuring that the district courts are able to fulfill their duties and responsibilities as the primary appellate courts in this State." The work of this committee, she declared, will enable the DCAs to "continue to dispense justice in a timely and efficient manner that meets the needs of our people."

Judicial Branch Planning: The Future Trends Workshop

On June 30 of this year, the gavel will pass to Justice Lewis, and it will be his turn to frame the direction of the state court system. Nevertheless, Chief Justice Pariente's influence will continue to be pervasive, for she was one of the driving forces behind the Judicial Branch Planning Forum this past May and thus has had an important say in delineating the branch's goals and strategies for the future.



Chief Justice Pariente enjoys a moment with conference facilitator John Greacen, court administration specialist, and with Chief Judge Joseph Farina, 11th Judicial Circuit, chair of the Task Force on Judicial Branch Planning.

Within two weeks of becoming chief justice, Pariente, by Administrative Order, created the Task Force on Judicial Branch Planning. Among other things, the task force was responsible for proposing a strategy for reviewing and updating the long-

range plan—a plan that will guide the courts over the next six years. The two-day Judicial Branch Planning Forum—which was an offshoot of the work of the task force—had two purposes: to reassess the branch's strategic plan, and, after deliberations about the ways in which social, economic, and political trends may affect the courts over the next decade, to make recommendations for updating the strategic plan. In perhaps her term's final outreach gesture—one of so many of the auspicious gatherings of state and community partners that she has inspired over the last few years—Chief Justice Pariente successfully drew together a wide spectrum of participants to initiate the planning process that will guide her successors as they take the helm and assume the leadership role for the judicial branch.

At her Passing of the Gavel ceremony, the chief justice acknowledged that, "In this moment of transition, both on this Court and in our state court system, I am mindful of the past, the present, and the future—both for me personally and for the court system which I have been given the honor and responsibility of serving as chief over the next two years." Poised at that juncture—at that resonant moment of promise in which all her ideas and aspirations and ambitions were converging and becoming accomplishable—Chief Justice Pariente perceived that the judicial world was all before her, ready to listen to and address her concerns. And, as this newsletter celebrates, over the last two years, she has energetically and fruitfully labored to repair that world by making a reality so many of those venerable ideas and endeavors.

June 2006

- 21 Judicial Ethics Advisory Committee Meeting, Boca Raton, FL
- 21-24 The Florida Bar Annual Meeting, Boca Raton, FL
- 22 DCA Workload & Jurisdiction Assessment Committee Meeting, Boca Raton, FL
- 28-29 Court Interpreter Oral Language Exams, Palm Beach, FL
- 30 Passing of the Gavel Ceremony

July 2006

- 5-7 Conference of County Court Judges of Florida, Annual Business and Summer Education Programs, Orlando, FL
- 7 Court adjourns
- 9-13 National Association for Court Management (NACM) Annual Conference, Ft. Lauderdale, FL
- 28 Supreme Court Committee on ADR Rules and Policy Meeting, Orlando, FL

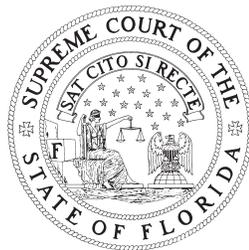
August 2006

- 2-5 Court Public Information Officers (CCPIO) Annual Conference, Phoenix, AZ
- 3-4 2006 Family Court Conference, Orlando, FL
- 14 Court reconvenes
- 24-26 2006 Dispute Resolution Center Annual Conference, Orlando, FL

September 2006

- 11-13 Florida Conference of DCA Judges, Annual Education Program, Ponte Vedra Beach, FL
- 11-13 DCA Marshals Education Program, Ponte Vedra Beach, FL
- 11-13 DCA Clerks Education Program, Ponte Vedra Beach, FL

ON
THE
HORIZON



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