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## A Message from Lisa Goodner, State Courts Administrator

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As many of you know, after working for the court system since 1990—the last 10 years as state courts administrator—I will be retiring on June 30, 2014. Seeking a transition that’s as smooth as possible, the supreme court recently approved a succession plan that involves the creation of a new deputy position. The intent is that the person selected to fill this office will move into the state courts administrator role on July 1.



Ideally, this new deputy will start on November 1—which will give him or her ample time to “shadow” me and learn firsthand about the functions and responsibilities of the administrator. The timing will also give that person a chance to participate in interim legislative committee meeting activities, the 2014 legislative session, the orientation sessions for the new chief justice, and other important events that will help him or her prepare to assume the administrator post successfully. In addition, the new deputy will take responsibility for those OSCA units and staff currently reporting to me and will work with everyone in OSCA to learn the day-to-day operational aspects of our organization. By implementing this thoughtful succession plan, we aim to ensure that leadership at the state level continues seamlessly—which will be good for OSCA and for the branch.

Applications were accepted until July 19, and, over the next few months, a selection committee will screen and interview candidates. The committee reflects all levels of the court system, and each member has extensive experience working with OSCA: members are Chief Justice Polston; Justice Labarga; Chief Judge Richard Orfinger, Fifth DCA; Judge Margaret Steinbeck, Twentieth Circuit; Judge Wayne Miller, Monroe County; and me (I’m a non-voting member). The candidates chosen by the committee will advance to a final interview with the supreme court, which will make the hiring decision.

At this meaningful juncture, I naturally find myself reminiscing about my years with the branch and pondering what I hope to accomplish before I leave—for I want these last months to be as purposeful and productive as possible. I look forward to working toward another constructive legislative session, for instance, with lawmakers paying more attention to officer and court employee salaries. And I’m also committed to finalizing some of the monumental technology projects currently underway.

As I muse over court system achievements and goals, I’m reminded of one of the articles in this newsletter: a considerable part of this edition is an article that examines some of the judicial branch’s most distinguished public trust and confidence efforts over the last 60 years—several of which unfolded while I’ve been state courts administrator. As I look back over my 23 years with the courts, I feel proud to know I’ve played a role in an institution that actively works to earn the trust of the people it serves. And while it is far too soon to say my goodbyes, I look forward to seeing as many of you as I can during my last year of service to thank you for your support and friendship over the years we have served this branch together.

Sincerely,  
*Lisa Goodner*

## Legislative Update

### Funding, Pay, and Benefits for Fiscal Year 2013 – 2014

On May 3, the 60-day legislative session came to a close when lawmakers passed a \$74 billion budget for fiscal year 2013 – 2014. It was a good year for Florida—for the state enjoyed its first budget surplus in six years. And it was also a “very positive year” for the judicial branch, remarked Dorothy Wilson, chief of OSCA’s Budget Services Unit: “In the grand scheme of our priorities, the state court system did well,” she declared, noting that “Having a small surplus this year made things easier,” as did “the good working relationship between branch leadership and leadership across the street” (i.e., with the legislature and the governor’s office). Also critical was that branch leaders spoke with one voice: throughout the process, “Everyone in the state courts system—especially the chief justice, the chairs of the three judicial conferences, the Trial Court Budget Commission, the DCA Budget Commission, and the OSCA Legislative Team—worked extremely hard together toward securing adequate funding for the branch.”

The director of OSCA’s Community and Intergovernmental Relations Unit, Eric Maclure, also called it “a very productive session for the state courts system,” explaining that, “From a budget standpoint, the courts received funding for a number of important facility and technology projects. From a substantive-law standpoint, the legislature updated statutes governing the supreme court marshal to reflect current security needs and practices and provided clear statutory authority for courts to access driver license photographs to help identify individuals who come before the courts on criminal or other matters.” Especially helpful along the way were “the many judges who, despite their already busy schedules, came to Tallahassee or engaged with legislators locally,” for they were “incredibly effective in providing first-hand insights on a number of issues affecting the judicial branch—from foreclosures to death penalty reforms.” Predictably, “There are surprises and bumps in the road every session,” he observed. “But, overall, this one proceeded smoothly.” This article provides an overview of some of the ramifications to the court system with regard to funding, pay, and benefits.

#### Funding

Altogether, the courts received \$443.4 million for fiscal year 2013 – 2014. One of the great boosts for the court system is funding for several critical technology projects. With this additional funding, the branch will be able to complete its rewrite of the Judicial Inquiry System (the web-based data query system that provides judges with criminal justice information that enables them to make time-sensitive decisions quickly and easily, thus enhancing public safety). The branch also got funding to secure technical support to advance the Florida Appellate Courts Technology Solution (software applications that interface with the e-portal and support the seamless integration of e-filing with other automated court processes such as case management, document management, and workflow management).

In addition, from Florida’s share of the national mortgage settlement, the legislature directed \$21.3 million to the court system to address the foreclosure backlog: \$16 million for senior judges, general magistrates, and case managers and \$5.3 million for technology that will enable foreclosure judges to review materials and issue orders electronically and will help them better manage these cases (see the article that follows for more on this issue).

The legislature also provided funding to continue the eight post-adjudicatory drug court pilot projects that were initially supported with federal grant funds. And funding was appropriated to establish veterans courts in Alachua, Clay, Pasco, Okaloosa, and Pinellas counties.

Further, lawmakers provided an increase in the amount of funds in the budget of the Justice Administrative Commission to cover criminal conflict counsel payments in excess of the flat fees, increasing the threshold that must be reached before the courts become responsible for the payment of these bills. The courts also received additional recurring funding to address expenditures in excess of the flat fees.



Dorothy Wilson, chief of OSCA’s Budget Services Unit (on right) with Sharon Bosley, OSCA senior budget analyst.

Phillip Pollock



BC Schwartz

Eric Maclure, director of OSCA's Community and Intergovernmental Relations Unit.

Funding was also provided to address a number of critical facility problems; it will pay for a new roof for the supreme court building as well as for various maintenance and repair projects for the DCA courthouses (note: while the state is responsible for the supreme court building and the DCA buildings, the counties are responsible for maintaining the circuit and county courthouses).

As Lisa Goodner stressed, and Dorothy Wilson and Eric Maclure underscored, a number of factors contributed to the court system's successes this year. External factors include improvements in the state economy and good relations with lawmakers who understand judicial branch issues and are committed to meeting its needs. Internal elements include the steady leadership of the chief justice; the strong team of judges from across the state who work together during session, vigorously advocating for the branch; and an able and experienced OSCA team that works tirelessly to support the efforts of the chief justice and judges throughout the legislative process. Chief Justice Polston often emphasizes the importance of "all singing from the same songbook"—and the gains reaped at this year's session surely bear him out.

### Pay and Benefits

"Invest in the investment" was the catchphrase of judicial branch leaders throughout this year's legislative process. Their goal—and the branch's top priority—was a 3.5 percent salary adjustment for all court employees; at the same time, they worked to ensure that all judicial officers be included in any legislative pay adjustments provided to court employees and to state workers generally.

Included in the legislature's budget package is an across-the-board pay increase for state employees effective October 1 of this year. Employees earning \$40,000 or less will receive an increase of \$1,400 to their base rate of pay, and employees who earn more than \$40,000 will receive an increase of \$1,000. This increase also applies to judges and justices—for whom the legislature also restored the 2 percent salary reduction that affected them in 2009.

Even though the court system did not get the 3.5 percent salary adjustment that branch leaders sought, for more than half of state courts system employees, this pay increase equates to an increase of at least 3.5 percent. As Ms Wilson explained, after having given no raises to state employees for seven years, lawmakers treated all state employees equally this year. However, she also stressed that since the court system's pay levels are still not competitive with the salaries offered by other government employers in Florida, pay equality will continue to be a branch priority.

In addition to the pay increase, lawmakers provided funds to enable the chief justice to offer discretionary, one-time, \$600 lump-sum bonuses to 35 percent of the branch's total authorized positions. The purpose of these bonuses, which will be paid in June 2014, is to recruit, retain, and reward quality personnel.

Meanwhile, lawmakers made no changes to life and disability insurance plans; no changes to health insurance plans or to employee-paid premiums; no changes to co-pays for the prescription drug program; no changes to the employee retirement contribution; and no changes to the retirement system.

However, some OPS employees will see a significant change: as of January 1, 2014, OPS employees who work an average of 30 or more hours per week will be eligible to participate in the state employee group health insurance program (participation will be voluntary). "For the purpose of health insurance, people who work an average of 30 hours a week are now defined as full time," said the chief of OSCA's Personnel Services Unit, Theresa Westerfield, calling this change one of the personnel "highlights" of the session.

## Mortgage Foreclosure Initiative

Although the US housing market has begun to show signs of healing, the ramifications of the mortgage foreclosure meltdown continue to agitate borrowers, lenders, and economies across the nation. This is particularly true in Florida, which currently leads the country in foreclosure activity. Typically, foreclosure filings in the state average 70,000 per year, but at the height of the foreclosure crisis, filings leaped to 400,000 cases in one year. Because new cases continue to be filed more quickly than the courts can resolve them, a substantial backlog has developed—as of May 31 of this year, approximately 335,000 foreclosure cases were pending in Florida’s courts. To complicate matters, an estimated 680,000 additional foreclosure cases are expected to be filed by 2016.

With support from the legislature, the trial courts have resolved more than one million foreclosure cases in the last five years. Even so, the number of pending and anticipated foreclosure filings remains considerable. ([For more information about mortgage foreclosure cases in Florida, follow this link.](#))

But significant additional funds have become available: in early 2012, Florida was awarded \$8.4 billion from the national foreclosure settlement funds, giving the legislature more resources with which to address the foreclosure predicament. From the portion of the funds that lawmakers meted out before the 2013 legislative session, they gave the court system \$4.9 million for senior judge days, temporary case management staff, and enhanced technology.

The remaining settlement funds were appropriated during the 2013 session. Before session began, the judicial branch was asked to develop and submit a proposal for funding necessary to dispose of the continuing backlog in foreclosure cases. In response, Trial Court Budget Commission Chair Judge Margaret Steinbeck, Twentieth Circuit, established the Foreclosure Initiative Workgroup and gave it three tasks: identify the barriers that currently exist in foreclosure case resolution; propose strategies to improve the foreclosure process; and develop a proposed supplemental budget request for workforce and technology resources. In April, the budget commission submitted the workgroup’s final report and recommendations, *Foreclosure Backlog Reduction Plan for the State Courts System*, to the supreme court, which approved it and submitted it to the legislature. ([Take this link to the report.](#))

Based on strategies currently being implemented at the local level, the Foreclosure Backlog Reduction Plan recommends three main solutions to the problems associated with the just and timely processing of foreclosure cases. The first is to implement more active judicial or quasi-judicial case management and adjudication, including expanded use of general magistrates. Specifically, this solution calls for extending the use of general magistrates into the civil division by authorizing them to process foreclosure cases. Although judges will still have oversight over these cases, general magistrates will serve as a dedicated resource to help ensure that each case receives the attention it needs.

*The objective of the 2013 Foreclosure Initiative Training Program is to ensure that judges, general magistrates, and case managers have the essential information and skills to fulfill their duties with regard to implementation of the mortgage foreclosure initiative—thereby making the best possible use both of the money appropriated by the legislature and of judicial time and resources.*

Another feature of this active case management and adjudication approach is the requirement that each chief judge develop a case management plan that optimizes the circuit’s utilization of existing and additional resources in the resolution of foreclosure cases. The goal is to establish case management plans that ensure the full participation of the parties, avoid unreasonable delays, and identify for disposition those cases that have been pending for the longest period of time.

The Foreclosure Backlog Reduction Plan’s second solution calls for additional case management personnel to allow for focused attention on older foreclosure cases. Indeed, a one-to-one ratio of judges/general magistrates to case managers will support the branch’s efforts to ensure that these cases are resolved in a fair and timely manner. These efforts will also be supported by information from the clerks of the circuit courts, who have been directed to provide the courts with foreclosure case-related data needed to compute specific performance indicators approved by the supreme court (e.g., time to disposition, age of pending cases, and clearance rate); these data will help ensure that the judicial branch is using public resources efficiently.

And the third solution is the deployment of technology resources that will help judges move cases forward. In particular, the plan singles out the judicial viewer, a web-based application that will allow judges and court staff to work on cases from any location and across many devices. The judicial viewer will provide judges with rapid and reliable access to case information; enable them to access and use information electronically in the courtroom; and let them prepare, electronically sign, file, and serve orders in the court and have the information entered immediately into the clerk's case maintenance system. ([This link goes to the administrative order regarding the implementation of the Foreclosure Initiative Workgroup's recommendations.](#))

During the 2013 legislative session, based on the Foreclosure Backlog Reduction Plan and drawing from the national foreclosure settlement funds, lawmakers appropriated \$21.3 million in non-recurring funds to the courts: \$16 million for senior judges, general magistrates, and case managers who will focus exclusively on the backlogged cases, and \$5.3 million for technology enhancements. (In addition, they apportioned \$9.7 million to the clerks of court to assist with these backlogged cases.) Indeed, the legislature fully funded the request for technology enhancements, and it provided partial funding for judicial and case management resources (the judicial branch requested \$9.9 million for each of three years, receiving \$8 million a year for fiscal years 2013 - 14 and 2014 - 15).

On the same day it released its administrative order on the Final Report and Recommendations of the Foreclosure Initiative Workgroup, the supreme court also released an order directing the Trial Court Budget Commission and OSCA's Court Education Section to develop and present training and education for the judges, general magistrates, and case managers involved in the foreclosure process. A two-day 2013 Foreclosure Initiative Training Program is scheduled for early August and includes a day-long training exclusively for all new general magistrates who have been hired for this initiative; this training focuses on what it means to be a general magistrate and addresses best practices, handling self-represented litigants, establishing a record, and unique ethical considerations and challenges.

The program also includes a half-day training on foreclosure basics and new legislation and a half-day training on best practices, case management, and evidence. Program organizers conceived this portion as a kind of "train-the-trainer" program. Each circuit will send a core team to participate (a core team comprises a civil judge, a senior judge, a general magistrate, and a case manager). And the training will equip the core teams to return to their courts and train the others involved in the foreclosure process.

In addition, on October 25, the Tenth Circuit is hosting an interactive workshop called Foreclosure Case Management that will focus on new strategies for reducing the size and age of pending foreclosure cases; creating synergy within the case management team for more effective case management; and innovative case management tools and techniques. The workshop is opened to case managers and support staff who are working on the Foreclosure Initiative, and interested parties are invited to contact Anne Weeks at (863) 534-4571 or at [aweeks@jud10.flcourts.org](mailto:aweeks@jud10.flcourts.org)



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OSCA's Resource Planning and Support Services Unit, which provides assistance on funding of resources, workload, and revenue issues (l-r): Alex Krivosheyev, court statistics consultant; Kristine Slayden, manager; and Jessie Emrich McMillan, court statistics consultant.

The objective of these waves of training is to ensure that judges, general magistrates, case managers, and support staff have the essential information and skills to fulfill their duties with regard to implementation of the mortgage foreclosure initiative—thereby making the best possible use both of the money appropriated by the legislature and of judicial time and resources. ([To view the administrative order on the foreclosure initiative training, take this link.](#))

Through its Foreclosure Initiative, the judicial branch has underscored its commitment to “resolving foreclosure cases expeditiously while still protecting the due process rights of the litigants,” emphasized Kristine Slayden, manager of OSCA’s Resource Planning and Support Services Unit and staff support to the Trial Court Budget Commission. Interestingly, however, while considering strategies for developing a more effective and comprehensive way of handling these cases, the Foreclosure Initiative Workgroup made some very important discoveries, Ms Slayden noted. For example, expanding the use of general magistrates, allowing them to serve as alternatives to the use of senior judges in processing foreclosure cases, and adopting an active case management approach—which has typically only been used in the family division—“charts new territory for the civil division,” she pointed out. Moreover, the new technology resources, while initially being used to expedite the processing of foreclosure cases, is also serving as “the framework for a completely automated trial court case management system”—something the judicial branch has sought for at least 10 years. “While looking for ways to address the crisis of the foreclosure backlog,” Ms Slayden exclaimed, “we have uncovered ways to move the courts statewide into a whole new age of handling cases.”

## Education and Outreach

### Strengthening Public Trust and Confidence in the Courts

~ “Fairness is the foundation of the public’s trust and confidence in their court system. Courts that operate fairly and treat all participants with respect are perceived to be places where justice is done. By establishing and maintaining for more than two decades committees that are specifically dedicated to studying matters of fairness, the Florida courts have demonstrated their strong commitment to the elimination of bias and disparate treatment” (from *Perceptions of Fairness in the Florida Court System*, a report of the supreme court’s Standing Committee on Fairness and Diversity, 2008).

~ “The [Innocence] Commission remains dedicated to working together and focused on the common goal of reducing or eliminating the possibility of the wrongful conviction of an innocent person, thereby increasing conviction of the guilty and affirming our commitment to preserving the public trust and confidence in our criminal justice system” (from the Chairman’s Remarks, *Interim Report of the Innocence Commission*, 2011).

~ “These forums [campaign conduct forums for judicial candidates] aid in maintaining a high level of integrity and professionalism among candidates for judicial office and in increasing public trust and confidence in the judicial system” (from *An Aid to Understanding Canon 7: Guidelines to Assist Judicial Candidates in Campaign and Political Activities*, 2013).

As this sampling of quotations illustrates, court leaders and their justice system partners appreciate that, in order to fulfill its constitutional mandate and to maintain respect, the judicial branch must hold the confidence of the people it serves. Earlier this year, this subject received considerable notice at the inaugural meeting of the recently-reestablished Judicial Management Council. With the state economy and court funding showing signs of stabilizing after six very challenging years, and with no immediate or imminent court-related crises to command their consideration, council members relished the opportunity to contemplate big picture issues, one of which was attitudes toward the courts. Within the context of declining levels of faith in public institutions generally, members emphatically agreed that one of the branch’s priorities should be enhancing public trust and confidence. Thus the time seems ripe for reflecting on Florida court system efforts to foster trust and confidence over the years.

*For at least 60 years, the judicial branch has actively worked to earn the public’s trust and confidence. These endeavors typically fall into three categories: adopting practices to make the courts more accessible, transparent, and accountable; advancing public education; and creating opportunities for two-way communication, including mechanisms to receive input regarding court operations.*

Although the above quotations were excerpted from recent publications, the matter to which they call attention is, in fact, deep-rooted: branch leaders have long recognized the importance of strengthening and maintaining the institution's credibility. As Chief Justice Major Harding—who made “rebuilding the public's trust and confidence in the court system” the keynote of his administration (1998 – 2000)—pointed out,

The issue of public trust and confidence is not new. In 1906, Roscoe Pound delivered his celebrated address on “The Causes of Popular Dissatisfaction with the Administration of Justice” to the American Bar Association annual meeting. The address, universally considered the most influential paper ever written by an American legal scholar, began with the observation that “dissatisfaction with the administration of justice is as old as the law” (September – October 1998 *Full Court Press*).

Not surprisingly, Florida court chronicles don't that date back quite that far. But sleuthing readers can uncover a profusion of court-based reports, administrative orders, newsletter articles, and other miscellaneous documents that offer a peek into court system endeavors to earn the public's trust and confidence over the last six decades. These endeavors typically fall into three categories:

**Adopting practices to make the courts more accessible, transparent, and accountable**

—for when the judicial system reduces barriers to access, and when it reveals to the public how it works and how it uses its resources, its credibility is enhanced;

**Advancing public education**

—for when people have a greater understanding of and knowledge about the American justice system and the role of the courts within it, their confidence in and support for the courts is bolstered;

**And creating opportunities for two-way communication, including mechanisms to receive input regarding court operations**

—for when the courts engage in meaningful communication—e.g., through outreach initiatives that involve “active listening” (to justice system partners, the other branches, the business community, the press, and the public)—two important goals are realized: first, the people develop a deeper appreciation of and respect for the institution; at the same time, the courts benefit from hearing the concerns of, and being able to respond to, the needs of the people.

Taking a chronological approach, this article will touch on some of the highlights of the last 60 years.

**The Judicial Council of Florida, 1953 – 1980**

The work of the branch's first Judicial Council of Florida, which thrived from 1953 – 1980, reflects one of the earliest documented efforts to encourage citizens to get involved in the work of the court. The council was created to seek strategies for remedying an overburdened court system and for achieving a more efficient administration of justice generally, and even the composition of the membership signified that two-way communication and public outreach would play a big role in these ventures—for of the 17 members, nine were laypeople. Meetings were choreographed to facilitate the full participation of these lay members: as the council's first chair, Justice Elwyn Thomas, describes, “At the outset it seemed wise to keep the procedure in the Council as informal as possible so that the lay members would not be confounded by legalistic jargon or complex parliamentary situations but would be interested, enthusiastic, and, above all, vocal as discussion progressed” (Thomas, *The Judicial Council of Florida: A Sketch*, 1958).

On top of working to promote the active engagement of lay-members, the council also invited the public to attend—and to add their voices (and sometimes even their votes) to—its meetings. Explained Justice Thomas, “Another policy set in the beginning brought not only acclaim but also spectators. The doors were never closed. Everyone who came was granted the privilege of speaking and often when polls were taken in meetings visitors' names were called with the names of the councilmen that they might vent their views and give the Council the benefit of their advice.” Further,



State Archives of Florida

Justice Elwyn Thomas (on the supreme court bench from 1938 – 1969) was the first chair of the Judicial Council of Florida.

to encourage the greatest possible participation from the public, meetings were held all across the state. The overall lucidity, accessibility, and comity of the meetings ensured that public opinion would resonate in the council's recommendations for simplifying, improving, and advancing the administration of justice.

The court system is now benefitting from the guidance of the branch's fifth Judicial Management Council. Although each of the five councils has had a distinct set of charges, all have included public members, and, for all, two-way communication has been elemental.

**Cameras in the Courtrooms, 1979**

Although inspiring public trust and confidence in the judicial process wasn't its express goal, the introduction of cameras into Florida's courtrooms has certainly had that effect. Most states banned cameras, radio, and, later, TV, from courtrooms after the "media frenzy" spectacle at the 1935 trial of Bruno Hauptmann for kidnapping and murdering the infant son of Charles and Ann Morrow Lindbergh in New Jersey. As technology became smaller and less intrusive, however, interest in broadcasting from courtrooms began resurging. In 1977, under Chief Justice Ben F. Overton, the Florida Supreme Court authorized a one-year experiment allowing cameras to return to state courtrooms.

At the end of the pilot, after soliciting feedback from judges, attorneys, parties, jurors, and witnesses, the court concluded that cameras caused no harm—in fact, they conferred a great benefit by making the judicial process accessible and transparent to the public. This conclusion was permanently written into the rules of court in a 1979 opinion authored by Justice Alan Sundberg. With this opinion, Florida propelled a national movement that eventually brought cameras into most state court systems in the country, and even some federal courts. Since that experiment 36 years ago, the supreme court has continued instituting measures to boost the openness and accessibility of court proceedings.

**Fairness and Diversity Commissions, 1987 – present**

Public outreach, which was instrumental in the recommendations of the first Judicial Management Council, has also played a big role in the recommendations of the supreme court's various fairness and diversity commissions over the last few decades. Established in 1987, the Florida Supreme Court Gender Bias Study Commission, for instance, spent two years collecting data to gauge the extent to which gender bias permeated Florida's legal system. In addition to examining case studies and doing scholarly research, the commission, through numerous public hearings and regional meetings, gathered testimony from legislators, professionals in a wide array of fields, and others who wished to share their experience of gender bias in the legal system. Public input helped shape the commission's recommendations to the supreme court.

Then, in 1989, the supreme court established the Florida Supreme Court Racial and Ethnic Bias Commission to address the question of whether racial or ethnic considerations adversely affected the dispensation of justice to minority Floridians. This commission also did extensive research, conducted empirical studies, and held public hearings across the state to listen to the concerns of the people of Florida. Again, feedback from Florida citizens informed the commission's recommendations to the court.

**Behind the Camera in the TV Trial:  
Can Viewer Judge Courtroom Drama?**

FROM PAGE 1A

Florida program allows the news organizations, not the courts, to decide what will be photographed. Television came to the Zamora case not only to broadcast the trial but also, because of the curious "TV intoxication" defense, to cover itself. There was no testimony last week on the issue of "TV intoxication." That issue will be developed this week.

BUT THE TV violence issue aside, the broadcast alone — which came from a single "pool" camera — made the fourth floor courtroom of Judge Paul Baker unique.

In the courtroom throughout the first week, the participants seemed largely oblivious to the hullabaloo outside or the presence of microphones and cameras inside.

As the trial got under way, Judge Baker asked the prospective jurors if there was "anything about the cameras that will upset anyone of you." No objections were raised.

The single TV camera in the courtroom was operated by the area's public television station, WPBT (Ch. 2). Under a pre-trial agreement, other local stations and the networks were given access to Ch. 2's coverage. Other cameramen could only photograph the side-panels of the case outside the courtroom.

THE "POOL" camera used by Ch. 2 — small, compact and completely noiseless — had its very own unobtrusive seat in the last row, specially marked "Reserved for TV Camera."

Judge Baker, distinguished in his black robe and looking every bit like a TV judge, showed little regard for the mike placed in front of him, turning away when he felt like it to address the jurors.

Both lawyers, Tom Headley for the prosecution and Ellis Rubin for the defense, occasionally wandered in front of the TV camera, blocking the view.

Meanwhile, the home viewer could observe the legal process in action. Under the courtroom arrangement, Ch. 2 has been videotaping the proceedings daily and rebroadcasting a condensed version of from one to three hours each night.



Focus Is on the Camera in Dade Courtroom ... if conflicts arise, media gets a message

while he (Rubin) was talking. Later, Headley objected to the "sight" uttered by his rival. Viewers Friday night saw the trial's most dramatic testimony to date, a police sergeant's account of an oral confession by Zamora.

Sgt. Paul Rantanen testified that for an hour and a half, Mrs. Haggart sipped whisky and water, fixed by Zamora, while he begged her not to have him arrested for burglarizing her home. Then, when she said, "I've got to call the police," Zamora, who had brought along a 14-year-old friend, shot her to death with her own pistol, Rantanen testified.

SIMILARLY, viewers at home heard twenty minutes of graphic testimony from Deputy Chief Medical Examiner Dr. Ronald Wright concerning the victim's body, but never did the camera focus on Zamora, who bit his lip, gulped and fidgeted his hands along his face.

Explaining WPBT's cautious coverage of the trial so far, Tom Donaldson, a producer-director in charge of the production, said inside the station's mobile unit truck. "We are conscious of our tenuous position. We don't want to upset the judge or court."

Ch. 2's restraint, however, creat-

ed to shoot through a small window in the door. According to Steve Tello — a CH. 10 news representative who has been designated "pool coordinator" by Judge Baker to mediate disputes — "We asked him to leave and he did."

TELLO ALSO confirmed another incident in which an unidentified network staffer chased the jurors down the hall, causing a commotion.

By Wednesday, Donaldson was voicing concern that a "circus-like atmosphere" was beginning to develop.

Judge Baker — attempting to preserve what he had earlier described as the delicate "marriage between a free press and fair trial" — clamped down, issuing a seven-point list of restrictions on the media.

A previous waiver on the number of still photographers assigned to the courtroom was also rescinded, eliminating freelance color photographers from Time magazine. The judge also ordered still photographers to use Leica cameras, determined by the state Supreme Court to be the least noisy available.

BY FRIDAY Judge Baker said he was satisfied with the overall coverage for the first week. "Things are fine," he said. "The only thing we had was camera people running around the hall and we've stopped that."

The first week of coverage was filled with lighter moments. One technician swore that defense attorney Ellis Rubin wore pancake makeup, while a director was positive he used a sun lamp. Rubin said he used neither. He said he jogged around Flamingo Park each morning "just as the sun is coming up."

Another technician noted that for most of the week, prosecutor Tom Headley wore traditional blue suits such as those television personalities wear because they photograph well. Asked about it, Headley smiled and said, "Blue's my trial uniform."

A CAMERAMAN felt that Judge Baker takes a damn good picture, but if wonder if he uses hairspray.

Connie Clement Baker, the judge's wife, was on hand to shed some

Continuing in this tradition of soliciting public opinion from across the state was the Standing Committee on Fairness and Diversity, established by Chief Justice Barbara Pariente in 2004 and renewed by successive chief justices. To chronicle perceptions of disparate treatment in Florida courts, this commission, like its forebears, gathered considerable public input through surveys, public meetings, and written comments. In response to this feedback, the committee produced practical educational materials to help judges, court staff, and lawyers recognize, respond to, and understand their role in eliminating from court operations bias based on race, gender, ethnicity, age, disability, socioeconomic status, or any characteristic that is without legal relevance; public opinion also had a role in the branch's decision to implement regular fairness and sensitivity awareness trainings for judges and court personnel.

### Florida Council of 100, 1993 – 1995

In addition to reaching out to the public for suggestions for improving the administration of justice, the judicial branch has also reached out to the business community and various professional organizations to glean their perspective on court system challenges and their suggestions for addressing those challenges. In 1993, prompted by concerns about current and projected workload demands, Chief Justice Rosemary Barkett approached the Florida Council of 100—an influential, high profile organization comprising 105 of Florida's top business and industry leaders—seeking an “independent, objective, private-sector insight into problems facing the courts and justice system, as well as viable alternatives for solutions.” (Founded in 1961, the council, appointed by the governor, serves as an advisory board on matters of public policy in all areas of government.) Embracing the chief justice's request, the council embarked on a year-long study of Florida's complex justice system—a process that involved widespread research and public testimony.

Two months before the 1995 legislative session began, the council released its findings and recommendations in a report entitled *Four Points for Progress, Four Points for Partnership*. Included in the report was a trenchant message for the Florida legislature: “Increased funding for Florida's State Courts System, prosecution, and defense must be a top funding priority for the 1995 legislature.”

Bolstered by the recommendations of the Council of 100, the state courts system forged a coalition early in the session with the goal of encouraging the legislature to substantially increase funding for the “middle” of the state's criminal justice system—courts, prosecution, and defense—through which all cases must flow (the “front end”—law enforcement—and the “back end”—the prison system—were already better-funded). In addition to the courts, the coalition included the Florida State Attorneys Association, the Florida Public Defenders Association, and the Office of the Attorney General; also lending support were the Florida Council of 100, The Florida Bar, and the Academy of Florida Trial Lawyers.

The court's “Fill the Gap” initiative was highly successful, culminating in an urgently-needed funding increase that year (new dollars funded new judgeships, increased compensation to senior judges and judicial assistants, 50 additional trial court law clerks, and additional positions to support family courts, appellate clerks and marshals, and drug courts). This success was palpable evidence of the gravity and value of communicating with and eliciting input from court-user communities and of establishing broad-based support for court initiatives.

### Development of the Long-Range Plan, 1992 – 1998

In 1992, under Chief Justice Rosemary Barkett, the court system began conceptualizing its first long-range planning project. (It began soon before Florida voters passed an amendment to the constitution that directed every department and agency of state government, including the judicial branch, to develop a long-range plan.) Called 21st Century Justice: Guiding Florida's Courts into the Future, the chief justice's planning project was officially launched in June 1993 with a two-and-a-half-day conference in Tampa. More than 60 people participated, representing all segments of the justice system and a broad range of citizen interests and groups. The conference provided participants with an opportunity to begin



State Archives of Florida

In 1993, Chief Justice Rosemary Barkett (on the supreme court bench from 1985 – 1994) approached the Florida Council of 100 seeking “independent, objective, private-sector insight into problems facing the court and justice system, as well as viable alternatives for solutions.”

formulating their preferred vision for the future of the justice system in Florida. Through several workshops, the 21st Century Justice project set the branch's planning process in motion.

Then in 1995, under Chief Justice Stephen Grimes, the responsibility of developing the first long-range plan was given to the branch's third Judicial Management Council (active between 1995 and 2004). To coordinate this effort, the council appointed a Steering Committee on Long-Range/Strategic Planning. Chaired by First DCA Chief Judge E. Earle Zehmer and then by Eleventh Circuit Chief Judge Joseph P. Farina, the steering committee embarked on a labor-intensive process that took three years to complete.

To encourage the participation of a wide range of constituents and consumers of judicial branch services and members of the general public in the planning process, the steering committee designed the branch's most comprehensive outreach program to date. The program consisted of a series of workshops and presentations to supreme court committees, student and professional groups, and judicial branch organizations. In addition, the steering committee conducted nine regional workshops with participants from a wide range of backgrounds, including judges, court staff, attorneys, community groups, court service providers, teachers, medical professionals, and other members of the general public.

This outreach program was supplemented by a major public opinion research effort spearheaded by the Committee on Communication and Public Information, another body appointed by the Judicial Management Council. Established in 1995 and chaired by Fifth DCA Judge John Antoon II, the communication committee set out to determine the level of public knowledge about the court system, attitudes regarding the court system, and the issues and particular concerns of the public relative to the court system. The committee's research included a phone survey of over 1,000 Florida residents as well as seven regional focus group sessions, at which participants discussed and prioritized issues identified through the phone survey.

Both the steering committee's outreach program and the communication committee's public opinion research effort were described as exercises in "active listening" to people who work in the justice system as well as members of the public. The findings from this period of "attentive, responsive listening" ultimately begot an illustrious fruit: the judicial branch's first long-range plan, *Taking Bearings, Setting Course*, published in 1998.

### **Chief Justice Gerald Kogan's Court Access Initiative, 1996 – 1998**

The first chief justice to serve after the branch adopted a long-range plan was Gerald Kogan (1996 – 1998)—and he was also the first chief justice of Florida to be inaugurated publicly. Befittingly, then, enhancing public access to the state's justice system became his major policy initiative. His Access Initiative was a response to a recommendation of the Judicial Management Council (the body charged with oversight of the planning process) to ensure that the courts are open to every person.

The Access Initiative had three strategic goals: to improve the state courts system's response to the needs of court users; to increase people's understanding of the courts and the justice system; and to increase citizens' ability to use the courts efficiently and effectively, thereby facilitating access to the court system and to justice.

To coordinate the Access Initiative, the chief justice chose Craig Waters, his executive assistant for external matters. Many objectives were realized under his guidance. For instance, self-help centers were established to provide some assistance to self-represented litigants. The courts began working to bring people into the courthouse for occasions other than just the formidable business of lawsuits or prosecutions (e.g., the supreme court's Sesquicentennial Celebration events, the Justice Teaching Institute, Inside the Courts Programs, and art exhibitions and performing arts in the courthouse). The supreme court's website presence was expanded to support the distribution of court-related information and materials directly to the public (e.g., supreme court opinions, forms for pro se litigants). The



First DCA

Chief Judge E. Earle Zehmer, First DCA, chaired the Judicial Management Council's Steering Committee on Long-Range/Strategic Planning, which produced the branch's first long-range plan, published in 1998.



State Archives of Florida

In 1996, Chief Justice Gerald Kogan (on the supreme court bench from 1987–1998) introduced the court’s Access Initiative, through which he worked to ensure that the courts are open to every person.

website also began to include educational tools; for instance, it introduced Kids’ Court, a groundbreaking program designed to help school-age children and their teachers learn more about the legal system. The mounting of cameras in the courtroom also played a critical part in making the court more accessible: the live broadcasting of oral arguments offered the public a window into the workings of the supreme court.

At the same time, the Access Initiative placed a high priority on enhancing media relations. As mentioned above, in 1997, as part of the long-range planning process, the Judicial Management Council conducted a statewide phone survey, completed by over 1,000 randomly-selected respondents, to gauge the public’s opinions of and levels of knowledge about Florida’s courts. While revealing that “The public is very uninformed about the judicial system,” the survey also disclosed that, for the majority (65%), the primary sources of information about the courts were the media (newspapers and TV). Since the media tended to focus on court-based stories of a more sensational nature, many people had a skewed perception of the courts—prompting the branch to realize that it must take a proactive role in deepening the news media’s understanding of the court system. To reach this goal, the branch introduced the custom of meetings with reporters and

editors to dispel misinformation and address questions about the courts; another feature of this initiative was the creation of a press information page on the supreme court website to provide the media with easily accessible information about the courts, same-day downloads of opinions, briefs in pending cases, and press summaries of cases.

Recognizing the value of having a dedicated supreme court employee to facilitate communication between the court and the media—as well as between the court and the public—Chief Justice Kogan, in 1998, created the position of full-time public information officer for the supreme court and offered the position to Mr. Waters. At the time, very few courts in the state had a public information officer. However, not long after, prompted by the 9/11 tragedy, Chief Justice Charles T. Wells directed each chief judge to designate a court staff member to serve as his or her court’s public information officer. Since then, each DCA and circuit court has had a staff person who coordinates emergency response activities and provides information to, and answers questions from, the media and the public.

**Justice Teaching Institute, 1997 – Present**

The phone survey conducted as part of the Judicial Management Council’s long-range planning process, while reporting that most people get their court information from the media (see above), also revealed that people would rather get that information from the courts themselves. Indeed, 46% of respondents said that their preferred information source would be “the courthouse” (“school/library” came in second, at 22%). This finding impelled the branch to begin taking steps to familiarize people with the court system: in Justice Major B. Harding’s words, “It is our responsibility as officers of the court to take a leadership role in educating the public about Florida’s courts system.”



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Each year, the Justice Teaching Institute gives up to 25 public and private secondary school teachers the chance to take part in a rigorous, hands-on education program on Florida’s courts. Engaged in a mock oral argument, these “justices” are among the fellows of the 2013 Justice Teaching Institute.

The Justice Teaching Institute, initiated in 1997 under the direction of Justice Harding, was designed to address the public’s lack of, and need for, court-related information. Each year, up to 25 public and private secondary school teachers are selected to take part in this rigorous, hands-on education program on Florida’s courts. During the course of this training, the teachers meet with the supreme court justices and other judges, learn about alternative dispute resolution, delve into some of the pressing issues confronting the courts, participate in mock oral arguments, and engage in an

extensive review of and dialog about a constitutional issue currently before the court. The teachers then incorporate the information they learn into their classroom curricula and often offer local justice teaching institutes to other teachers in their schools or districts, thus ensuring that the program benefits enjoy a ripple effect.

Through the enthusiastic participation of the teachers who attend the Justice Teaching Institute, court leaders aim to educate and energize young people about the history, roles, and consequence of the Third Branch. The institute is considered one of the court system's most promising efforts to introduce school children to the vital role courts play in society.

Another highly successful law-related education initiative is Justice Teaching, founded by Chief Justice R. Fred Lewis in 2006. Justice teaching aims to partner a legal professional with every elementary, middle, and high school in the state. Its goal is to promote an understanding of Florida's justice system and laws, develop critical thinking and problem-solving skills, and demonstrate the effective interaction of Florida's courts within the constitutional structure. Currently, more than 4,000 lawyers and judges have been trained to serve as resources for Justice Teaching, and all of the state's public schools—and more than 300 of its private schools—have Justice Teaching volunteers.

### **The Flowering of Digital Technology, 1997 – Present**

According to the Florida State Courts System's *Prospectus 1998*, "Since becoming the first Court on the World Wide Web in 1994, Florida's Internet presence has become a model for providing people greater access to the courts." Since then, the branch has eagerly taken advantage of digital technology to enhance access, support transparency and accountability, advance education, and facilitate justice.

Chief Justice Kogan's Access Initiative was in part responsible for jump-starting the court system's development of a robust Internet presence. As described above, under his administration, the supreme court website was expanded to assist with the distribution of court-related information and materials directly to the public and to share educational tools with young learners (e.g., the Kids' Court Program). In addition, a press information page was created to provide the media with easy access to court-related information, court opinions, briefs, and press summaries. Other web-based innovations from the late 90s include the provision of forms and information to help self-represented litigants navigate the court system; the development of basic website standards to ensure consistency and improved access; and live gavel-to-gavel coverage of supreme court oral arguments.



Advances since then are far too copious to list—so what follows is just a taste. Among the more momentous technology innovations that facilitate the efficient administration of justice are the Judicial Inquiry System (a data query system that provides judges with information that enables them to make time-sensitive decisions quickly and easily, thus enhancing

public safety); the Florida Dependency Court Information System (a statewide dependency court data management system); the Florida Drug Court Case Management System (a statewide case management system for drug court); and electronic filing (through an electronic portal, lawyers can deliver court records and supporting documents electronically to the clerks of court, and they can view and retrieve court documents for their cases from any computer with Internet access; at present, e-filing can be utilized only for certain cases, but, eventually, documents for all cases will be able to be filed electronically, and self-represented litigants will be able to e-file as well). Current projects that will further improve the administration of justice are the Trial Court Integrated Case Management System and the Electronic Florida Appellate Courts Technology Solution.

In addition, the supreme court website now offers a host of resources designed to help educators teach their students about the court system and to support the judges and lawyers who volunteer to teach civics education in their neighborhood schools (through Justice R. Fred Lewis' Justice Teaching Initiative).

Moreover, technological innovations have helped to enhance court transparency, accountability, and accessibility. For instance, on the flcourts website, the public now can view state court solicitations, with information about transactions like requests for proposals and invitations to bid, and people can also see court-awarded contracts. And all of Florida's courts are working



to ensure that their electronic court information and technologies are accessible to and effective for people with disabilities as well as others.

Through these and other technology modernization efforts, the judicial branch is striving to improve the efficiency of the court system and to facilitate the public's access to the courts and court information.

### **Chief Justice Major B. Harding's Public Trust and Confidence Initiative, 1998 – 2000**

In his message in *Prospectus 2000: Strengthening the Foundation of Justice*, which was a retrospective of his two-year administration, Chief Justice Harding compares Florida's courts to the Empire State Building. Like the lofty skyscraper, he analogizes, Florida's court system

depends on a solid foundation to fulfill its role as envisioned by the framers of the Constitution. But rather than concrete and steel, Florida's courts are built on a foundation rooted in the trust and confidence that people have in the courts. In a free society, it is only with the confidence of the people that courts can maintain their authority.

Acknowledging that many people have doubts about the efficiency, the fairness, and the accessibility of the court system—and that the average person does not understand how the courts operate—he made fortifying public trust and confidence the hallmark of his administration.



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In 1998, Chief Justice Major B. Harding (on the supreme court bench from 1991 – 2002) launched the Public Trust and Confidence Initiative, which adopted a two-prong approach: take steps to improve the essential quality of the system, and work to facilitate meaningful communication between the courts and the public.

judicial workload based on weighted cases); and the development of the model family court to provide families and children with an accessible and coordinated means of resolving disputes without driving families further apart.

To promote meaningful communication between the courts and the public, the branch worked to strengthen relations with legislators and with the public, while local courts implemented various communications initiatives tailored to the needs of their constituents (e.g., Judicial Branch Orientation for Legislators, the Judicial Ride-along Program, Inside the Courts, Ask-A-Judge, Elder Justice Center, Court School, Teen Tobacco Court).

Unequivocally, to promote trust and confidence, judges must have the knowledge, skills, and expertise needed to administer the justice system fairly and effectively, and, since the late 70s, judges have

It should be noted that, in this pronounced commitment to strengthening public trust and confidence in the courts, Florida's judicial branch was not alone. A nationwide survey conducted by the American Judicature Society in 1994 found that 80 percent of the court community acknowledged a lack of public trust and confidence in their respective jurisdictions and ranked this challenge as one of the five most pressing problems facing the judicial branch. In response, restoring trust and confidence became a widespread phenomenon in the late 90s, spurred, in large part, by the vision of Judge Roger Warren, president of the National Center for State Courts from 1996 – 2004. His drive informed the National Center's coordination, in 1999, of a National Conference on Public Trust and Confidence in the Judicial System, in which each state participated via a team of judges and court personnel. In response to an invitation from the Judicial Management Council, Judge Warren also came to Florida to speak. The timing of this national movement was auspicious for Florida's courts: it provided a firmer foundation for, and it lent momentum and a vocabulary to, Florida's longstanding efforts to improve public trust and confidence in its courts.

To support Chief Justice Harding's goal of strengthening public trust and confidence, Florida's court system took a two-pronged approach advocated by Judge Warren: it took steps to improve the essential quality of the system, and it worked to facilitate meaningful communication between the courts and the public. Among the strides to improve the quality of the system were the formation of performance and accountability committees at both the trial and appellate levels; the implementation of the Delphi-based Weighted Caseload Project (a method for measuring

participated in education and training programs that help them perform the challenging work of the courts. During the Public Trust and Confidence Initiative, Chief Justice Harding also wanted to facilitate judges' efforts to achieve the highest levels of integrity and professionalism; toward that end, the Sixth Circuit undertook to make the Judicial Ethics Advisory Opinions available online, and campaign conduct forums were introduced to teach judicial candidates about the requirements of Canon 7 of the *Code of Judicial Conduct*, which governs political conduct by judges and judicial candidates.

At the end of his term, the chief justice was pleased to report that the Florida State Courts System had "responded with vigor and creativity in meeting the challenge of strengthening public trust and confidence."

### Communication Plan, 2000 – 2006

One of the facets of Chief Justice Harding's Public Trust and Confidence Initiative was his reorganization, in 1999, of the Judicial Management Council's Communication Committee. Comprising judges and other community leaders, the committee, co-chaired by Second DCA Judge Carolyn Fulmer and Dr. Navita Cummings James, professor of communication at USF, was charged with making recommendations to the council and the supreme court on policies related to effective communication between the Florida State Courts System and the public. Its most pressing responsibility was the development of a communication plan that would advance the communication-related goals and strategies identified in the branch's long-range plan.

In 2000, the committee released its *Communication Plan for 2000 – 2006*, which begins by reminding readers of the two conditions that courts must meet in order to build public trust and confidence: to earn public trust, courts must do a good job, and to promote public trust, they must communicate effectively with the public. Seeking to fulfill the second condition, the plan provides a framework for coordinating and organizing existing communication activities. It also identifies critical needs that the branch must meet in order to sustain meaningful communication activities.

The plan—which is truly a strategic plan rather than an implementation or action plan—identifies three strategic issues that the branch must address: educate the public about the role and functions of the branch; provide information to help the public navigate the judicial system; and establish mechanisms to receive public input regarding court operations. The plan also includes a set of goals for each strategic issue as well as strategies for achieving the goals.

The plan prescribes a six-year term to allow sufficient time for completing the goals—with the suggestion that it be reviewed, revised, and updated on an as-needed basis. However, not long after the plan was released, the judicial branch's paramount activity necessarily became preparing for the implementation of Revision 7 (see below). At the same time, the court system faced budget cuts that prompted a considerable scaling back on initiatives and activities. In addition, after the 2001 terrorist attacks on the US, the branch had to focus on developing and implementing emergency preparedness measures. As a result of these exigencies, the branch had to postpone the realization of the communication plan. However, it has not been forgotten. Indeed, the Education and Outreach Workgroup of the current Judicial Management Council has begun to review it, and, with some updating (of the technology-related suggestions, for instance, since technology becomes obsolete so rapidly), it might well find renewed life soon.



Phillip Pollock

During the administration of Chief Justice Charles T. Wells (on the supreme court bench from 1994 – 2009, and chief justice from 2000 – 2002), the branch began working closely with lawmakers to ensure the adoption of legislation that would establish funding structures and mechanisms necessary for the successful implementation of Revision 7.

### Implementation of Revision 7, 1999 – 2004

Proposed by Florida's 1998 Constitution Revision Commission and approved by 67 percent of Florida voters in 1998, the revision of section 14 to Article V of the Florida Constitution—commonly called Revision 7—had two purposes: to relieve local governments of the increasing costs of subsidizing the trial courts and to ensure equity in court funding across each county in the state. The successful implementation of Revision 7 became a critical priority for the branch, commanding most of the time and attention of several chief justices, trial court leadership, and OSCA staff. It also launched the most concerted and comprehensive outreach, communication, and public education initiatives that the branch has ever mobilized.

Called the greatest challenge to the Third Branch since the 1970s, when Florida’s modern state court system was created, Revision 7 was momentous, and preparing for its implementation required vision; the united effort of all three branches of government; collective spirit and determination; laborious cataloging and appraising of the costs associated with the operation of the trial courts; an ability to put aside differences; and the adoption of single focus, message, and voice within the court system.

The deadline for implementing the amendment was July 1, 2004. Given the sweep of the foundational work that would have to be done, the branch began preparation soon after the amendment passed. It took the first big step in January 1999, when Chief Justice Harding appointed the Article V Funding Steering Committee to make recommendations to the supreme court on effecting the funding shift. Among its accomplishments, the steering committee developed numerous Revision 7 implementation proposals for legislative consideration. It also submitted, and the supreme court approved, a proposed rule creating the Trial Court Budget Commission; chaired by Judge Susan F. Schaeffer, this commission was responsible for the Herculean tasks of inventorying the costs to county government of trial court operations, recommending state budget requests for the trial courts, and developing approaches to implement the shift to state funding. Meanwhile, the Commission on Trial Court Performance and Accountability was directed to analyze the functioning of the trial courts (i.e., define the elements of the system) and determine strategies to optimize performance and provide accountability.

During Chief Justice Charles T. Wells’ administration (2000 – 2002), the branch began working closely with lawmakers to ensure the adoption of legislation that would establish the funding structures and mechanisms necessary for Revision 7. In 2000, lawmakers crafted legislation providing a framework that delineated what the counties would continue to fund (i.e., facilities, technology, and security) and what the state would become responsible for funding (i.e., the elements that all state courts must have to handle cases promptly and equitably). The chief justice assembled a team to provide information to judges and court personnel throughout the state and to seek their input into a plan to implement the changeover; he and the team visited each of the 20 circuits and met with all the chief judges and court administrators. He also addressed a meeting hosted by the Florida Associated Press to inform the media of the importance of the issue to Florida residents and to solicit their assistance in helping the public understand its significance. At the same time, OSCA’s Trial Court Funding Policy Section attended meetings of various court system constituencies to make sure everyone was made aware of Article V Funding Steering Committee decisions and legislative recommendations.



Judge Susan F. Schaeffer (on right), the first chair of the Trial Court Budget Commission, at the Revision 7 Commemoration Ceremony on July 1, 2004—the same day that Barbara J. Pariente (on left) became chief justice.



Phillip Pollock

Chief Justice Harry Lee Anstead (on the supreme court bench from 1994 – 2009, and chief justice from 2002 – 2004) advanced a full-scale communications initiative to build public awareness of Revision 7 and to maintain the people’s trust and confidence in the courts through this monumental transition.

With only two years before implementation, when Harry Lee Anstead became chief justice (2002 – 2004), he advanced a full-scale communication initiative to build public awareness of Revision 7 and to maintain the people’s trust and confidence in the courts through this monumental transition. The branch initiated several steps to meet this goal. For instance, the

chief justice established a Revision 7 Communications Advisory Committee, which was tasked with leading a consistent, statewide, community-based effort to educate policymakers, community leaders, justice system partners, and the general public about the crucial importance of Revision 7 and its impact on Florida's trial courts and its communities.

The branch also established local circuit Revision 7 Communications and Education Advisory Groups, which informed community and business leaders, legal professionals, legislators, and the public about the critical role courts play in their communities and about the implications of Revision 7 at the local level. To help advisory group members communicate a consistent and unified message, the branch developed a *Justice for All Floridians* educational toolkit, which included PowerPoint presentations, print materials, videos, talking points, and tips for working with the media. The ultimate goal of this material was to move people to take action and become involved in this great challenge to Florida's courts.

Also during this period, trial court chief judges and court administrators embraced the task of developing public awareness of Revision 7. Together with the chief justice, they travelled around the state to help educate local leaders, editorial boards, and the news media about the complex issues of court funding. Through these efforts, business leaders came to realize the extent to which the business community has a stake in the quest for adequate funding of the trial courts, and many rallied to support the judicial branch. Meanwhile, news media explained to the public how Revision 7 would affect trial court operations.

On July 1, 2004, the amendment was implemented smoothly and successfully, and the supreme court held a Revision 7 Commemoration to celebrate this rite of passage. As of this day, declared Justice Anstead, no longer does the Florida judiciary have a two-class trial court system, torn between the "have" and the "have not" courts. Rather, thanks to the efforts of everyone involved—judges, court staff, The Florida Bar, the legislature, the governor, community and business leaders, the media, and the citizens of Florida themselves—the Florida State Courts System is now "one, uniform, high-quality class." Once again, branch leaders were compellingly reminded of the efficacy and the power of educating, communicating with, and seeking feedback from judges and court personnel, justice partners, and the variety of court-user communities—and of building widespread support for the courts.

### Developing the Judicial Branch's Second Long-Range Plan, 2006 – 2009

Released in 2009, the *Long-Range Strategic Plan for the Florida Judicial Branch: 2009 – 2015* "articulate[s] a comprehensive plan of action to guide the judicial branch of Florida as it seeks to advance its mission and vision over the next six years." The planning process, which unfolded over the course of three years, was overseen by the Task Force on Judicial Branch Planning, chaired by former Chief Judge Joseph P. Farina, Eleventh Circuit.

In revising its long-range plan, the branch was as sedulous as it had been in developing its first plan. At the heart of this process was a comprehensive outreach program designed to elicit input from a broad range of constituents and users of judicial branch services as well as from the general public. The planning stages involved gathering—from judges, court personnel, stakeholders, and the public, and through a wide range of methods—ideas for and information on what the revised long-range plan should include; analyzing the data; convening focus groups that included representatives from the judiciary, court staff, and key constituencies; and, finally, developing, vetting, and revising the plan.

The process began in May 2006 with a planning forum that elicited feedback from 100 justice system stakeholders. Following that was a public opinion phone survey of over 2,000 randomly-selected Florida residents; surveys of more than 8,700 court users, attorneys, judges, court staff, and clerks of court; nine public meetings around the state; a day-long meeting with 27 justice system partners; and meetings with four different focus groups, which helped the task force articulate the goals and strategies for the new plan. After the plan was drafted, it was sent to focus



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The three-year planning process that culminated in the branch's second long-range plan was overseen by the Task Force on Judicial Branch Planning, chaired by former Chief Judge Joseph P. Farina, Eleventh Circuit.

group participants for final feedback, and then the task force submitted the revised plan to the supreme court, which approved it unanimously on July 1, 2009. Because public feedback played a fundamental role in every step of the process, the branch was able to develop a plan that is relevant and resilient, as well as responsive to the needs and concerns of Florida's citizens.

### Enhancing Judicial Branch's Governance, 2009 – Present

The branch has long known that, to nurture trust and confidence, it must satisfy two conditions: it must do a good job, and it must encourage meaningful communication between the courts and the public. However, the recent Governance Study underscored the recognition that, to do a good job, the branch also



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must recommit itself to cultivating opportunities for customary, meaningful communication within the court system itself.

To discuss and provide feedback for the implementation of policies and practices that have statewide impact, the chief justice and the chief judges of the DCAs and circuit courts now meet on a regular basis. Here, Chief Justice Polston talks to the chief judges about the implementation of the Judicial Branch Governance Study recommendations.

The Judicial Branch Governance Study Group was created in response to a matter raised in the court system's second long-range plan. Under long-range issue #1, Strengthening Governance and Independence, the first goal is, "The judicial branch will be governed in an effective and efficient manner." Of the three suggested strategies for achieving this goal, the first is to "reform and strengthen the governance and policy development structures of the judicial branch."

Chief Justice Peggy Quince established the Judicial Branch Governance Study Group in 2009 to address this subject, and she appointed Justice Ricky Polston to chair the 11-member body (which comprised two supreme court justices, two DCA judges, three circuit court judges, two county court judges, and two Florida Bar members). The study group was directed to perform an analysis of the branch's current governance system and, based on its findings, to draft a report that included an examination of the structure and functions of the present governance system and an evaluation of its efficiency and effectiveness; recommendations

for actions or activities that would improve the governance of the branch; and recommendations for any changes to the current structure that would improve the effective and efficient management of the branch.

To conduct research for this in-depth project, the study group adopted a three-pronged approach involving outreach to various constituencies, most of which were court-based. The first prong consisted of in-person or phone interviews with more than 40 key court system experts (e.g., presiding and former justices, chairs of judicial conferences, chief judges, chairs of court committees, justice partners, and professional staff) about the governance practices currently in place. The second prong entailed a web-based survey of a diverse sampling of 100 judges and 350 court staff about intra-branch communication. For the third prong, Justice Polston solicited comments regarding collaboration with court leadership on policy development, rulemaking processes, and legislative/funding issues from groups with a stake in the court system's governance structure (e.g., members of certain Florida Bar sections and rules committees, statewide business associations).

After the data were analyzed and synthesized, the study group worked fastidiously to craft its report—and one of the seven focuses of the report was communication within the branch. The study group's findings, backed by national research, indicate that rank and file judges and court staff are more likely to convey their ideas and concerns to the chief judge of their respective court rather than to the supreme court, the chief justice, or the state court administrator's office. Thus to foster "better communication at all levels throughout the branch," the study group offered the following recommendation:

The chief justice shall meet on a regular basis with the chief judges of the district courts and the chief judges of the circuit courts to discuss and provide feedback for implementation of policies and practices that have statewide impact including, but not limited to, the judicial branch's

management, operation, strategic plan, legislative agenda and budget priorities. Such meetings shall, if practicable, occur at least quarterly and be conducted in-person.

The supreme court, underscoring its embrace of the need to encourage regular intra-branch communication, adopted this recommendation verbatim, amending the *Florida Rules of Judicial Administration* accordingly. Indeed, in its opinion, the court uses the word *communication* eight times; refers to *discuss mutual problems* three times; and makes reference to *discuss and provide feedback* five times.

As this article has pointed out, the branch has often elicited feedback from judges and court staff for past undertakings. Internal communication played an important role in the projects of the various judicial councils, for instance, and in the branch's fairness and diversity initiatives, its implementation of Revision 7, and both its long-range planning processes. But, in adopting the above rule amendment, the supreme court, for the first time, established formal mechanisms for regularly calling upon and attending to the many voices within the branch itself.

This represents a significant step in the maturation of the Florida State Courts System. Florida's courts didn't really begin their journey toward becoming a true system until 1972, with the passage of a constitutional amendment that introduced the structural unification of the courts; soon after came the shift toward administrative unification, which has helped the branch manage its resources more efficiently and effectively; and this was followed, in 2004, with the implementation of Revision 7, which initiated the move toward budgetary unification. These three steps have helped the court system do a better job: it is better organized, more uniform, and able to provide more equitable treatment and services to Floridians all across the state.

*To perform its role in our system of government, the judicial branch must have credibility. For how can a court resolve disputes effectively, how can it ensure that its orders are respected, how can it be regarded as a rigorous deliberative body, and how can it marshal public support for court initiatives or for increased funding, for instance, if it does not have the public's trust and confidence?*

But to build a strong and effective system, an entity must also practice open communication. By ritualizing opportunities for intra-branch dialog, the Florida State Courts System is taking the next step in its evolution. And while helping the branch become a more efficient and capable system, intra-branch communication will give rise to the added benefit of enhancing the public's trust and confidence in the courts.

### **Why Does Public Trust and Confidence Matter?**

To perform its role in our system of government, the judicial branch must have credibility. For how can a court resolve disputes effectively, how can it ensure that its orders are respected, how can it be regarded as a rigorous deliberative body, and how can it marshal public support for court initiatives or for increased funding, for instance, if it does not have the public's trust and confidence?

In a speech given before the 1999 national convention on Public Trust and Confidence in the Judicial System, US Supreme Court Justice Sandra Day O'Connor eloquently captures the reasons—and the methods—for strengthening and maintaining the trust of the people:

As judges, court administrators and attorneys, we all rely on public confidence and trust to give the courts' decisions their force. We don't have standing armies to enforce opinions, we rely on the confidence of the public in the correctness of those decisions. That's why we have to be aware of public opinions and of attitudes toward our system of justice, and it is why we must try to keep and build that trust. We can do it by working to create a just society. The justice system must provide for the fair, prompt and proper resolution of the conflicts brought to it, and it must also work to help the public see what the system is doing and how it is being done.

As this article has chronicled, Florida's court system has long taken seriously this responsibility, committing itself to the ongoing endeavor of holding safe the public's trust. For the judicial branch recognizes that it cannot fulfill its constitutional duty without the trust and confidence of the people it serves.

## The Justice Teaching Institute

By Stephanie Roy & Hilary Borris, interns with the Florida Supreme Court's Public Information Office

Year to year, there are dozens of workshops offered to Florida teachers that are designed to give them some new skills for sculpting the minds of America's youths. Whether these programs seek to introduce them to the newest trends in teaching, or to utilize the art of singing to help explain history, these programs offer a variety of methods to get students to become active in the learning process. Yet as one teacher commented, the Justice Teaching Institute (JTI) gave a group of talented educators the chance to take away not only one of the most rewarding experiences they have ever had, but also some interactive tools they can use to teach students about the third branch of government: the judicial branch. From the Sunday they stepped off the bus to the Thursday they walked out the front door of the Florida Supreme Court, these teachers went through a vigorously challenging judicial boot camp that fully encompassed what they, not only as educators but also as citizens of this great state, should know about the Florida court system.

Sponsored by the supreme court, coordinated by the Florida Law Related Education Association, and funded by The Florida Bar Foundation, the JTI is an innovative educational program designed to give Florida's secondary school teachers a chance to actively learn all about Florida's judicial system. Every year, the 20-25 middle and high school teachers take a five-day learning journey instructed by the supreme court justices themselves. Participants learn about oral arguments, the history and structure of the Florida court system, trial versus appellate courts, and many more law-related lessons. The program was introduced as a part of the Florida Supreme Court's Sesquicentennial Celebration in 1997, by then Chief Justice Gerald Kogan. Since then, Justice R. Fred Lewis has taken leadership over this annual program and has brought his expertise from the courtroom into the classroom.

Chief Justice Ricky Polston, Justice Charles Canady, and Justice Lewis were the first to greet the teachers and then got right down to the business of teaching them how the judicial branch is structured, how Florida's state courts differ from federal courts, and how and why our rights are important. The Florida



BC Schwartz

The 2013 Justice Teaching Institute fellows pose for a photo with the justices in the supreme court courtroom.

Supreme Court Law Library staff presented an in-depth lesson on accessing legal research materials; the teachers left the session understanding research methods and terminology, with the tools in hand to research legal information directly from their classrooms back home.

Justice Barbara Pariente gave a riveting presentation on the role of a fair and impartial judiciary. She emphasized the need for a nonpartisan judiciary and the importance of educating voters on the merit retention process. This seminar gave the JTI teachers an insider look into how the justices fulfill their duties despite outside pressures. Justice Peggy Quince presented a cogent and incisive attorney's "do's and don'ts" in oral argument procedures. She showed recordings of good versus bad oral arguments and invited the teachers to use their newfound insight to decide which attorney argued better. Justice Jorge Labarga gave a powerful presentation on the Code of Judicial Conduct, Judicial Discipline, and Accountability—a new session for the JTI. And Justice James E.C. Perry guided the teachers on a Florida Constitution Scavenger Hunt that was both instructional and entertaining.

The most fascinating part of the JTI program was the chance for teachers to participate in the evolution of an actual Florida Supreme Court case. Every year, the Florida Supreme Court chooses a case scheduled to be heard in front of the court and incorporates it directly into the program. This year, after a plethora of lessons, including Justice Lewis' extensive presentation on the Fourth Amendment, the teachers went to the Leon County Courthouse to experience the supreme court case's trial court beginnings. A special appearance was made by Second Circuit Judge Terry Lewis, who presided over the mock motion to suppress hearing.

Come Wednesday morning, the teachers were eager to take their spots on the bench and begin conducting the mock oral argument they had been diligently preparing for. From the moment they heard "All rise," the teachers, acting as the justices and attorneys, were determined to use every drop of information they received from the previous days to successfully address their case. If a person walked in the courtroom unknowingly, he or she would have thought the teachers were professionals by the way they presented their arguments, referenced case law, and asked thoughtful, well-researched questions. It was amazing to see how far the teachers had come in such a brief time.

Not more than an hour after their mock oral argument, it was time to see the actual oral argument live with the real justices and attorneys. For the teachers, digesting and then making use of the information they had just been taught, and then watching the actual case being presented in front of the justices, their mentors, was the highlight of their educational experience.

No words can truly describe a program such as the Justice Teaching Institute—but some of the educators tried. Bradley Wright, a seventh grade civics teacher from Sebastian River Middle School, stated, "This was one of the best trainings I have ever been to"; he also appreciated being told by the justices that "They respect us for what we do...because I have so much respect for what they do." When asked how he would rate the overall program and its effectiveness, Michael Seger, a seventh grade civics teacher at Howard Middle School in Oviedo, gave it a 10+: "JTI was the most incredible professional development of my teaching career. I was so honored to be selected and to spend the week not only with the justices of the Florida Supreme Court, but with such an outstanding group of teachers and mentor judges." He is now using mock oral arguments in his civics classes after he teaches students about the state judicial system, he added. Mr. Seger's praise underscores one of the best features of the JTI—that its benefits continue long after the teachers leave the supreme court building.



At the 2013 Justice Teaching Institute, Justice Peggy Quince talks to the teachers about the elements of a good oral argument.

BC Schwartz

## Farewell...

## Tom Hall, Clerk of the Florida Supreme Court, Looks Toward Retirement

While browsing through this issue of the *Full Court Press*, readers might find themselves suddenly riveted to the uncustomary graphics lacing the pages of this story. The artist behind these stunning photos is the clerk of the Florida Supreme Court, Tom Hall, who, to soothe the stresses of his day-job, enjoys the centering tranquility that his camera (or a good game of golf) offers him. Photography is more than just a relaxing avocation for him. Indeed, when young, he dreamed of becoming a professional photographer. But life has a way of unfurling in ways we never anticipated, and, this October, Mr. Hall will be retiring after 23 years with Florida's court system: 13 as supreme court clerk and 10 as chief staff attorney at the First DCA. For this farewell piece, what could be more fitting than to ornament his reminiscences about his legal career with the fruits of his first love.



Tom Hall

Key West.

Born in a small town in Ohio, Thomas D. Hall grew up in the context of what he calls the "typical post-war baby boom era." In this one-industry town of about 50,000 people, everyone worked for the steel mill, or for a company that supported it. His dad worked at the mill, and, like most kids then, he had a stay-at-home mom. With this homespun backdrop, it is no surprise that he had no youthful aspirations to be a lawyer.

Drafted during the Vietnam War, he joined the Navy, and, after a short stint with the helicopter training squadron in Pensacola, he became a photographer for the Navy and spent four years honing his behind-the-lens skills. After his discharge, he returned to Ohio; he went to work as a photographer for a national paper company but, before long, enrolled at Miami University in Oxford, Ohio—the "other Miami"—and majored in communications. This is where he passed his first three undergraduate years. But, even then, he found himself drawn to Florida and had a yearning to go back, so he decided he'd complete his bachelor's degree in Pensacola at the University of West Florida.

Soon after he returned to Florida, however, his vocational path encountered an unexpected turn. He was required to take a one-hour course called "Careers in Communications"; every class featured a guest in a communications field who talked about the fundamentals of his or her job and the kinds of people who tend to gravitate toward that area. One of those guest speakers was a lawyer. The graduating senior had "never given a thought to being a lawyer before"—in fact, he was headed for a career in organizational communications and had already been accepted into a master's program in that field. But this introduction to the legal profession proved to be epiphanic: he applied to law school and ended up going to the University of Miami.

After graduating, he remained in Miami for 10 years and worked at two different law firms. But, eventually, he tired of Miami. He and his fiancée, also from a small town in the Central US, were keen to put down roots in a more rural environment in Florida. In 1990, he applied for and was offered a position that had, serendipitously, just become open: chief staff attorney at the First DCA. His fiancée, by then his wife, went to work as a paralegal for his former Miami law firm but soon got back into television news, her profession. Then, after 10 years with the First DCA, Mr. Hall accepted the post as clerk of the court with the Florida Supreme Court, where he's been ever since. Shortly after he became

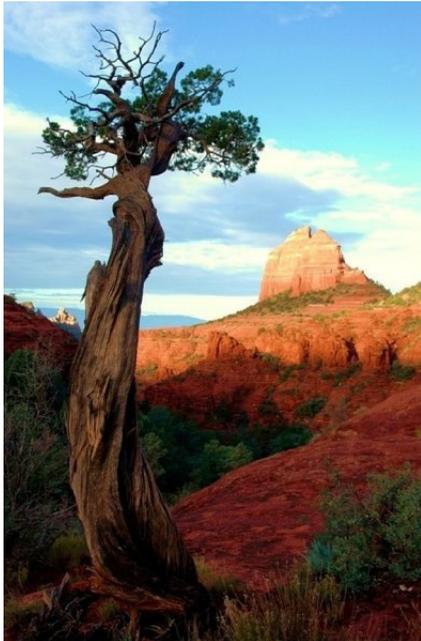


Tom Hall

Eiffel Tower taken New Year's Day 2006; we spent New Year's Eve in Paris with my entire family: wife, both sons, and my older son's girlfriend.

clerk, his wife left television news to join a Tallahassee public relations firm. That move would also prove serendipitous months later.

Asked about what he has most enjoyed about being the supreme court clerk, Mr. Hall was unhesitating in his response: "Intellectually, it's very engaging work." He's especially loved "being on the frontline: when you work at the supreme court, you are really right at the edge of all the new legal decisions. You see them at the front door and find yourself thinking, 'That's going to be a really interesting question that the court's going to have to grapple with.' And, as the clerk, you are the first to know how the court decided and the first to announce that decision to the world. It's hard to put into words how interesting that can be—it really keeps you engaged," he explained.



Tom Hall

Photograph taken in a very popular area of Sedona for photographers.

Also fascinating to witness have been the technological advances over the last 13 years—and how these changes have reshaped the way the court, and the office of the clerk, do business. He used redistricting as an example. Each decade, after the census, the state's legislative districts have to be reapportioned to reflect changes in population. In 2002, he recalled, the legislature was required to file 25 paper copies of its redistricting plans—in addition to an electronic version on floppy disk—with the supreme court. Then, just 10 years later, when the court was readying for the 2012 legislative reapportionment process, "we had no computer in the supreme court that could even take a floppy!" he chuckled.

In addition to its other challenges, the 2000 presidential election also created an interesting technology quandary, Mr. Hall recollected. Back then, the standard means of electronic transmittal was fax—"But we had only one fax line. The court was going to have to review 16 election-related court cases, and the court had asked us to track all the cases around the state relating to the election (there were more than 40), so it would have taken forever to get all the information we needed." And time was of the essence. Fortunately, though people rarely used it back then, everyone at the court had email capability. And email saved the day: "We created an email address and had all the case-related documents sent there—and it went flawlessly; to this day, we still use that email address," he added.

That was 13 years ago. These days, documents are being filed electronically through the portal, and this is having "a huge impact on the clerk's office," Mr. Hall observed: "We still have paper files but stopped updating them and are phasing them out altogether. We have no paper for new cases; all the documents are on the computer, and any paper that comes in gets scanned to produce an electronic version." Mr. Hall is a member of the E-filing Authority, which is the public entity that owns the portal and makes the business decisions regarding its operation, so he's been intensely involved in every aspect of Florida's e-filing evolution. Indeed, the move to e-filing has been so monumental that, "When that first case came through the e-portal, I took executive privilege and docketed it myself," he exclaimed. "Technologically, Florida is on the forefront in some aspects," he pointed out: "It's unique for having a one-stop shop for e-filing for every level of the court system. No state as big as ours has successfully implemented a statewide system and only a few others are trying, and they are very small states." He acknowledges that it is a "difficult transition, for we have to change our entire business operations completely, and we are doing it on the fly. But, ultimately, it will be great," he forecasts.



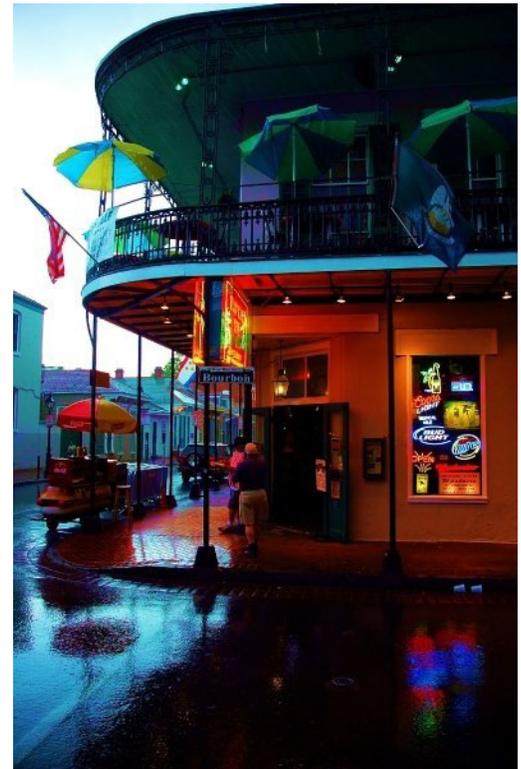
Tom Hall

Mt. Rainier from the air on the way into Seattle.

Musing on some of his most memorable supreme court-related experiences, Mr. Hall said that the most indelible are those surrounding the 2000 election. He called that 36-day stretch "so intense," especially

with the 85 satellite trucks parked across the street. "It was a rare moment because we did not allow access to the building," he reflected. Luckily, his wife had just left television news and did not have to be barred from the building. "I remember most the personal stuff," he commented, noting that "a couple of moments really stick in my mind." For instance, "The first case was filed as an emergency at 3:12 AM. It was on TV, and some of the law clerks saw it. One hour later, when I arrived at the court, about 10 of the law clerks were already here, sitting on the floor, starting to work on it. They didn't even need direction—they just jumped in and got started." He now wishes he'd taken a photo of that scene. He also vividly recalls a few press-related incidents. "When we issued opinions, the press would form lines outside; they'd come in one door, get a copy of the opinion, and leave by the other door, sort of in a 'U' shape. One night, it was cold out, and the paper was still warm from the copy machine. I remember people commenting on the warmth of the paper." He also remembers the press sitting outside all night waiting for information, and "One really cold night, we invited them in to have coffee. Later, they told me they thought it was amazing, a really friendly gesture, that we gave them a chance to get warm and have coffee, and that in all their experience no other court had treated them so nicely."

Particularly evocative is his memory of what happened in response to the last case, when the Florida Supreme Court ordered a complete statewide recount. "It was a Saturday afternoon, around noon or 1, and the US Supreme Court called; they'd entered an order stopping the recount. They were taking jurisdiction and wanted the record delivered to them by the next day—a Sunday. 'How are we going to do that?' I wondered. At that time, there was no overnight delivery out of Tallahassee on weekends. We considered using an airline—but didn't want to give up custody of the record. So we arranged to get a state plane and flew the record to DC—me, highway patrol, and supreme court security. When we got to National Airport, Virginia police met us, and we put the record in a car with me. I was in the middle car of three, and we went, in a police escort caravan, from the airport to the Supreme Court Building. But the caravan kept growing because once we crossed into DC, we were joined by DC police cars in front of and behind us. The streets around the court were barricaded off, but the barricades were moved aside instantly to let us through. I remember going into the court and getting a receipt from the US Supreme Court clerk. That case was *Bush v. Gore*—the only case of the 16 that actually had that name. I was thinking to myself, 'Wow—this case will decide who the president of the United States will be, and here I am.' It was a pretty amazing moment. The presidential election cases were such a unique experience that, to this day, if you worked in the Florida Supreme Court in 2000, you tend to define yourself around it, you're either pre-case or post-case."



Tom Hall

Bar in New Orleans on Bourbon Street, early morning.



Tom Hall

Train going through remote area of Austria in the winter of 2005; we were there visiting my older son, who lived in Germany at the time.

Not surprisingly, along with its striking memories, being the clerk of the supreme court has also had its challenges. Perhaps the biggest is that "Working in the clerk's office is like working on an assembly line. There's no shutting the door. Cases come in 24/7 now, electronically, and everyone has to keep moving, which means we have to think and act very quickly." Looking for an analogy, he said, "It's sort of like the old 'I Love Lucy' episode with the chocolates" (he's referring to the achingly funny scene when Lucy and Ethel get a job at a candy factory wrapping the chocolates moving past them on a conveyor belt; the

chocolates start coming at them so fast that they can't keep up, so they begin stuffing the chocolates in their mouths, down their shirts, in their hats...).



Tom Hall

Photo taken on a bear-viewing trip in Alaska in the Lake Clark National Preserve.

"There are more cases now than in the past—last year was the most in 10 years," he explained. "The court doesn't take all these cases, but the clerks have to process them all. Plus the clerk's office has to deal with lots of non-case stuff as well. So the biggest challenge is the constant crush of business." At the same time, he added, "I have to remind myself that everything that comes through the court involves people's lives; it's probably the biggest thing in their lives. Because people's lives are at stake, it's important to get the case out the door so they can get on with their lives."

As for his retirement plans, he and his wife envision staying in Tallahassee, at least initially. And he'll continue to work in some capacity. He's interested in doing some consulting, perhaps, maybe focusing on the conversion from a paper-bound to an electronic court. Either way, he will definitely be doing something: He's retiring because he's completed DROP, "not because of fatigue," he clarified with a smile. He also plans to spend more time with his wife Lisa and his two sons—Troy, who lives in Pensacola, and Matt, who is starting college in the fall. And they hope they can travel more, including trips to visit the three foreign exchange students they hosted in their home: Abhishree in India, Ekatrina in Russia, and Korn in Thailand.

Mr. Hall is regarded very highly, both in Florida and across the country, as evidenced by the accolades he has received. Among them are the James C. Atkins Award

from the Appellate Practice Section of The Florida Bar for outstanding contributions to the field of appellate practice in Florida (it's the highest award that organization gives) as well as the J.O. Sentell Award from the National Conference of Appellate Court Clerks for distinguished service to the organization (it's the highest award a clerk can get from that body).

He has also earned high praise from the people who have worked closely with him over the years. "In addition to being technically savvy, Tom Hall is a very smart lawyer and is administratively gifted," said Chief Justice Polston, adding that his "talents for administration and legal analysis, combined with his



Tom Hall

Picture taken while on a sunset sail, during a guided bone fish fishing trip.

energy and a remarkable capacity for calmness, quickly earned him a reputation as a 'go-to' person for the Court and the entire Judicial Branch."

Justice Barbara Pariente, who has "had the privilege of working with Tom the entire time he served the Supreme Court," wrote, "When we first interviewed for the position, Tom Hall was the only logical choice with his background as an appellate lawyer and the head of the staff attorneys at the First District Court of Appeal. I remember Judge Martha Warner singing his praises and I knew we could not go wrong. And we did not. Tom hit the ground running and even with the 2000 presidential election, Tom never missed a beat. He just went into high gear!!! During my two years as Chief Justice we worked very closely together. Tom was never afraid to voice his views and he was always right!!! During recent years, we have worked together in the transition to electronic filing and electronic voting not just for the Florida Supreme Court but for all appellate courts. He has worn so many hats in being the voice of the Court that for some I am sure Tom Hall has become synonymous with the Supreme Court of Florida. Tom will be greatly missed but he deserves a well-earned break!!!"



Phillip Pollock

Tom Hall

working with the clerks of court, and the ongoing efforts to make the courts electronic, to name just a few. Whatever the issue, either Tom is in the center of it or is about to be in the center of it." She also emphasized that "He provides steady leadership and engenders the confidence of all in whatever task he is assigned. When Tom is on a project, it will get done and get done right."

The people who work under Tom Hall admire and are fond of him as well. Susan Morley, chief deputy clerk, also called attention to "his unfailingly calm demeanor, even when resolving complex issues at a high speed, which sets the tone for everyone in the office. And he's also a lot of fun to talk to," she added, saying, "Working for Tom, you quickly recognize and appreciate the wide range of information he brings to any discussion—not just concerning the law, the Court's procedures, the newest technology, but also insights he's drawn from the latest books, news, sports, and family life. He is a genuinely interesting person to know and to work with." Tom Hall's absence will surely be felt on many levels.

## Turning Points

### Awards and Honors

**Mr. Joe Eagleton**, staff attorney to Justice Barbara Pariente, is the winner of the 2012 Florida Bar Journal Excellence in Writing Award for his article, "Walking on Sunshine Laws: How Florida's Free Press History in the US Supreme Court Undermines Open Government," published in the *Florida Bar Journal*, September/October 2012.

**Judge Nelly N. Khouzam**, Second DCA, was appointed to the University of Florida Law Center Association Board of Trustees; the board works directly with the University of Florida Levin College of Law to promote and support legal education and the highest ideals and ethics of the legal profession.

### In Memoriam

**Judge Susan Aramony** served on the bench in the Seventeenth Judicial Circuit from 1999 – 2013.

**Retired Judge Donald F. Castor** served on the bench in Hillsborough County from 1976 – 1997.

**Retired Judge Robert Deehl** served on the bench in Miami-Dade County from 1964 – 2013.

**Retired Justice Arthur J. England** served on the bench of the Florida Supreme Court from 1975 – 1981 and was chief justice from 1978 – 1980.

**Clerk of the Circuit Court Lydia Gardner**, Orange County, served from 2001 – 2013.

**Retired Judge James Albaugh Lenfestey** served on the bench in the Thirteenth Judicial Circuit from 1966 – 1990.

**Retired Judge Frederick Pfeiffer** served on the bench in the Ninth Judicial Circuit from 1972 – 2003.

**Retired Judge Jack R. Schoonover** served on the bench in the Twentieth Judicial Circuit from 1975 – 1981 and served on the bench in the Second DCA from 1981 – 1997.

**Retired Judge Arden M. Siegendorf** served on the bench in Miami-Dade County from 1971 – 1974 and served on the bench in the Eleventh Judicial Circuit from 1974 – 1981.

**Retired Judge L. Ralph "Bubba" Smith** served on the bench in the Second Judicial Circuit from 1987 – 2011.

If you have information about judges and court personnel who have received awards or honors for their contributions to the branch, please forward it to the [Full Court Press](#)

*August*

- 1-2 Florida Courts Technology Commission Meeting, Tampa, FL
- 3 Trial Court Budget Commission Meeting, Daytona Beach, FL
- 4 Quarterly DCA/Circuit Chief Judges Meeting, Daytona Beach, FL
- 4-7 Annual Education Program of the Florida Conference of Circuit Judges, Daytona Beach, FL
- 4-7 Trial Court Administrators Annual Education Program, Daytona Beach, FL
- 7-9 Foreclosure Initiative Training Program, Daytona Beach, FL
- 8-10 Dispute Resolution Center Annual Conference, Orlando, FL
- 29 Court Interpreter Certification Board Meeting, Tampa, FL

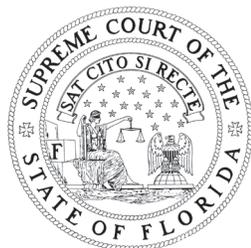
*September*

- 9-11 Annual Education Program of the Florida Conference of District Court of Appeal Judges, Ft. Myers, FL
- 9-11 Annual Education Program of the Florida District Court of Appeal Clerks, Ft. Myers, FL
- 9-11 Annual Education Program of the Florida District Court of Appeal Marshals, Ft. Myers, FL
- 11-13 Court Interpreter Oral Performance Examinations, Ft. Lauderdale, FL
- 12 Supreme Court Committee on ADR Rules & Policy Meeting, Tampa, FL
- 27 Judicial Management Council Meeting, Jacksonville, FL

*October*

- 14-15 Steering Committee on Families & Children in the Court Meeting, Tampa, FL
- 14-15 Reporters Workshop, Tallahassee, FL
- 17-18 Task Force on Substance Abuse & Mental Health Issues in the Courts Meeting, Tampa, FL
- 25 Foreclosure Case Management Workshop, Tenth Judicial Circuit

ON  
THE  
HORIZON



Under the direction of  
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