Greetings from Tallahassee. I hope all is well with you and your family. Fall is here and managing the impact of the implementation of Revision 7 to Article V remains our number 1 priority. Yes, I know we have talked a lot about Revision 7, but there are some subjects I believe you just cannot say enough about and trial court funding must remain our top priority in our overall concern for court funding. As you know the courts have been preparing for the past five years for the critical upcoming legislative session. With the passage of the Revision 7 implementing legislation in the 2003 Special Session, we still have much work ahead of us as we go into the legislative session that will determine whether Florida’s courts will be able to continue providing the level of service the people of Florida expect and deserve. The courts are working diligently to ensure adequate funding is received when the constitutional mandate for the change in funding becomes effective July 1, 2004.

Last year our courts, under the guidance of the Revision 7 Communications Advisory Group chaired by Chief Judge Belvin Perry, developed an educational toolkit that was utilized by judges and court personnel to talk with citizens, legislators, community leaders and the media about Revision 7 and the importance of ensuring “Justice for all Floridians.” During Phase I of the educational campaign, the Advisory Group disseminated materials that explained the history of court funding and the funding transition contemplated by Revision 7.

This year, the Advisory Group has again worked exhaustively to produce Phase II of the educational materials. This phase includes a more in depth discussion of Revision 7, including the legislation adopted in 2003 Special Session A, along with the Revision 7 budget request prepared by the Trial Court Budget Commission. It also describes the potential consequences Floridians could face if adequate funding is not received for trial courts throughout the state. We continue to be indebted to the Advisory Group for its quality work.

Thank you, again, for all you do for Florida’s justice system.
Two Years Later - September 11th and the Florida State Courts
By Greg Cowan

In the two years after the tragedy of 9/11, coordinated statewide and local efforts have strengthened the ability of Florida courts to respond to and recover from emergency events. Recognition is due to all the judges, clerks, sheriffs, marshals, administrators, emergency coordinating officers, district and trial court personnel, and so many others who have worked so hard on these efforts.

Some of the statewide efforts undertaken over the past two years include:

1. Developing and disseminating policy recommendations and specific guidance through the efforts of the Workgroup on Emergency Preparedness;
2. Conducting two statewide training sessions;
3. Educating court personnel on the basic processes for responding to emergencies;
4. Developing and disseminating eight detailed fill-in-the-blank emergency planning templates;
5. Establishing and updating a list of emergency coordinating officers;
6. Coordinating technology issues into the emergency preparedness efforts;
7. Gaining representation for Judicial Branch personnel on each of the seven Regional Domestic Security Task Forces;
8. Utilizing both the Internet and Intranet as vehicles to disseminate information;
9. Securing grant funds and private consultants to provide training and onsite technical assistance as requested by appellate and trial court personnel; and
10. Assisting in the onsite technical assistance provided to select trial courts.

While progress has been made, observations over the past two years indicate future efforts, both locally and at the state level, are still required if the courts are to be prepared to respond and recover from the wide range of potential emergency events. Some of the remaining challenges include:

1. The possible underutilization of specific guidance provided by the Workgroup on Emergency Preparedness;
2. Some plans may not be fully developed or may need to be tested, practiced, and perhaps improved upon;
3. Some representatives to the Regional Domestic Security Task Forces may not have been as involved as is necessary;
4. No or little efforts have been initiated in the areas of mitigation or recovery;
5. Efforts to improve communications appear to have been sporadic;
6. Efforts related to records and technology have in some cases proven problematic;
7. Training for chief judges and continued training for emergency coordinating officers may need to be developed and provided;
8. A strategy for OSCA staff to follow-up with any district or circuit after an emergency situation to assess the effectiveness of plans may need to be developed; and
9. Greater coordination between state and local personnel both within the Branch and with state and local agencies may be needed.

(continued on next page)
The extraordinary efforts expended by so many over these two years have resulted in tangible strides toward ensuring that the goals established by Chief Justice Charles T. Wells and reinforced by Chief Justice Harry Lee Anstead are achieved. But much remains to be done if we are to continue to ensure the lives and health of those at the courthouse are protected and that we are prepared to “keep the courts open, in fulfillment of the court system’s constitutional mandates.”


Greg Cowan is a Court Operations Consultant in the Office of Court Services. He can be reached at (850) 922-5460 or cowang@flcourts.org

Combined Alternative Dispute Resolution Rules and Policy Committee Established by Chief Justice Harry Lee Anstead

By Sharon Press


The ADR Rules and Policy Committee is the result of the merger of the ADR Policy Committee and the ADR Rules Committee. These two Committees were successors to the Supreme Court Mediation and Arbitration Training Committee (initially appointed in 1988) and the Supreme Court Committee on Mediation and Arbitration Rules (initially appointed in 1989). These changes reflect the Supreme Court’s desire to broaden the scope of the Committee’s work beyond mediation and arbitration in recognition of the variety of Alternative Dispute Resolution techniques that are currently authorized via state statute, and utilized by both the trial and appellate courts. The merger of the two Committees is also a reflection of the interrelationship of policy and rules. As stated in the Administrative Order,

The judicial branch’s experience has shown that alternative dispute resolution policy impacts on rules, and alternative dispute resolution rules likewise impact on policy. Consolidation of these two functions under one advisory body will result in the development of more efficient, effective, consistent, and expedited recommendations to the Supreme Court regarding mediation, arbitration, and other forms of alternative dispute resolution.
The Committee was given the following charge:

1. Monitor court rules governing ADR procedures and recommend necessary amendments.
2. Monitor legislation and trends in the field and when necessary and appropriate recommend rules regarding the implementation of ADR procedures.
3. Recommend for consideration changes in the administrative policies, statues and training standards that would enhance the goals of ADR.
4. Assess and develop, if appropriate, recommendations for rules, procedures and model practices to govern the appropriate use of mediation in criminal and juvenile delinquency.
5. Assess how the courts are handling mediation cases, including where domestic violence is present, and develop recommendations for model practices for handling cases, as appropriate.
6. Review requests from individuals seeking waivers of the qualifications required for arbitrators and mediators or reviews of denial of certification and make recommendations for or against certification to the Supreme Court.
7. Monitor continuing education, mentorship and basic mediation and arbitration training requirements and recommend revisions as appropriate.
8. Coordinate with other court committees to further the ADR goals of the Supreme Court.
9. Make such other recommendations that would improve the use of mediation, arbitration and other alternatives to supplement the judicial process.
10. Perform such other assignments related to ADR as may be directed by the Chief Justice of the Supreme Court.

Other members of the Committee include: Ezelle Alexander, Judge Thomas Bateman, Mike Bridenback, Judge Theotis Bronson, Judge Burton Conner, Robin Davis, Judge Robert Doyel, Greg Firestone, Perry Itkin, Pam McOwen, Kathy Reuter, Judge Ronald Rothschild, Mel Rubin, Judge Matthew Stevenson, Meah Tell, Judge Lynn Tepper, Larry Watson, and Dean Honggang Yang. Justice Charles T. Wells will once again serve as liaison to the Committee. The Dispute Resolution Center in the Office of the State Courts Administrator provides staff support.

The Committee has established several subcommittees which are working on a variety of projects including appellate mediation, mediator qualifications, domestic violence and mediation, senior judges as mediators, and parent coordination.

Sharon Press is the Chief of the Dispute Resolution Center. She can be reached at (850) 921-2910 or presss@flcourts.org.
Judge Paul Huey Appointed To The Commission On Marriage And Family Support Initiatives

Florida Senate President James King, Jr., appointed Thirteenth Judicial Circuit Judge Paul Huey to serve on the Commission on Marriage and Family Support Initiatives. As one of the initial appointees, he will serve a two-year term. The Governor, the President of the Senate, and the Speaker of the House of Representatives each appointed six members to the commission.

Legislation enacted in 2003 replaces the Florida Commission on Responsible Fatherhood with the new commission, which will take a broader approach to strengthening families by detailing comprehensive statewide strategies to promote safe, violence-free, substance-abuse-free, respectful, nurturing and responsible parenting, including connection or re-connection of responsible mothers and fathers with their children.

Looking forward to his service on the commission, Judge Huey stated, “I welcome the challenge of working with others across the state to make Florida the best state for families in the country.”

Dedication of the New George Edgecomb Courthouse

Almost 400 people gathered in the lobby of the George E. Edgecomb Courthouse on August 13, 2003, to commemorate the man whose name adorns the facility. During his 33 years of life, this man established a legacy for all public servants. George Edgecomb quietly blazed trails for men and women of character to follow. In 1969 he became the first African-American Hillsborough County Solicitor; in 1971, he became the first African-American Chief Assistant County Solicitor; and two years later he became that community’s first African-American judge.

Judge E.J. Salcines, 2nd DCA, who hired Edgecomb in 1969, spoke to the audience, reminding them of the era when the young black man began his life of public service. Judge J. Rogers Padgett spoke of times he and Edgecomb shared as colleagues and friends. Ironically, Judge Perry Little recently discovered a forgotten robe once worn by Edgecomb, which he presented to Ms. Doretha Edgecomb and her daughter, Allison.

A newly restored photograph of Judge Edgecomb was unveiled by Mike Bridenback and Nancy Yanez, and will be displayed in the lobby of the new courthouse when it opens this fall. The 268,000 square foot, six-story building will house Family, Dependency, Civil, Guardianship, Probate & Trust divisions, as well as the Administrative Office of the Courts, the Clerk of Court, and related programs.
DCA Judge Wins 2003 Hispanic Woman of the Year Award

The Tampa Hispanic Heritage Inc., the group behind the city’s largest celebration of Hispanic culture, named Judge Virginia Hernandez Covington as the 2003 Hispanic Woman of the Year. Judge Covington is the state’s first Cuban-American woman to take the bench in the Lakeland-based 2nd District Court of Appeal, which encompasses fourteen counties. She was appointed by Governor Jeb Bush on September 25, 2001.

Congratulations Judge Covington!

Sources: Tampa Tribune, July 19, 2003

A look at the Eleventh Judicial Circuit’s Office of Government Liaison and Public Relations
By Victoria Arias

The Office of Government Liaison and Public Relations is a community outreach and legislative satellite office that strives each day to fulfill the chief judge’s vision. The Office has proudly created and distributed various educational materials including the new version of News at 11 and the Year In Review. Media guidelines were developed and a solid working relationship with news editors and reporters was established. The office frequently hosts dignitaries, schools, and teaching professionals in both formal and informal settings within the courthouse.

Promoting law related education is a key objective of the office. The office is now part of Miami-Dade County’s Citizen’s Academy curriculum, a project created by the offices of the County Manager and Team Metro. Each semester, staff members present materials covering information about the role of the court system in a fun and easy-to-understand format. They have also assembled a group of circuit and county court judges who help “spread the word” about court programs and responsibilities via a speaker’s bureau panel. Materials are also presented throughout the community at career days, civic organization meetings, and during citizenship/civics-type classes.

The Office of Government Liaison and Public Relations will continue to produce materials that help inform the public about the activities and programs within the court system. Watch for a new and improved juror orientation video that is specific to the jury pools in the Dade County Courthouse and the Richard E. Gerstein Justice Building. In an effort to promote the importance of jury service, a statewide “Jury Service: A Legacy of History” video is in production and will be distributed, later this year to the other circuits.
Remembering Judge Royce Agner

Hundreds of mourners gathered in Perry on September 10 to mourn the passing of Royce Agner, a longtime Third Circuit Judge. Judge Agner served the Third Judicial Circuit for almost 25 years and after his retirement as a Senior Judge he continued his services working mostly in the Third and Seventeenth circuits.

He was elected county judge in 1964 and became a circuit judge in 1967. During his tenure he served four terms as Chief Judge of the Third Circuit, which consists of Columbia, Dixie, Hamilton, Lafayette, Madison, Suwannee and Taylor counties. Upon his retirement he recalled, “When I first became a circuit judge there were only 70 judges in Florida and they were all male.” By his retirement there were 400 circuit judges and females were no longer rarities.

Many remember Agner as a mentor and role model. Circuit Court Judge James R. Bean, who succeeded Agner states, “He was a true gentleman, a man of unshakeable faith and a superb jurist who earned the respect of everyone in the legal community.”

Justice Raoul G. Cantero, III Visits With the President of Spain

President of the Government of Spain José María Aznar was Governor Jeb Bush’s guest of honor during the Hispanic Heritage Month Celebration at The Governor’s Mansion. The dinner and reception brought together Hispanic community and business leaders from across the state and highlighted a month-long schedule of events commemorating Florida’s Hispanic Heritage.

Justice Cantero was among the guests at the reception. Coincidentally, President Aznar’s father-in-law was the physician who delivered Cantero in Madrid in 1960.

Florida’s Clerks of Court Provide Internet Child Support Services

Since November 2002 employers in Florida have had the option to submit child support payments on-line on behalf of their employees through MyFloridaCounty.com. By using this on-line payment system, employers can not only save time and money processing court mandated Income Deduction Orders (IDO), but also eliminate time-consuming errors at the State Disbursement Unit (SDU) and speed up payments to custodial parents.

Here’s a quick overview of how the system works:
First, an employer needs to go to this URL: http://myfloridacounty.com/services/child_support

By linking to the “Child Support Payment Account,” the employer can enroll his or her
The 2003 Dependency Court Improvement Summit
By John Couch

“As a member of our justice system, I believe we should feel enormously privileged that society has placed its most troubled children on our doorstep for help. We cannot turn our backs.” Chief Justice Harry Lee Anstead

More than 1,500 child protection professionals gathered in Orlando from August 27 to 29 for the Seventh Annual Dependency Court Improvement Summit, including judges, court administrators, case managers, clerks of the court, attorneys, social workers, law enforcement officers, mental health professionals, and guardian ad litem program staff. This year’s theme, “One Year to Permanency: Pieces of the Puzzle,” provided focus to the summit events while reminding participants of the importance of their individual contribution to the child protection system.

The summit opened with a keynote address from author and speaker Dr. Jay Strack who shared his dynamic message of managing the present while shaping the future. A diverse collection of professional workshops was offered with topics including legislative updates, judicial case management, domestic violence issues, mental health treatment, mediation, and substance abuse issues. Local circuit sessions allowed participants to foster collaboration, identify barriers, and develop an action plan to improve overall system performance. Professional development sessions gave attendees the opportunity to network and address issues specific to their profession. The professional development sessions for judges and trial court administrators included a presentation by Jerry Regier, Secretary of the Department of Children and Families.
Secretary Regier addressed specific issues of interagency communication, community-based care, and the interstate compact on the placement of children.

Awards were given to identify and celebrate the judges, general masters, and child protection professionals making the greatest contribution to the courts in serving dependent children and their families. Judge Scott Brownell was this year’s recipient of the William E. Gladstone Award. Judge Brownell is the administrative juvenile judge in Manatee County and is known statewide and nationally for his dedication to judicial education. He established the Family Law Associated Professionals (FLAP) of the Twelfth Judicial Circuit. According to his peers, Judge Brownell works non-stop from behind the bench and as a volunteer to protect children and improve the quality of life for families and his community.

2003 William E. Gladstone Award Nominees

- Judge John Alexander
- Judge Peter Dubensky
- Judge Don Hall
- Judge Robert McDonald
- General Master Harriett Williams
- Judge Lisa Davidson
- Judge Marci Goodman
- Judge Lee Haworth
- General Master Albert Moore

The Patricia Badland Award was given to child advocate Mary Cappucci. Ms. Cappucci is a judicial liaison with the Department of Children and Families in Marion County. She has worked for DCF for just two and a half years, but in that time she has exhibited an uncommon level of commitment. She is consistently prepared, knowledgeable, and innovative in her approach to her cases, and has significantly advanced the welfare and protection of Florida’s children.

2003 Patricia Badland Award Nominees

- William G. Brooks, M.D.
- Sonia Crocket, GAL Attorney
- Susan Khouey, GAL Director
- James Leneham, YMCA Director of Operations
- Carol Ortman, Trial Court Administrator

Each year the Dependency Court Improvement Summit serves as the premier educational and training forum for child protection professionals throughout Florida. The enthusiastic participation of all 20 judicial circuits in this event illustrates the commitment of Florida’s courts to the families and children of this state.
Florida’s Drug Courts - A Proven Process for Accountability and Success

By Jennifer Hirst

The 2003 Drug Court Conference was a resounding success with hundreds gathered in Orlando on July 17 and 18 to attend the two-day summit. A variety of educational courses were offered to enhance and support the duties and responsibilities of the core drug team members.

This year’s conference theme was *A Proven Process for Accountability and Success* which epitomizes Florida’s drug courts. In a little over a decade, the program has skyrocketed not only in numbers of programs (with currently 84 statewide), but also in the number of individuals afforded treatment and second chances - the graduates! Drug courts in Florida now serve over 10,000 individuals each year.

During the Conference, Lieutenant Governor Toni Jennings addressed the 450 participants, inspiring them to continue their ongoing efforts. Lt. Governor Jennings stated, “drugs destroy families, eliminate hope, and feed on despair. Drug courts save lives and you have Governor Bush’s total support!” She thanked the participants for “doing the job you are empowered to do” because without them, the program could not be what it is today.

Florida Supreme Court Chief Justice Harry Lee Anstead also addressed the crowd expressing his appreciation for all the hard work that each person puts into the success of Florida’s drug courts. “We receive requests for help from other states on a regular basis because Florida’s drug courts serve as a role model to others, and that makes me very proud! We have come so far in such a short amount of time and have led this nation to treat people with a drug problem instead of punishing them,” he stated.

During Chief Justice Anstead’s remarks, he praised Representative John Quinones for his courage and dedication in being a “leader” in the Florida Legislature on drug court issues. Anstead stated, “Representative Quinones, you are the classic example of an American hero and we are very grateful for your support and leadership.” Quinones played an integral role in sponsoring HB 1137, that would have provided a dedicated funding stream for drug courts. Quinones will again sponsor this proposed legislation in 2004. As Quinones accepted the certificate of appreciation from Anstead, he described a drug court graduation ceremony he attended stating, “the room was filled with such an emotion ... it was electrifying.”

The two-day training consisted of a packed agenda including the following sessions:

- Accepting the Challenges of Your Role as a State Attorney or Public Defender in Drug Court
- Appropriate and Meaningful Sanctions and Incentives in Adult and Family Drug Court
- Treatment Methods for Juveniles
- Confidentiality and Ethics: Managing the High Profile Case
- Interface Between Treatment, Law Enforcement, Probation, and the Court
- Managing Your Regular Docket Plus Drug Court

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Cutting Edge Drug Testing Procedures: What do the Results Mean?

Numerous OSCA staff members contributed to the success of the conference. Thanks to the following:


Making a Connection: A Partnership for Florida’s Children
By Sandy Neidert, Senior Court Analyst II, Office of Court Improvement

On September 12, 2003, the Office of the State Courts Administrator and the Department of Revenue (DOR) co-sponsored a child support forum in Tampa. The event, Making a Connection: A Partnership for Florida’s Children, was attended by 143 judicial officers, court administration staff, clerks, legal service providers, DOR staff, legislative staff and law enforcement officers.

The event attracted various guest speakers. The Honorable Manuel Menendez, Chief Judge, Thirteenth Judicial Circuit, opened the event and welcomed the participants. The opening plenary featured three distinguished speakers. The Deputy Commissioner from the U.S. Office of Child Support Enforcement, David Siegel, offered comments regarding current trends in child support enforcement from a federal perspective. Justice Fred Lewis and Jim Zingale, Executive Director of the Department of Revenue, presented the state perspective. Justice Lewis spoke of his personal commitment to children’s issues and addressed two forces that will impact child support proceedings: Revision 7 and the Supreme Court’s continued commitment to implementing the unified family court. Zingale presented statewide Title IV-D case statistics. The opening plenary also included an overview of the child support process and a panel discussion of stakeholders in Manatee County who described their collaborative effort in handling child support cases. Braxton Ezell, General Master and Hearing Officer from the Twelfth Judicial Circuit, was one of the opening plenary panelists.

Hearing Officer Jean Dwyer, Seventh Judicial Circuit, facilitated a lively discussion during the working lunch. Judicial officers and court staff discussed various issues, including ordering child support in dependency cases, the administrative child support process, central dispository reports, and the need for job placement programs for non-custodial parents. Hearing Officer Susan Keith, Fifth Judicial Circuit, opened the Health Care Coverage session in the afternoon by providing an overview of Florida’s case law and statutes regarding the matter. Peter Passidomo, Chief Family Court Magistrate of the State of New York, discussed his state’s initiative to ensure that all child support orders contain the establishment of health coverage and presented a decision tree used to assist their judicial officers in determining the appropriate health care provision in orders.

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George Nedder, Senior Auditor, U.S. Department of Health and Human Services, concluded the session with a presentation regarding the potential for Medicaid savings when health coverage is pursued.

The Honorable Walt Logan, Circuit Judge, Sixth Judicial Circuit, was a panelist for the Paternity Disestablishment session, along with three other attorneys. This session covered the complex legal, ethical and policy issues related to paternity disestablishment, such as genetic testing, finality of judgments, default orders and presumptions of legitimacy.

Office of the State Courts Administrator Selects Deputy
By State Courts Administrator Lisa Goodner

The Office of the State Courts Administrator is pleased to announce that effective December 1, 2003, Blan Teagle will assume the Deputy State Courts Administrator position. Blan brings a wealth of experience that will serve him well as he rejoins the OSCA. Blan served for more than 11 years in Court Education, the last two years as chief of that office. After leaving the OSCA, he worked as director of education and training at the Florida Department of Children and Families and is currently employed as the Director of The Florida Bar Center for Professionalism.

The OSCA conducted an extensive search to select a highly-qualified individual from among many excellent candidates to fill this important leadership position. We are very pleased with the result and are confident that Blan will continue to make a substantial contribution to the Florida justice system.

Please join me in welcoming Blan to his new position!
Courtside Events

NOVEMBER 2003

6 - 7  Statewide Domestic Violence Summit, Orlando
11  Veteran’s Day Holiday - Court Closed
13 - 14  Standard Jury Instructions - Civil, Coral Gables
27 - 28  Thanksgiving Holidays - Court Closed
30 - 12/5  DUI Adjudication Lab, Ft. Myers

DECEMBER 2003

6  Trial Court Budget Commission Meeting, Amelia Island
7  Steering Committee on Families and Children in the Courts, Amelia Island
7 - 10  Florida Conference of Circuit Judges’ Education Program and Trial Court Administrators’ Annual Education Program, Amelia Island
9 - 10  Advanced Mentor Education Program, Amelia Island
25  Christmas Day Holiday - Court Closed

Harry Lee Anstead, Chief Justice
Lisa Goodner, State Courts Administrator
Jennifer Hirst, Art Director & Editor

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