Tornadoes, tropical storms, hurricanes, floods: living in Florida, we are intimately familiar with the dangers of natural disasters. Hermine, Matthew, Irma, Michael, and, most recently, Dorian gave us opportunities to test—and hopefully, hone—our emergency preparedness strategies these last few years. With the apprehension, stress, and devastation wrought by Dorian still fresh in our minds, this is a good time to reexamine these strategies, both for our workplaces and for our homes. As I write this, we are in the peak of hurricane season, so those who want to brush up on useful tips and tools can find a wealth of emergency preparedness resources and links on the Florida Courts website and the Florida Courts intranet site.

Because we are moving into October, which is National Cybersecurity Awareness Month, this is also an opportune time to remember the importance of protecting ourselves and our courts against human-made emergencies, like cyberattacks. Although natural disasters are what generally come to mind when we think about emergency preparedness, equally important are appreciating the dangers of, and equipping ourselves and our workplaces to respond to, the crises created by people.

In the last few months, digital attacks have crippled at least three US court systems. A cyberattack on Philadelphia's online court system in May disabled its eFiling and docketing services. A ransomware attack on Georgia's Administrative Office of the Courts in July disabled court access to criminal cases and traffic citations. And a phishing attack on Oregon's Judicial Department in July led to the exposure of more than 6,000 people's personal information. Municipalities have also been targeted: in Florida, just this summer, Riviera Beach, Lake City, Key Biscayne, and Naples all suffered attacks.

Our IT personnel continue to work tirelessly behind the scenes, boosting information technology security and strengthening backup recovery and disaster recovery operations. But each of us also needs to take part in protecting our personal and work-related information. As a start, consider taking some simple, proactive steps to enhance cybersecurity at home and in the court:

~Create strong passwords. Use a unique password for each device or account. Longer passwords are generally more secure; a good option is to create a passphrase (four or more random words grouped together);
~Choose secure networks. Use internet connections you trust. Public networks are not very secure, making it easy for others to intercept your data. If you do use open networks, install antivirus and firewall software or a virtual private network on your device;
~Be suspicious of unexpected emails. Phishing emails often appear to come from a trusted source, but they contain links or attachments that infect your device with malware or viruses that are used to gain information about you or steal your money;
~Eliminate unnecessary software programs from your devices. In addition to consuming system resources, these programs may contain vulnerabilities that, if not patched regularly, allow an attacker to access your system.

As we all work to ensure the safety and security of our loved ones, friends, and neighbors this hurricane season, I ask that we also keep in mind that cybersecurity is a shared responsibility as well.

Sincerely,
Lisa Kiel
Chief Justice Awards for Judicial Excellence

The Chief Justice Awards for Judicial Excellence, established in 2015 and presented annually, recognize one county court judge and one circuit judge who demonstrate exceptional commitment to the judicial branch and who personify judicial excellence, embodying qualities such as strength of character, integrity, fairness, open-mindedness, knowledge of the law, sound judgment, professional ethics, intellectual courage, compassion, and decisiveness. These prestigious awards are bestowed at the annual education programs for each level of the trial court.

Judge David L. Denkin, Sarasota County, Receives the 2019 Chief Justice Award for Judicial Excellence

Serving on the Sarasota County bench since January 2003, Judge David Denkin is esteemed by his peers for his “record of personal contributions to the judicial branch and sterling reputation for professionalism.” He is especially valued as a “leader, teacher, and mentor”: he is described as having “the discipline of a committed scholar, the passion of a gifted educator, and the fidelity of a public servant.” Indeed, because of the many branch leadership and judicial education-related roles Judge Denkin has embraced over the years, his fellow judges commonly regard him as “the go-to person” in the courts system.

Judge Denkin “has proven himself as a leader and ‘doer’ right from the beginning of his judicial career,” emphasize the letters nominating him for the Judicial Excellence Award. Only three years after becoming a judge, for instance, he was singled out to serve as the administrative judge for Sarasota County Court—a position fraught with responsibilities that are “oftentimes very heavy and always unpredictable,” his colleagues note; after serving in this capacity until 2009, he was appointed again in 2017. In addition to accepting this important leadership role in his county, he has tirelessly assumed numerous statewide leadership roles, often simultaneously. For years, he has been extensively active in the Conference of County Court Judges of Florida, for example, and is the conference president this year. He also chaired the conference’s Education Committee from 2009 – 2015—a position called “one of the most difficult posts to fill”—which he performed ably, “with hard work, collaboration, and skill.” During the same stretch of time, he was the associate dean, and then the dean, of the Florida DUI Adjudication Lab Program as well as the associate dean of the Florida Judicial College; since 2015, he has been the dean of the college. As one nomination letter points out, “The amount of time and hard work he has devoted, above and beyond his regular work assignment, is remarkable”—especially since “These are thankless jobs. There is no extra pay, no extra benefits, just a great deal of extra work and responsibility.”

Given the education-related nature of many of his leadership positions, it is no surprise that Judge Denkin’s colleagues enthusiastically appreciate him for “his tireless pursuit and dedication to advancing Florida judicial education.” In addition to teaching for the Conference of County Court Judges, he has taught for the Florida Judicial College, the DUI Adjudication Lab, and the Florida College of Advanced Judicial Studies; he has also been a faculty member for judicial education programs in Arizona, Arkansas, Georgia, Hawaii, Nevada, New Mexico, and South Carolina as well as for the National Judicial College. Due to the number of programs for which he has taught over the years—and the number of courses—one of the letter writers speculates that...
“Probably every judge in Florida has taken a course taught by David.” In addition to teaching, since 2012, he has been a member of the Florida Court Education Council, which coordinates and oversees the creation and maintenance of, and manages the budget for, Florida’s comprehensive education program for judges and court personnel. One of his supporters declares, “During the past 22 plus years of having the honor of serving as a county court judge, I have had the opportunity to work with many gifted judicial educators and leaders. However, there is one judge who stands head and shoulders above the rest, and that judge is David Denkin of Sarasota County.”

Judge Denkin’s colleagues opine that his success as a leader and educator is due, in part, to his judicial temperament. He “shows respect to those he works with, being a careful listener, making sure that he understands the needs of those he collaborates with; simply he works well with others,” says one. Adds another, “His sense of humor, respect for others, and good, old-fashioned hard work make him a role model” for judges. Another concludes, “I have been on the bench for 27 years, and he is one of only a handful of colleagues who have demonstrated such persistent pursuit of excellence in all that he does.” And all agree that he unfailingly “goes way above and beyond his regular duties to make our Florida court system better.”

**Judge Scott M. Bernstein, Eleventh Judicial Circuit, Receives the 2019 Chief Justice Award for Judicial Excellence**

Judge Scott Bernstein, who was elected to the Eleventh Circuit bench in 1998, is universally regarded by his peers as “a judge’s judge: a scholar, a leader, and an advocate for justice.” Said to be “no stranger to blazing trails,” Judge Bernstein is appreciated for “his intellectual curiosity and thirst for knowledge.” He is especially known for his efforts to improve the quality of the judiciary—both for court users and for the people who work in the courts system. His colleagues observe that “Florida is blessed with many good judges and some great judges. Then there are those few who are both great judges and great humanitarians. Scott Bernstein is one of those select few.”

In the letters nominating him for the Judicial Excellence Award, Judge Bernstein is regularly extolled for his tireless and innovative leadership, which he embodies with “clarity of vision, decisiveness, courage, passion, and humility.” As one letter writer notes, he “implemented a case management system in the Juvenile Delinquency Division, which shortened the time before cases came to trial. He took over the Dependency Drug Court when it was desperately looking for a champion and made the court flourish. He jumped into a felony criminal division faced with a five-month death penalty case and brought a sense of calm control despite high media attention.” He is also credited with having “designed many different court improvement projects to make judges more efficient.” Indeed, “He brought Family Court into the 21st century,” another letter writer exclaims: “Scott conducts regular town hall meetings with family law practitioners to hear constructive criticism about our operations. He improved systems in the court, both big and small. He initiated the use of technology to calendar our cases, set hearings, and sign court orders. He brought the e-courtesy system into the Family Division, which allows orders to be signed and emailed electronically. He put on countless trainings for judges, case managers, judicial assistants, bailiffs, and clerks to improve court operations. He pioneered technology to allow videoconferencing during hearings, making it possible for even distant players to participate. He trains judges coming into the Family Division about unique areas of the law. He gives practical tips on how to write court orders, how to handle difficult mental health and drug use issues, and how to keep the focus on the needs of children. And he does all this with grace.”

In addition to his countless crusades to improve court processes, Judge Bernstein is esteemed for his “commitment to the betterment of his fellow judges.” This commitment manifests in an abundance of ways,
but the three on which the nomination letters most ardently focus are court fairness and diversity, judicial education, and judicial wellness.

Judge Bernstein is “recognized as a leader in court fairness,” his peers say. Through his work on the supreme court’s Standing Committee on Fairness and Diversity, for example, he launched an “inexhaustible endeavor to deliver diversity training to all judges and court staff throughout the state of Florida.” He also “assisted with the development of policies and practices throughout the state that enhanced the fair and unbiased administration of justice in our courts,” they emphasize.

Because of his efforts to improve and expand judicial training and education opportunities and offerings, Judge Bernstein is also considered a “leader in judicial education.” As one of his colleagues explains, “Few have done as much for the education of Florida judges as Judge Bernstein. He was Education Chair of the Circuit Conference from 2007 through 2012. He has taught at the Circuit Conference, County Conference, College of Advanced Judicial Studies, Florida Judicial College, and National Judicial College. He is also an instructor training judges to teach other judges.” Adds another, “He actively mentors judges who are newly appointed or elected to our bench and is readily available to all of us to talk through troublesome issues that we all confront from time to time.”

On top of all this, Judge Bernstein conceived and helped to establish the Florida Judicial Wellness Program, which his peers describe as “a program to help his fellow colleagues challenged by the negative impact that comes from the work we do day to day.” They credit him with having “recognized that judges desperately needed a resource by which they could seek help with issues that impair their ability to adequately perform their duties. As a result, he then envisioned a statewide program solely for judges that would operate as a separate and private means for judges to get the help they may need.” Launched in 2018, this program is deemed “an invaluable source for wellness to our Florida judicial branch.”

The letter writers recommending him for the Judicial Excellence Award all agree that Judge Bernstein “personifies judicial excellence.” “Throughout my professional career, as an attorney since 1991, and as a judge since 2006, I have met only a few individuals as motivated and committed to helping improve the court system and its judges as much as Judge Scott Bernstein. He is deserving of this recognition,” says one letter writer. “I cannot think of a judge more deserving of this honor. Working with Scott Bernstein has been one of the great privileges of my privileged professional life,” adds another. Summing it all up, another underscores, “Judge Bernstein is one of the best of our best. He is an inspiration to other judges.”
Education and Outreach

The Fifth Circuit Facilitates “Electric” Statewide Court Interpreter Conference

“Justice depends on the competence and quality of judges and court employees,” the judicial branch long-range plan pronounces. To “maintain a professional, ethical, and skilled judiciary and workforce,” the plan continues, “timely education and training” are essential. In fact, since 1988, continuing judicial education has been mandatory in Florida: judges are required to earn a minimum of 30 approved credit hours of continuing judicial education every three years to augment their legal knowledge, administrative skills, and ethical standards. Certain court personnel groups also have to earn continuing education credits. For instance, since 2000, certified mediators must complete a minimum of 16 hours of continuing mediator education every two years to enhance their professional competence. For the same reason, court interpreters, since 2010, must complete at least 16 hours of continuing interpreter education every two years.

To meet their education obligations, Florida’s court interpreters initially had to rely on the offerings of private entities. But because these programs are often costly and don’t always focus on the particular skills an interpreter is seeking to strengthen, starting in 2011 – 12, several circuits sought to supplement the list of approved programs by developing their own free, face-to-face training opportunities. With the help of their local judges, staff interpreters, attorneys, and topic experts, they began creating, and getting approval for, programs they designed to accommodate the specific learning needs of their court interpreters. Thus far, nine circuits—the Fifth, Sixth, Seventh, Ninth, Tenth, Thirteenth, Fifteenth, Seventeenth, and Nineteenth—have received Florida Court Interpreter Certification Board approval for a wealth of continuing interpreter education programs. (This link goes to the approved continuing interpreter education programs.)

Although the target audience for most of these programs has been local court interpreters, some circuits have begun expanding that reach. For example, the Tenth Circuit invites court interpreters from across the state to participate in its free trainings. In the last three years, the Tenth has offered three, day-long programs—most recently, this past spring—and each has drawn approximately 100 participants from far and wide.

This year, the Fifth Circuit took this much-appreciated trend a step further: it coordinated Florida’s first ever, two-day, statewide court interpreter conference. All told, more than 200 people from across the state ventured to Crystal River to participate in this free program. Attendees included court interpreters, prospective court interpreters, and 88 American Sign Language interpreters; because of the chance to earn continuing education credits in sign language, ADA coordinators from nearly every circuit in the state attended, as well.

Court interpreters who took advantage of the full menu of workshop sessions were able to earn the 16 credit hours of continuing interpreter education (including ethics) required for their biennial renewal. The two mornings began with a keynote address, after which participants could take up to seven 50-minute workshops (both days, two different workshops were offered in each time slot, and participants chose between them). Of the 28 workshops offered altogether, six were tailored to the learning needs of American Sign Language interpreters; four were devised to enhance attendees’ diversity awareness and cultural competency; two were devoted to ethics; and the rest reflected an extensive range of court events of relevance to court interpreters—among them, cases involving human trafficking, interpersonal violence, eldercaring and...
guardianship, mental health issues, capital murder, video remote interpreting, firearm and tool mark analysis, and forensic interviews. And for those who anticipated craving even more education, the Fifth Circuit also coordinated a five-hour pre-conference workshop on improving voice quality and improving the quality and ease of renditions (while the two-day conference was free, those who participated in the pre-conference workshop had to pay a $125 fee).

According to Mr. Jeffery Fuller, the circuit’s general counsel, and Mr. Todd Tuzzolino, the chief deputy trial court administrator, the Fifth Circuit could offer this big event at no cost for two reasons. First, they created a “leadership team” that included “all the local talent we needed to make this conference happen. We just drew on different people’s experiences and expertise. We did our own planning, coordinating, branding, and marketing; we created the logo; we even rebuilt the conference app.” Heading up the endeavor was Ms. Stephanie Lorich, the circuit’s due process manager: “As event coordinator for the conference, she played a vital role in overseeing the day-to-day planning of the event,” they said; “Without her dedication and hard work, the conference would not have been the success it was.” And, second, the presenters—among them, local attorneys, professional interpreters, and professors from the University of Florida, the University of Central Florida, and the University of South Florida—agreed to teach for free. It probably helped that Mr. Tuzzolino, in seeking to recruit prospective court interpreters, had been doing outreach to these universities: to introduce students to the profession of court interpreting, he began visiting language classes and legal translation and interpretation classes at the University of Central Florida, and he is currently working to build a similar program with the other two universities.

Talking about this university outreach program prompted them to segue to the inspiration for the conference. They explained that the Court Communication Plan for the Judicial Branch of Florida 2016 was adopted under Chief Justice Labarga, and in 2018, early in the third year of the plan’s implementation, he urged each of Florida’s courts to make outreach its communication goal for the year. This exhortation came at a time when Mr. Fuller and Mr. Tuzzolino were in the early stages of conceptualizing the conference, and it sparked them to reach out to the universities to see if some of the professors would be interested in teaching. Also spurring them to coordinate the conference was Justice Labarga’s commitment to improving access to civil justice: “Every citizen should have the same level of access to justice,” they emphasized, and they thought “a statewide conference for language access professionals would be one of the ways our circuit could work on helping to realize Justice Labarga’s goal.”

Feedback has been overwhelmingly enthusiastic. One of the presenters wrote, “The 2019 Florida Court Interpreter Conference provided a great professional development opportunity for spoken and sign language interpreters from throughout the southeast region. I commend the Fifth Judicial Circuit for bringing together first-rate presenters and for hosting this educational forum.” Another presenter praised the Fifth Circuit for having “coordinated an impressive first-of-its-kind conference in our state. As a presenter, I was humbled by the quality of the other faculty members who brought an amazing depth and breadth to the important issues addressed in the sessions. The participants, too, were incredibly knowledgeable and contributed to the overall effectiveness of the conference. And the Fifth Circuit staff were exceptionally professional and well prepared.” And a conference attendee described the conference as “more than I ever expected. The atmosphere was electric as language professionals and legal experts brought a wealth of knowledge to participants. Crystal River was a superb venue choice and perfect for genuine networking opportunities in a relaxed setting. The Fifth Circuit must be applauded for its initiative and expert level event planning.”

Inspired by this kind of feedback, Mr. Fuller and Mr. Tuzzolino are committed to making the Statewide Court Interpreter Conference an annual event: “We won’t let it die,” they stressed. Their hope is that they can facilitate it every other year, and in between, another circuit will step forward to pick up the mantle. In fact, a plan is already in the works for the 2020 program, so please stay tuned....
The Annual Dispute Resolution Center Conference: Options and Opportunities

Each year, Florida’s courts dispose of well more than three million cases through a variety of dispute resolution processes, including diversion (e.g., drug court, veterans court), plea, adjudication by trial, and mediation. Because mediation and other alternative dispute resolution (ADR) methods enable parties to resolve disputes without judicial intervention, they are typically speedier and less costly than traditional litigation. In addition, because these parties take an active role in the problem-solving process, they are generally more satisfied with the terms of the settlement than are those who must defer to the decision of a judge or jury. By promoting communication between parties, by conserving judicial time, and by helping the judicial branch use public resources responsibly, mediation and other alternative dispute resolution practices help to improve the administration of justice.

To become supreme court certified, prospective mediators must be at least 21 years old and of good moral character, and they must also meet a host of rigorous education, mentorship, and training requirements (the requirements differ depending on the area of mediation in which they seek certification: the five areas are county, family, circuit, dependency, and appellate). But a mediator’s education does not end after certification: mediators are required to earn 16 hours of continuing mediator education in each two-year renewal cycle. (Follow this link to learn more about how to become a supreme court certified mediator.)

Florida’s premier event for earning continuing mediator education credits is the statewide Dispute Resolution Center (DRC) conference. This annual program provides participants with opportunities to hone their mediation skills and expand their knowledge of ADR practices, thus supporting their efforts to maintain high standards of professionalism and ethical behavior. Routinely drawing more than 1,000 attendees, the conference has been growing in size and scope since its inauguration in 1992. This year, the DRC held its twenty-seventh annual conference: from Thursday, August 15, through Saturday, August 17, ADR professionals from across the state gathered in Orlando to earn continuing education credits, learn about a panoply of ADR-related topics, and network with one another.

This year’s program was anchored by three very exciting and timely plenaries. Law professor and mediator Nancy Welsh (Aggie Dispute Resolution Program, Texas A&M University School of Law) presented the opening plenary on What We Do and Don’t Know about Court-Connected Mediation. She be-
gan by saying that ADR professionals assume that mediation is now an integral part of civil litigation, for instance, and that mediation helps people communicate, but do we know these to be facts? Noting that anecdotes are not always borne out by data, she urged courts to collect data on the number of cases referred to mediation, the number of mediations that occur, the types of settlements, and the parties’ perceptions of the mediation process. Collecting and sharing these data will increase transparency in court processes and enable courts to determine the extent to which mediation is fair and truly helps the parties, she explained. The afternoon plenary on Cybersecurity for Mediators, with mediator and attorney Christopher Hopkins, was indeed opportune, given the heightening of digital attacks on individuals, institutions, and even entire cities; in addition to pointing out common and not so common digital vulnerabilities, he offered attendees practical tips for protecting both their own data and the confidential data with which they are entrusted. And the Ethics Plenary (with ADR Chief Susan Marvin, Mr. Hopkins, Christy Foley, Michael A. Carter, and Gregory Knight) featured a demonstration of a mediation conducted through videoconferencing as well as a panel discussion about mediator ethics issues that arise from the use of online dispute resolution (ODR)—a new concept for the judicial branch that has become central to discussions of the future of courts (note: the Florida Supreme Court recently approved the implementation of an ODR pilot in six counties for small claims, civil traffic, and dissolution without children cases).

Sandwiched among the plenaries were five sets of workshop sessions (each with 13 possibilities to choose from) that offered attendees an abundance of opportunities to enhance their ADR skills and knowledge on a wealth of ADR-connected subjects. Altogether, mediators were able to earn up to 12.6 CMEs (including 1.5 hours in mediator ethics and 1.5 hours in interpersonal violence) during the day-and-a-half-long event. Conferees interested in earning additional hours in interpersonal violence could opt to attend a four-hour pre-conference training.

The conference included a few special offerings, as well. In recognition of the burgeoning elder population—which experts...
predict will double between 2008 and 2030—this year’s program contained a five-part training on Elder Law Mediation and Shared Family Decision Making. A three-part Arbitration Training was also available.

In her Welcome address in the conference brochure, ADR Chief Susan Marvin remarks on the importance of enhancing ADR skills, “especially as our world continues to demonstrate a need for professionals who can promote civil discourse and peaceful options to resolve disputes in all aspects of life.” In support of the pressing need for peacefulness and composure, the DRC set up a rock painting booth nestled among the various vendor booths. At this booth was a Beginners Guide to Rock Painting, along with heaps of smallish, smooth stones and a bucket of paint pens in every conceivable color. Between sessions, and late into the evenings, people could be seen silently, mindfully, decorating their chosen palettes with images of fanciful creatures, bodies of placid water, whimsical flowers and trees, and inspiring, calm-inducing words and sayings. For those who wanted to reinforce this sense of serenity, the program also offered 6:30 a.m. yoga classes both mornings as well as a 6:00 p.m. class at the close of the first day.

For the last 19 years, the DRC conference has been held in Orlando. So it was most fitting that Ninth Circuit Chief Judge Donald A. Myers was invited to welcome everyone to the program. After noting the dramatic rise in certain case types in Orange and Osceola counties, Chief Judge Myers pointed out that “There is no possible way we could try all those cases in our courts....If every case started in the courts and went to trial, it would be a devastating burden on and impediment to justice.” It’s the mediators who keep the courts from becoming overburdened, he stressed; they perform “foundational work for the health of our communities.” Quoting retired US Supreme Court Justice Sandra Day O’Connor, he reminded listeners that “The courts of this country should not be the places where resolution of disputes begins. They should be the places where the disputes end after alternative methods of resolving disputes have been considered and tried.” Thanking the mediators in the audience, he ended with, “The resolution of disputes begins not with the courts, but with you.”

Access to Justice

RISE Court: The Seventeenth Circuit’s Specialized Division for Child Victims of Human Trafficking

Under Florida law, human trafficking is defined as “transporting, soliciting, recruiting, harboring, providing, enticing, maintaining, or obtaining another person for the purpose of exploitation of that person.” Regarded as a form of modern-day slavery, human trafficking involves the use of “force, fraud, or coercion for the purpose of sexual exploitation or forced labor” [section 787.06, Florida Statutes]. In the US, human trafficking crosses all social, ethnic, racial, and gender lines: traffickers prey on people of all ages, nationalities, socioeconomic levels, educational levels, and abilities, and its victims include undocumented immigrants, documented immigrants, and US citizens. According to the National Human Trafficking Hotline, which maintains one of the most extensive data sets on human trafficking in the country, Florida ranks third (behind California and Texas) in the nation in reported human trafficking cases.

Various public and private entities in Florida, both local and statewide, have been working to raise awareness of and to support the victims of human trafficking. The judicial branch has also been playing an active role in addressing this multifaceted, complex crime: being uniquely positioned to convene and coordinate the stakeholder groups that address human trafficking-related issues that surface in the judicial process, courts can support the victims’ efforts to achieve justice and restoration. The Seventeenth Circuit’s RISE Court—an acronym for Restoring Independence, Strength, and Empowerment—is the judicial branch’s most recent effort.

RISE Court is a docket for providing specialized treatment exclusively to children who are known to be, or are suspected of being, victims of human trafficking. (Note: because minors cannot consent to commercial sex, under federal and Florida law, anyone under the age of 18 who is involved in a commercial sex act
is considered a victim of sex trafficking, regardless of the presence of force, fraud, or coercion.) In part inspired by the Eleventh Circuit’s GRACE Court, which launched in July 2016, RISE Court is situated within the dependency and delinquency divisions of the circuit’s Unified Family Court. Chief Judge Jack Tuter established the docket by administrative order in June of this year, and he designated Judge Stacy Ross—who conceptualized RISE Court with the help of Judge Hope Bristol and Judge Stacey Schulman—as the presiding judge. RISE Court, which had its first session on August 13, is starting out small, at least initially: it’s scheduled to convene every other Tuesday, with its chief priorities being mental health and medical care for the children and reintegrating them into the school system.

RISE Court was created in response to the alarming increase in human trafficking reports—particularly the growth in the number of cases involving minors—across the globe. This trend has been documented in the US and in Florida, as well. In its 2018 Global Report on Trafficking in Persons, for instance, the United Nations Office on Drugs and Crime details “the rise in the number of reported victims” around the world. In the US, the Florida Department of Health relays that “Estimates in the US exceed 14,500 – 17,500 [human trafficking victims] annually”; of these, “80 percent are women and children,” the department states, noting that “half of all trafficking victims [are] under the age of 18.” And in Florida, the Department of Children and Families affirms that, “From SFY 2013–14 to SFY 2017–18, there was a 147.7% increase in reports to the hotline for human trafficking maltreatments,” with Broward and Miami-Dade counties having the highest number of human trafficking reports (Annual Human Trafficking Report 2017-2018); especially in the last three years, Broward has seen a significant increase in the number of reported cases—including a hike in the number of cases involving minors (Broward Human Trafficking Coalition).

In the Seventeenth Circuit, dependency division judges are now responsible for determining whether a child’s case is eligible for RISE Court, and if the child qualifies, additional court proceedings are being assigned to Judge Ross. She describes RISE Court as “an exercise in case management,” explaining that if a family case involving a young human trafficking victim is currently assigned to Judge Schulman, for instance, that case will remain with Judge Schulman. However, Judge Ross will begin seeing the child separately to assess what services are necessary, how services are being administered, and what additional needs should be addressed. Meanwhile, Judge Schulman will continue to address the rest of the family’s needs, handling
judicial reviews, permanency reviews, and the like. Through this arrangement, Judge Ross will be able to devote her judicial time exclusively to the child victim.

In addition to good case management practices, to be truly effective, RISE Court requires the participation of and communication among numerous community partners. The collaborative approach the Seventeenth has developed includes the Attorney General’s Office in Broward County, the circuit’s Attorneys ad Litem and Guardian ad Litem programs, the Broward County Clerk of Courts Office, the Department of Children and Families, community-based care providers like the Citrus Helping Adolescents Negatively Impacted by Commercial Exploitation Program and ChildNet, and the case managers at the Seventeenth. These “will all be key stakeholders to ensure the success of RISE Court,” say Judges Ross and Schulman.

“The focus of RISE Court is the child and the child’s unique needs,” Judge Ross stresses, “Together, we will provide the specialized treatment and wrap-around services that these identified, child-victims so desperately deserve. These children have experienced significant trauma in their lives; however, quite often, they are amazingly strong and resilient. This incredible resiliency is what inspires me and gives me such a passion for what I do. I believe that everyone working in RISE Court shares this same passion, and as a team, we will make a real difference in the lives of these children.”

Guardianship Initiative Produces Bounty of Resources for Judges, Attorneys, Law Enforcement Officers, and Those Exploring Decision-Making Options

Guardianship is one of the few case types in Florida that has shown growth over the last six years: between fiscal years 2013 – 14 and 2018 – 19, guardianship filings have increased 21.14 percent. Perceiving this rise in guardianship cases as a potential trend—especially given the burgeoning of the state’s older population—the judicial branch has been involved in several significant efforts to improve guardianship processes.

The most recent was the establishment of the Florida Working Interdisciplinary Networks of Guardianship Stakeholders (WINGS), a broad-based, synergistic endeavor focused on improving practices in adult guardianship. With a grant and technical assistance from the American Bar Association’s Commission on Law and Aging and the National Center for State Courts, WINGS held its inaugural summit in July 2017.

The Office of the State Courts Administrator (OSCA) has been guiding this effort to kindle collaborative approaches to addressing guardianship issues. Focused on identifying, assessing, and improving guardianship practices and other decision-making alternatives, the approximately 50 WINGS stakeholders from across the state have been working to enhance the quality of care and the lives of vulnerable adults.

Among its accomplishments, WINGS members drafted a comprehensive plan, including recommendations and recruitment strategies, for boosting the number of physicians serving on examining committees; created an informational guide and toolkit for contemplating decision-making processes; and established a directory of partnerships and resources.

Judge Frederick Lauten (ret.), Ninth Circuit, chaired the Florida WINGS initiative; here, he welcomes stakeholders to the sixth WINGS summit, which took place in Tallahassee in May.
making options; and developed a tool to assist law enforcement officers and first responders in identifying and reporting abuse, neglect, or exploitation.

In addition, in partnership with Stetson University’s Center for Excellence in Elder Law, the National Judicial College (national experts in judicial training), and judges and attorneys from across the state, WINGS produced four e-learning modules on a range of guardianship issues. These web-based, interactive courses are designed to increase judges’ and attorneys’ professional competence and skills related to guardianship and less restrictive options:

~**Roles and Responsibilities of Judges and Attorneys in Florida Guardianship Cases** addresses the primary duties and responsibilities of judges and attorneys in guardianship matters, including consistent application of the law, timely filings, accurate reports, and focus on the individual who is need of a guardian or is under guardianship;

~**Ethical Considerations for Judges and Attorneys** focuses on the ethical obligations of judges and attorneys in a guardianship context, including diligence, competency, recognizing conflicts, and taking protective action;

~**Decision-Making Alternatives** examines the various decision-making alternatives that may meet the needs of an individual in lieu of a guardianship, how those alternatives are identified, and the considerations a judge should take into account in determining whether an alternative to guardianship is sufficient;

~and **Eldercaring Coordination and Mediation** considers the role of alternative dispute resolution processes in guardianship and whether eldercare coordination might provide a better outcome than litigation.

Each module takes approximately 60 – 90 minutes to complete, and each is eligible for continuing judicial education and continuing legal education credit. These online guardianship courses can be accessed under **Resources** on the [WINGS](http://www.wingsfl.org) website.

Although the grant has concluded after the successful completion of its requirements, WINGS members continue to press on with their collaborative endeavors. They recently began working on three new priority projects: to develop and pilot a volunteer court visitor program; to establish a process for courts to notify the Social Security Administration when a guardian of the property who is also a representative payee is removed; and, in an effort to improve the consistency, quality, and content of family guardianship training courses, to design an evaluation guide for courts to use when approving training programs.
Awards and Honors

**Judge Linda Allan, Sixth Circuit**, was presented with the 2019 William Castagna Award for Judicial Excellence by the Barney Masterson American Inn of Court; this award is typically given for knowledge of the law, ethics, professionalism, and demeanor. In addition, Judge Allan received the Clearwater Bar Association’s John U. Bird Judicial Excellence Award, which was created to recognize honor, high ideals, personal character, judicial competence, and service.

**Mediation Services Coordinator Amy Heather Blanton, Twelfth Circuit**, received the Dispute Resolution Center Award of Appreciation for her service to the Mediator Qualifications and Discipline Review Board and to the Committee on Alternative Dispute Resolution Rules and Policy.

**Judge Kimberly Sharpe Byrd, Sixth Circuit**, was honored with the Judicial Professionalism Award by the Women Lawyers of Pasco County; typically, the award is given in recognition of a jurist’s continuing efforts to foster a relationship between the bench and the bar and is designed to encourage those who practice law to maintain high ethical standards and to present themselves as models of civility and patience for others to emulate.

**Judge Jeri Beth Cohen, Eleventh Circuit**, received The Children’s Trust 2019 David Lawrence Jr. Champion for Children Award for her lifetime achievement and her dedication to children.

**Judge David Dugan, Eighteenth Circuit**, is the first-time recipient of the Florida Court Public Information Officers’ Judicial Outreach Award, created to recognize judges who are fulfilling the Florida Supreme Court’s objectives in the communication plan through education and judicial outreach.

**Judge Kevin Emas, Third DCA**, received the 2019 Honorable Theodore “Ted” Klein Lifetime Achievement Award from the Greater Miami Jewish Federation; this award is presented to a judge whose career exemplifies long-term commitment to excellence in law and dedication to public service.

**Retired Justice Gerald Kogan**, who served on the Florida Supreme Court from 1987 – 1998, was presented with a Lifetime Achievement Award by the Florida Court Public Information Officers. He was recognized for the many ways he sought to improve public access to Florida’s state courts, including the placement, for the first time, of court filings and other important documents on an official website and the commencement of live broadcasts of all Florida Supreme Court oral arguments by live stream, over cable TV, and via satellite.

**Judge Robert Hilliard, Santa Rosa County**, was honored with the Harvey Ford Award by the annual Conference of County Court Judges of Florida; the highest honor presented by the conference, this award recognizes a county court judge who has demonstrated the “highest level of profound service to the community, the legal profession, and to the Conference of County Court Judges of Florida.”

**Retired Judge Claudia Isom, Thirteenth Circuit**, was honored with the Florida Association for Women Lawyers’ 2019 Rosemary Barkett Outstanding Achievement Award; this award honors an association member who has helped to overcome traditional stereotypes associated with women by breaking barriers, molding a new reality and a new way of thinking about themselves, others, and their place in the universe.
Judge Lorraine Kelly, Pinellas County, was recognized by the St. Petersburg Bar Association with its Judicial Appreciation Award; among the factors for consideration are a nominee’s courtroom demeanor, his or her judicial experiences, helpfulness to lawyers and litigants, and activities off the bench that promote the administration of justice and civil participation.

Retired Judge T. Patt Maney, Okaloosa County, who was inducted into Florida’s Veterans’ Hall of Fame in December 2018, was appointed to the Florida Veterans’ Hall of Fame Council, a seven-member advisory panel that is responsible for accepting nominations to be considered for induction into the Florida Veterans’ Hall of Fame.

Retired Judge Toby S. Monaco, Eighth Circuit, received the James L. Tomlinson Professionalism Award; presented by the Eighth Judicial Circuit Bar Association, this award honors a lawyer who has demonstrated consistent dedication to the pursuit and practice of the highest ideals and tenets of the legal profession.

Judge Frederick L. Pollack, Sixth Circuit, was given the Canakaris Award for Judicial Excellence in Family Law; presented by the Canakaris American Inn of Court, this award honors his exemplary contributions to the family law profession.

ADR Director Jeanne E. Potthoff, Seventeenth Circuit, received the Sharon Press Excellence in Alternative Dispute Resolution Award for her visionary leadership, professional integrity, and unwavering devotion to the field of alternative dispute resolution over the last 30 years. Ms Potthoff is a past president of the Florida Academy of Professional Mediators, past president of the Association of South Florida Mediators and Arbitrators, former member of the Mediator Qualifications and Discipline Review Board, and current member of the Committee on ADR Rules and Policy.

Judge Meshon T. Rawls, Alachua County, was distinguished with the 2019 Violette N. Anderson Award, which honors women who are pioneers in their professional field and advocates for equity in the areas of social justice, civic and legal matters, or civil rights.

Judge Heather Rodriguez, Ninth Circuit, is a recipient of a 2019 Inspire Award for Florida State University Women of Distinction.

Judge Stacy Ross, Seventeenth Circuit, was chosen as the 2019 Jurist of the Year by the Florida Association of Women Lawyers. Established in 2015 and presented annually, this award recognizes and acknowledges “jurists, either state or federal, who have consistently, fearlessly, and impartially promoted the rule of law respecting the equal rights of all who come before [them].”

Judge Nushin G. Sayfie, Eleventh Circuit, received the Honorable Gerald Kogan Judicial Distinction Award; presented by The Florida Association of Criminal Defense Lawyers, Miami Chapter, this award is given to those who have made extraordinary contributions through dedicated service to the improvement of the criminal justice system and the preservation of constitutional rights.

Judge Gilbert A. Smith, Jr., Twelfth Circuit, was awarded the Robert E. Burt Boy Scout Volunteer Award by the National Society of the Sons of the American Revolution (SAR) for his distinguished service to scouting.

Judge Rodney Smith, US Southern District Court of Florida, received the Dispute Resolution Center Award of Appreciation for his service to the Mediator Qualifications and Discipline Review Board and for serving as chair and as a member of the Committee on Alternative Dispute Resolution Rules and Policy.

Senior Judge Lynn Tepper, Sixth Circuit, was awarded a Doctor of Humane Letters, honoris causa, by Saint Leo University.
Chief Deputy Trial Court Administrator Todd Tuzzolio, Fifth Circuit, was presented with the 2019 Visionary Award; conferred by the Fifth Circuit, this award commends him for his “vision and implementation of the first statewide Florida Court Interpreter Conference.”

Trial Court Administrator Mark Weinberg, Seventh Judicial Circuit, is the 2019 recipient of the Award of Merit from the National Association for Court Management. Presented each year at the NACM Annual Conference, this award “recognizes distinguished service and outstanding contributions to the profession of court administration.” Recipients are chosen for demonstrated leadership, improvements in the administration of justice and the delivery of public service, and support for the independence of the judiciary.

Judge Andrea R. Wolfson, Eleventh Circuit, was named the recipient of the William M. Hoeveler Judicial Professionalism Award, given annually by The Florida Bar’s Henry Latimer Center for Professionalism and the Standing Committee on Professionalism; this award recognizes an active judge who best exemplifies strength of character, service, and competence as a jurist, lawyer, and public servant.

When judges and court personnel receive honors or acclaim for their contributions to the branch, please share that information with OSCAPublications@flcourts.org

In Memoriam


Senior Judge Martin Shapiro served on the bench of the Eleventh Judicial Circuit from 2000 – 2006; he also served as a senior judge from 2007 – 2019.
September
17 – 20  Court Interpreter Orientation Workshops
24  Joint Investiture of Justice Robert Luck and Justice Carlos Muñiz

October
22 – 25  Dispute Resolution Center County Mediation Training
24  Trial Court Administrators Meeting
24 – 25  Standing Committee on Fairness and Diversity Meeting
25  Quarterly Chief Judges Meeting
25  Annual Judicial Branch Leadership Meeting
28 – 29  Annual Reporters Workshop

November
5 – 8  Court Interpreter Oral Performance Examinations
6  Dispute Resolution Center Advanced Family Mediation Training
13 – 15  Court Interpreter Oral Performance Examinations
14 – 15  Florida Courts Technology Commission Meeting
18 – 20  Adult Drug Court Conference

December
2 – 5  Handling Capital Cases Course
2 – 6  DUI Adjudication Lab
3 – 4  Florida Court Personnel Faculty Training
5  Dispute Resolution Center Advanced Family Mediation Training
5 – 6  Judicial Faculty Training Course
6  Florida Commission on Access to Civil Justice Meeting
6  Dispute Resolution Center Advanced Family Mediation Training
9 – 10  Steering Committee on Families and Children in the Court Meeting
9 – 10  Steering Committee on Problem-Solving Courts Meeting

On the Horizon

Under the direction of
Supreme Court Chief Justice Charles Canady
State Courts Administrator Lisa Kiel
Chief of Innovations and Outreach Tina White

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