

Circuit Courier

October-December 2008

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NEWS BULLETIN OF THE FIFTEENTH JUDICIAL CIRCUIT
PALM BEACH COUNTY, FLORIDA

**Judge Labarga Appointed
to Supreme Court**

**Judge Ciklin Appointed to
4th DCA**

Judge Cox Investiture

Judicial Rotations

Bench/Bar Conference

National Adoption Day

Law Library Conference

And more...



On the Cover: (photo by: Linda Sims)

The Main Judicial Center: (from the historical courthouse)

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JUDGE DONALD HAFELE APPOINTED TO CIRCUIT COURT JUDGE

Judge Donald Hafele has been selected by Governor Crist to fill the Circuit Court vacancy created by the untimely death of Judge Jeffrey Winikoff.

Judge Hafele received his undergraduate degree from the University of Miami (cum laude) in 1979 and graduated from the University of Miami School of Law in 1982, where he served as President of the Student Bar Association. He was admitted to the Florida Bar in 1982 and was a civil litigator until he was elevated to the County Court bench in 1999.



Judge Hafele is proud of his family and his accomplishments but he is passionate about helping those people who are less fortunate than himself.

He regularly presides over the Civil Drug Court Program started by **Judge Edward Rodgers**. His volunteer participation in this Saturday program illustrates his belief that the judiciary can make a difference in the lives of the parties involved and the community at large.

Judge Hafele has also taught "at risk" students at Jefferson Davis and Gold Coast schools, believing that the time he donates to this program may help juveniles to stay away from drugs and criminal activity. He also began a rental assistance program that helped both tenants and landlords in Palm Beach County.

"While it is indeed an honor simply to have been appointed to the circuit bench, taking over the seat vacated by my friend, **Jeff Winikoff**, makes it even more meaningful," Hafele said. "I will do my best to carry on Jeff's legacy and I hope that my fellow judges, members of the bar and citizens of Palm Beach County will be as proud of me as they were of Jeff."

GOVERNOR CRIST APPOINTS JUDGE JORGE LABARGA TO FLORIDA SUPREME COURT

Governor Charlie Crist has appointed **Judge Jorge Labarga** to the Florida Supreme Court to replace Justice Harry Lee Anstead.

“Judge Labarga brings to Florida's highest court all of the qualities needed in a justice, including integrity, fairness and compassion, as well as an added dimension of diversity,” Crist said in a news release. “During his long career he has gained a great understanding of people from seeing firsthand the situations of those involved in the court system.”

A 45-year Florida resident, Labarga, 55, was born in Havana, Cuba. He has served as a Circuit Court Judge in the 15th Judicial Circuit since 1996. Previously, he practiced with Roth, Duncan and Labarga for four years, preceded by four years with Cone, Wagner, Nugent, Johnson, Roth and Romano for five years. Labarga served as an assistant public defender from 1979 to 1982 and an assistant state attorney from 1982 to 1987. He received his bachelor's degree and law degree from the University of Florida.



Judge Jorge Labarga

GOVERNOR CRIST APPOINTS JUDGE CORY CIKLIN TO FOURTH DISTRICT COURT OF APPEAL

Governor Charlie Crist has appointed Palm Beach County **Judge Cory J. Ciklin** of Jupiter to the Fourth District Court of Appeal.

“Judge Ciklin has been deeply involved in the management of the county court, implementing innovations through judicial leadership,” Governor Crist said. “His 14 years of experience as a jurist have led him to appreciate the connection between the activities of the court and the daily lives of citizens who find themselves there.”

Ciklin, 51, has served as a Palm Beach County Judge since 1994. Previously, he served as an assistant state attorney and Palm Beach consumer advocate from 1991 to 1994. He was a senior associate with Boose, Casey, Ciklin, Lubitz, Martens, McBane and O'Donnell from 1983 to 1991. From 1981 to 1983 he was vice president and counsel for the Florida Sheriff's Youth Fund.



Judge Cory Ciklin

INVESTITURE OF JUDGE JACK SCHRAMM COX

The investiture of **Judge Jack S. Cox** as Circuit Court Judge was held Friday, November 21, 2008 in the courtroom of the Palm Beach County Historic Courthouse. It was the first robing ceremony held in the historical courtroom.

The ceremony opened with an invocation and Pledge of Allegiance led by past president of the Palm Beach County Bar Association, **Manuel Farach**.

Opening remarks were delivered by the **Honorable Kathleen J. Kroll**, Chief Judge, Fifteenth Judicial Circuit and the presentation of Judicial Commission was made by **Un Cha Kim**, who spoke for the **Honorable Sharon R. Bock**, Clerk and Comptroller of Palm Beach County.

The Honorable Peter D. Blanc presented a desk plate on behalf of the Florida Conference of Circuit Judges and a Bible was presented by **John G. White, III**, Esquire, President of the Florida Bar.

Judge Kroll administered the Oath of Office, and Maryanne Cox, wife of Judge Cox, was given the honor of the enrobing.

The gavel was presented by **Richard D. Schuler**, Esquire, President, Palm Beach County Bar Association. Gifts were presented by, **Michael D. Mopsick**, Esquire, Director, South Palm Beach County Bar Association, and **Harry Shevin**, President, Palm Beach County Justice Association.

Remarks on behalf of Judge Cox were made by lifelong friends **F. Gregory Barnhart**, Esquire, and **Sherry Lefkowitz Hyman**, Esquire who also surprised Judge Cox with an enlargement of a photograph from earlier days.

Judge Cox was 'roasted' by his good friends the **Honorable Timothy McCarthy** and **Laurie Van Deusen**, Retired West Palm Beach Police Captain, as they spoke of his dedication to his family, his friends and his community.

Marta Suarez-Murias, Esquire gave the Benediction.



Judge Cox addresses the audience as Judges Barry Cohen, Ronald Alvarez, Jorge Labarga, Donald Hafele, David Crow, Paul Damico and Janis Keyser look on.



Judge Cox is assisted with the enrobing by his wife Maryanne.



This was the first time a Judge's robing ceremony was held in the historical courthouse.

JUDICIAL ROTATIONS 2009

Circuit Court

The Circuit Court Rotation will occur on January 19, 2009, unless otherwise noted, with the rotating judges working in their new divisions on January 20, 2009.

Judge Hafele rotated into Judge Gerber's Division (Circuit Civil "AB") on November 12, 2008.

Judge Gerber rotated into Circuit Criminal Division "V" on November 3, 2008.

Judge Abramson will be assigned to Judge Stern's Division. Circuit Civil "AE".

Coverage for Judge Hoy's Division to be announced. Circuit Civil "AG".

Judge Hoy will rotate into Judge Labarga's Division. Circuit Criminal "R".

Judge Colbath will rotate into Judge McSorley's Division. Circuit Criminal "W".

Judge Smith will rotate into Judge Brown's Division. Circuit Criminal "S".

Judge Brown will rotate into Judge Wennet's Division. Circuit Criminal "TD".

Judge Stern will rotate into Judge Smith's Division. South County Family "FZ".

Judge McSorley will rotate into Judge Colbath's Division. North County "FI".

Judge K. Marx will remain in Division "T".

County Court

County Court judicial rotations and office relocations, will take place January 19, 2009, with rotating judges working in their new divisions effective January 20, 2009.

Judge Moyle will rotate into Judge Eissey's Division.

Judge Eissey will rotate into Judge Booras's Division.

Judge Booras will rotate into Judge Moyle's Division.

Judge Martz will rotate into Judge Hafele's Division.

Judge Corlew will rotate into Judge Martz Division.

County Criminal Division "M" will remain vacant.

County Criminal "B".

County Civil "RB".

Gun Club.

South County Civil Division "RD".

South County Criminal Division "D".

Covered by "TD" or Senior Judge.



The Palm Beach County Bar Judicial Relations Committee hosted the sixth in a series of Judicial Luncheons, on Tuesday December 2, 2008.

The topic was "Jury Selection in Catastrophic Injury Cases".

Pictured are (left to right) Judges Jack Cox, Jorge Labarga, Robin Rosenberg, David French, and moderator Christian Searcy.

15TH JUDICIAL CIRCUIT HOSTS ANNUAL LEGISLATIVE DELEGATION

The Fifteenth Circuit welcomed state Representatives, state Senators, and staff members who visited three Courthouse locations on December 1, 3, and 4, 2008, for the Circuit's annual Legislative Delegation visit.

Hosted by the Circuit each fall, the Legislative Delegation event is a unique opportunity for legislators to visit the Circuit to view court operations, discuss proposed legislation and hear from the judiciary as to current priorities and areas of concern for the justice system. In addition to the legislators, representatives from Palm Beach County Government and the Palm Beach County Bar Association attended.

This was the first year that meetings were held at three courthouse locations. The half-day events began with an early morning welcoming address and opening remarks from **Chief Judge Kathleen Kroll**. The delegates were then escorted to a series of courtrooms, where they had an opportunity to witness the courts at work, as they observed criminal first appearances in front of **Judge Cory Ciklin**, domestic violence hearings conducted by **Judge Sheree Cunningham** and juvenile detention/shelter hearings before **Judge Peter Blanc**. During the juvenile detention hearings, the guests were able to see the value of the courts interaction with the school liaisons. In their materials, they received brief descriptions of the Circuit's current court programs, statistical information on judicial caseloads and information on priority issues for the state court system.

Traffic Hearing Officer **Sara Blumberg** made a presentation on the problems and realities of certain traffic laws that create "anomalies," and captured the attention of Representative Kevin Rader with regard to the Sun Pass Court. (see page 7).

Presentations were also made by the President of the Palm Beach County Bar **Richard Schuler**, State Attorney-Elect **Michael McAuliffe** and Public Defender **Carey Haughwout**.



Sen. Ted Deutch, Michael McAuliffe, Casey Kustin, Joshua Sztore, Willie Miller, Ed Chase, Rep. Priscilla Taylor at the Main Judicial Center.



Rep. Carl Domino, Ed Chase, Krista Garber, Sheri Healy and Richard Schuler at the North County Courthouse.



Megan Schraeder, Aaron Blye, Mike Edmondson, Rep. Kevin Rader, Sara Blumberg, Barbara Dawicke, Chief Judge Kathleen Kroll, Judge Jim Martz.



Debra Oats-Ducram, Megan Schraeder, Judge Martz, Aaron Blye, Chief Judge Kroll, Kevin Rader at the South County Courthouse.

Hosts & Presenters:

15th Circuit Judges

Chief Judge Kathleen Kroll
Judge Peter Blanc
Judge Jonathan Gerber
Judge Karen Martin
Judge Jim Martz

Court Administration

Trial Court Administrator Barbara Dawicke
Chief Deputy Court Administrator Krista Garber
General Counsel Amy Borman
Court Operations Consultant Debra Oats-Ducram
Criminal Court Operations Manager Michelle Spangenberg
Traffic Hearing Officer Sara Blumberg

Attendees:

Main Courthouse

Senator Ted Deutch
Joshua Sztore (Staff of Sen. Deutch)
Casey Kustin (Staff of Sen. Deutch)
Representative Priscilla Taylor
Willie Miller (Staff of Rep. Taylor)
Daniel Rogers (Staff of Rep. Brandenburg)
Audrey Piedra (Staff of Rep. Pafford)
Ed Chase, Executive Director of the PBC Legislative Delegation Office
Todd Bonlarron, PBC Director of Legislative Affairs
Carey Haughwout, Public Defender
Michael McAuliffe, State Attorney-elect
Jeanne Howard, State Attorney's Office
Michael Edmondson, State Attorney's Office
Richard Schuler, President PBC Bar Assoc.

North County Courthouse

Representative Carl Domino
Sheri Healy (Staff of Rep. Domino)
Ginger Baldwin (Staff of Sen. Ken Pruitt)
Michelle Oyola McGovern (Staff of U.S. Senator Bill Nelson)
Steve Martino (Staff of U.S. Sen. Mel Martinez)

South County Courthouse

Rep. Kevin Rader
Megan Schraeder (Staff of Rep. Rader)
Aaron Blye (Staff of Rep. Skidmore)

Are you a SunPass user?

Here are some things you might not know about your SunPass account and the way the SunPass system works.

If you are a SunPass customer, when you first purchased your transponder or mini-pass, you provided SunPass with your name, address, and license tag number. If you set up your account to automatically replenish every time your funds reached a particular balance, you also provided them with your credit card number. Once your SunPass account was activated, you were free to use your SunPass to pay the tolls on most, if not all, the toll roads in Florida. Effective December 6, 2008, your SunPass even enabled you to drive in the express toll lanes on I-95 in Miami Dade County.

From January through October of this year, according to FDOT (Florida Department of Transportation), which is the governmental arm of SunPass, 17,104 toll violations were issued just in Palm Beach County. How could there be that many traffic scofflaws in our midst? The truth of the matter is that there aren't.

Each time a vehicle travels through the SunPass lanes, a camera takes a photograph of the rear of that vehicle. As you can imagine, thousands of pictures are taken each day. Our local SunPass office located in Boca Raton has several employees whose sole job is to view these photographs to insure that the proper tolls were paid. But what happens when a vehicle travels through the SunPass lane and the toll is not recorded? SunPass representatives claim that they take extreme measures to insure that their customers seamlessly pay their tolls. Thus, if you have an open SunPass account with funds in it, but for some reason the toll wasn't properly recorded, they will simply take the funds from your account, and you, the SunPass account holder wouldn't even be aware that a problem had occurred.

Many problems occur when a SunPass account holder's credit card expires. Because credit cards don't expire all that frequently, many people forget to notify companies where they have automatic payment accounts set up. Thus, if your credit card expires and you fail to notify SunPass of your new credit card account number, you are going to start to rack up toll violations. SunPass will try to find you to notify you of this.

However, the problems begin if you've changed your residence since you first established your SunPass account; but haven't notified SunPass of the change in address.

Similarly, if you've changed your license tag and did not notify SunPass of the new tag number, you may find yourself in a jam. If SunPass can't find you and work out the problem, they will issue citations for violation of Florida Statute 316.1001.

When a ticket is issued by SunPass alleging a toll violation, they need only mail it to the registered owner (first name if more than one) of the vehicle. Until very recently, SunPass did not have access to the DMV database, and consequently, only mailed notice to the last address they had on file for the account. Once the citation is issued, the clock starts running on what options the recipient of the ticket has with regard to that ticket. A recipient of a toll ticket may report to the SunPass office and pay a penalty of \$25 plus the amount of the unpaid toll, so long as this is done within thirty days of the issuance of the ticket. After the first thirty days has elapsed, the ticket holder then has 45 days to ask for a court date to contest the ticket; or they may pay the Clerk of Court a civil penalty of \$100 plus \$81 court costs plus the amount of the unpaid toll. However, payment of the fine also carries a penalty of three points against your driver's license. If none of those options is selected in a timely manner, you will risk having your driver's license suspended for non-payment of the fine and incur the three points. In order to then clear your driving record, you will have to pay a late fee of \$12 to the Clerk of Court and either obtain a court date or pay out the citation and receive the points.

Unfortunately, many people don't receive their tickets in the mail in time to resolve them without incurring high fines and points. This is because SunPass was unable to find them due to the account holder's failure to keep their SunPass account records updated. Certainly, there are some toll scofflaws in our midst; but the best way to insure that you are not included in that category is to remember to notify SunPass of any changes pertaining to your address, credit card account, and license tag number. If you don't, you may find yourself sitting in one of our twice monthly SunPass court sessions held in the South County Courthouse.

For more information on the SunPass Court or other traffic court issues please contact Sara Blumberg at (561) 274-1435.

2008 BENCH/BAR CONFERENCE

The 2008 Bench/Bar conference was held on Friday, November 7, 2008 at the Palm Beach County Convention Center.

The morning program included sessions for the young lawyer including "Making a Good Name for Yourself as a Lawyer" with **Judges Peter Blanc and Edward Garrison.**

Over 250 paralegals and legal assistants attended break out sessions the "Nuts and Bolts of UFC" led by the Fifteenth Circuit's **Michelle Spangenberg, Mary Quinlan and Maria Giuliano** as well as the "Nuts and Bolts of Civil and Criminal Litigation" led by **General Counsel Amy Borman.**

The afternoon sessions, attended by over 500 lawyers and over 70 judges and magistrates, included break out sessions in Family Law, a legislative update by **Magistrate Diane Kirigin**, Civil, Personal Injury and Commercial Litigation, Criminal, Worker's Compensation, Appellate Practice and Federal Practice.

Photos by:
Linda Sims



General Counsel Amy Borman presented, "Nuts and Bolts of Civil Litigation." Ms. Borman's PowerPoint presentation gives attorneys and their assistants hands on information for maneuvering through the courts.



Magistrate Diane Kirigin and Judge Catherine Brunson.



Judge Nancy Perez, Patrick Burke, Tom Odom.



Presenters: (l to r) Michelle Spangenberg, Mary Quinlan and Maria Giuliano.

NATIONAL ADOPTION DAY

This year, National Adoption Day (NAD) took place on November 14, 2008. There were a total of 37 adoptions finalized.

The Fifteenth Circuit was privileged to have **Senior Judge Roger Colton** make the opening remarks.

The keynote speaker was Jim Sackett, Anchor for WPTV Channel 5 news.

Linda Norris, NAD Chair, and Stephen Bardy, Co-Chair, presented Mr. Sackett with a special award based on his numerous years of dedication to the safety and well-being of the children of Palm Beach County.

The Fifteenth Circuit extends gratitude to the juvenile judges who assisted with all adoption finalizations: **Judges Moses Baker, Jr.; Ronald Alvarez; Karen Martin, and Senior Judge Roger Colton.**

Maria Giuliano, UFC Manager would like to thank participating attorneys, all NAD committee members and all agencies that made this day possible.

Photos by:
Linda Sims



Linda Norris, Chair, National Adoption Day and Unified Family Court Operations Manager, Maria Giuliano.



Senior Judge Roger Colton makes the opening remarks.



Jim Sackett, Channel 5 news, accepts an award for his years of service to the well being of the children of Palm Beach County.



Judge Ronald Alvarez presented the adoptive family with the picture featured in the Heart Gallery.

JUSTICE TEACHING

As part of the Justice Teaching initiative, General Counsel **Amy Borman** met with the third graders at Morikami Park Elementary in Delray Beach to discuss the judicial branch of government. The students learned about role of the judiciary through games and other activities.

The third graders also took a field trip to the South County Courthouse where they watched court presided over by **Judge James Martz** and **Judge Howard Harrison**. The children had the opportunity to ask questions of the judges and tour the courthouse. One group also met with **Judge John Phillips** who presided over an impromptu mock trial. The children had a great time meeting the judges and other court personnel.

<http://www.justiceteaching.org>



Judge John Phillips presides over a Mock Trial at the South County Courthouse.



General Counsel Amy Borman with a student from Morikami Park Elementary.

TRIAL COURT LAW CLERK PROGRAM

This past October, the trial court law clerks attended the Trial Court Staff Attorney conference in Orlando in addition to meeting with **Judges Paul Moyle** and **Nancy Perez** before watching First Appearances.

In November, the trial court law clerks took part in the Bench/Bar conference and toured the Juvenile Detention Facility.

Through the Palm Beach County Bar Association's Minority Initiative Program, **Shaun Jones** (3rd year St. Thomas) and **Danielle Morris** (3rd year FIU) interned with the 15th Judicial Circuit this past fall.

On October 2, 2008, Trial Court Law Clerk **Devon Bennett-Ward** was sworn into the Florida Bar by **Judge Thomas Barkdull**.

Devon was a summer intern with the Fifteenth Circuit in 2007 and returned as a law clerk after having graduated from the University of Miami School of Law.



Along with Devon, **Cristina DeCelestino, Esq.**, a 2007 graduate of the University of Miami School of Law, and **Jennifer Chamagua, Esq.**, a 2006 graduate of Villanova Law School, joined the Fifteenth Judicial Circuit as Trial Court Law Clerks.

MEDIATION TRAINING

“It’s Not About You,” was the topic of the October 22, 2008 volunteer mediator training. This training session, the last in a series on ethics, contrasted previous seminars that focused on feelings, particularly how to manage bias, anger and opinions. “It’s not about you” refers to the neutrality mediators must maintain. Volunteer mediator **John Sochacki, Esq.** presented a review of the basic tenets of mediation ethics and the ethical standards to which mediators must adhere. “Ethics is the standard, and how each of us can, in our own individual style, adapt our mediation, so as to not commit misconduct is the goal,” said Sochacki.

Mr. Sochacki’s seminar, based on the Florida Rules for Certified & Court-Appointed Mediators, was as solid as the last session was abstract. Mediation is defined therein as “a process whereby a neutral and impartial third person acts to encourage and facilitate the resolution of a dispute without prescribing what should be. It is an informal, non-adversarial process intended to help disputing parties reach a mutually acceptable agreement.” Ethics in mediation “are intended to both guide mediators and instill public confidence” in the process. Whether the parties involved choose to resolve their dispute is secondary in importance to whether the mediator conducts the mediation in accordance with ethical standards.

The mediators, as a group, created the “Ethical Standards” and The Florida Supreme Court used statewide input from mediators to formulate these Rules. As Mr. Sochacki pointed out, “We created our own rules and that is why they make sense!”

For questions concerning mediator ethics, mediators or clients may contact the Mediation Ethics Advisory Commission (MEAC) in Tallahassee, FL.

Photos by:
Linda Sims



Senior Judge Roger Colton, Laverne Mosley and Nathalie Gendron.



John Sochacki addresses a room full of volunteer mediators.



Krista Garber, Chief Deputy Court Administrator, welcomes the volunteer mediators.

CRIMINAL COURT PROGRAM

Felony Reallocation

The Fifteenth Judicial Circuit is reallocating the pending felony caseload to streamline the processing of cases in a fair, timely and cost-effective manner. Over the course of several months, stakeholders met to discuss proposed changes. After careful consideration and collaboration, it was agreed that effective January 1, 2009, Division “T” will become a trial division. Therefore, two trial divisions will exist to assist with overflow trials.

Additionally, **Judges Krista Marx** and **Lucy Chernow-Brown** will be hearing all “Incompetent to Proceed” cases. Cases will be identified as such by the Mental Health Case Manager, a position funded by the Palm Beach County Board of Commissioners.

The cases will be tracked to ensure that expert reports meet statutory requirements and are timely filed. Further, the Case Manager will identify gaps and/or trends in the way we process these cases and what services are available in our community for the particular mental health issue involved. It is our hope that with this first step toward tackling these issues, we will learn the best path to take in establishing a new process within the Court to appropriately handle litigants with mental health issues.

A master calendar was created to assist stakeholders with scheduling and coordinating hearing dates. For a copy of the calendar, please contact Michelle Spangenberg.

MENTAL HEALTH COURT PROGRAM

Criminal Justice/Mental Health Collaborative Summit

The Substance Abuse and Mental Health Office in conjunction with GEO Care hosted a Criminal Justice/Mental Health Collaborative Summit for Circuits 15 and 19 on October 21st at Hutchinson Island Marriott. **Mary Quinlan**, Mental Health Court Manager, **Michelle Spangenberg**, Criminal Court Operations Manager, and **Marcela Millett**, Mental Health Case Manager were in attendance from Court Administration. The day was designed to foster communication between the circuits regarding best practices and issues relating to mental health and the criminal justice system. Attendees were asked to speak about specific areas that were working well or are of concern in their circuit. It was a very beneficial way to share information between the circuits.



Nicole Dilisio, Michelle Spangenberg, Mary Quinlan and Marcela Millett.

Expert Witness Lists

New policies and procedures for expert witness applications and contracts have been developed for the Fifteenth Circuit. Administrative Orders, application materials, a check list, and contracts are now available online at: <http://15thcircuit.co.palm-beach.fl.us/web/guest/expertwitness>. The Mental Health Department is now reviewing applications and a three Judge panel is approving additions to the expert witness list. The updated list is emailed to interested parties on a regular basis. For more information you can contact Marcela Millett, Mental Health Case Manager, at 355-1537.

Criminal Justice, Mental Health and Substance Abuse Reinvestment Grant

Palm Beach County has received a state grant to develop a strategic plan to increase the accessibility and effectiveness of treatment services for adults and juveniles who have a mental illness, substance abuse disorder, or co-occurring disorder who are in, or at risk of entering, the criminal or juvenile justice systems. The County has hired consultants to work with stakeholders and providers to map out our current systems and determine where there are strengths and gaps. Mary Quinlan and Marcela Millett have been working very closely with the consultants and the Criminal Justice Commission in this endeavor. For more information you can contact Marcela Millett, Mental Health Case Manager, at 355-1537.

FLAG MEETING

The Florida State Family Court Steering Committee, working under the direction of the Supreme Court, recommended the establishment of a Family Law Advisory Group (F.L.A.G.) to ensure effective communication among all the stakeholders both in the judicial system and in the community. By providing an open forum for identifying issues and resolving complaints about the judicial system, interagency conflicts, and family court policies, the Fifteenth Circuit is able to continue on-going communication with all stakeholders in order to tackle these issues.

This year, **Chief Judge Kathleen J. Kroll**, successfully hosted its seventh meeting. To start the meeting, **Judge Catherine Brunson**, Administrative Judge of the Family Division, provided attendees with a summary from the 2007-2008 accomplishments. **Maria Giuliano**, UFC Manager, provided an update regarding new projects within Unified Family Court from 2007-2008; and **Peter Cummings**, Manager for Court Liaisons presented an overview of the *Court Educational Liaisons Initiative*, which is a new initiative that started last April.

Juvenile Alternative Sanctions Coordinator, Cristy Altaro, presented the new initiative of Cross-Over cases, which started in July, and Delinquency Drug Court, which started in May.

The audience included judges, court staff, attorneys, social service providers, representatives from the Palm Beach County Bar Association, and other community leaders who had taken the initial steps in identifying and discussing next year's goals. UFC Chair from the PBC Bar Association, **Elisha D. Roy, Esq.** lead this year's discussion. Some of the identified issues include:

- Early identification of children (ages 0-5) with developmental disabilities and/or delays in order to proactively plan to meet their needs early in the process;
- How to improve case management efficiency when working with families that have out-of-state court history and/or involvement with other court divisions;
- How to better publicize new Projects available in our Circuit (i.e. Judicial Review Hearings Web Camera Project); and a second Education Summit was also suggested for this year.

Anyone interested in becoming part of any of the committees listed above, please contact Maria Giuliano, UFC Manager, at 355-1764 or mgiuliano@pbcgov.com



Judge Catherine Brunson addresses the audience.



Peter Cummings, School Board Liaison speaks to the group including Judge David Crow (center) and Judge Elizabeth Maass (right).



Chief Judge Kathleen Kroll addresses the audience, with the North County judges attending by video-conference.
Photos by: Linda Sims

FAMILY CONNECTIONS



Supervised Time-sharing & Monitored Exchange Program

Family Connections is a Court Ordered Program that provides a safe neutral setting for a two-hour ***Supervised Time-sharing*** between children and family members under the supervision of trained staff.

Monitored Exchange provides a neutral setting whenever there is conflict between parents in order to exchange the child safely. There is no contact between parents during the exchange. This service is utilized for overnight/unsupervised time-sharing.

Mini-Monitored Exchange allows for the parents to exchange the child safely for a two-hour unsupervised time-sharing off-site.

Who Needs Supervised Time-sharing?

Children whose safety is an issue, parents who fear for the safety of their children in the presence of the other parent, children denied access to one of their parents, parents denied unsupervised access to their children, parents who need to safely re-integrate into their children's lives.

How Does Someone get into the Program?

By a court order ONLY.

How Does Supervised Time-sharing Work?

Time-sharing is scheduled for two hours either on Saturday or Sunday. Parents always arrive at different times to avoid the parties ever being in contact. A monitor is assigned to each family and the child is never left alone. The assigned monitor takes notes on what is said and done throughout the two hours of time-sharing. These notes are available to the Court and to the family upon request. At least one Deputy Sheriff is present when the time-sharing occurs.

For more information on monitored visitation:

http://15thcircuit.co.palm-beach.fl.us/web/guest/courtprograms/family_connection

Or contact : Family Connections (561) 355-3200

UFC Presentation to the Department of Juvenile Justice

On September 25, 2008 the UFC Case Managers in the Juvenile Division were invited to the Department of Juvenile Justice (DJJ) to make a presentation regarding Unified Family Court and how to improve collaborations. Cross-over cases were also discussed.

The presentation was a success as Case Managers were able to present DJJ staff with a “clear picture” of what it is a Unified Family Court. Case Managers worked hard at preparing their presentation which included a *vignette* of an actual case currently in our court system. By doing this, they were able to demonstrate the complexity of issues involving the families entering our court system and the importance of collaboration.

UFC Case Managers in the Juvenile Division made a well-received presentation at Eckerd on September 26, 2008. Eckerd Youth Alternatives (EYA) is a program which provides aftercare services to youth who have successfully completed an Eckerd Residential Therapeutic Program or other juvenile justice program. Many of their staff posed numerous questions for the Case Managers, and once the presentation concluded, they indicated that the information will be very valuable for use in doing their job.

UFC’s goal to is increase collaboration between the 15th Circuit and all providers within our county.

For more information regarding Unified Family Court, Juvenile Division please contact: Maria Giuliano , at 355-1764 or mgjuliano@pbcgov.com



(l to r) Cristy Altaro (Juvenile Alternative Sanctions Coordinator), Kathy Sanchez (UFC Case Manager), Lisset Pino (UFC Case Manager) Gabriel Munoz (UFC Case Manager), Jacque Marshburn (UFC Case Manager), Susan Brown (Social Service Coordinator), Maria Giuliano (UFC Operations Manager)



Gabriel Munoz, Kathy Sanchez, Jacque Marshburn, Lisset Pino.

(l to r)
Maria Giuliano, Gabriel Munoz, Kathy Sanchez, Jacque Marshburn, Lisset Pino, Cristy Altaro.



UNIFIED FAMILY COURT

SOCIAL SERVICES COORDINATION PROGRAM

Community Alliance Update

On November 17, 2008, the Unified Family Court Social Services Coordination Program presented to the Community Alliance about their progress. This voluntary, court-based program assists children and families involved in complex cases (identified as more than one court case, with multiple agency involvement) to achieve self-sufficiency by convening large group meetings with all agencies/individuals involved with the family and effectively facilitating the delivery of services.

During these monthly meetings, a Family Achievement Plan is developed that acts as a “Master Case Plan” which includes all court-ordered tasks as well as any other issues the family or the group identifies. Tasks or goals for the month are broken down into concrete steps, assigned to various group members, and any barriers or obstacles are identified.

Since the beginning of the program in April 2007, the 93 participants have achieved 80% of their goals and have been linked to 85% of the referrals given for issues such as housing, employment and health insurance. The program has also helped families that were facing a petition to terminate parental rights. Through advocacy, support and communication of the agencies/individuals involved, these issues were addressed and parents were able to maintain their rights.

If you would like additional information or know of a family who can benefit from this program, please contact Susan Brown at (561) 355-1961 or e-mail sobrown@pbcgov.com.

Notice of Related Cases Form:

The Supreme Court has just released the approved Notice of Related Cases Form, which is effective 1/1/09. Forms are available in the law library.

Juvenile Division is exempt from its use.

UFC NEWS CLIPS

UFC Orders in BANNER:

All cases that were being identified as UFC cases were appearing in BANNER as "OUFC" (Order Unified Family Case); however, it was hard to know if this was a Transferred or Linked UFC case.

The only way to find out was to go into several additional steps in BANNER to find this information, and it was time consuming.

Effective 12/8/08, this code is no longer in use. ‘Transferred cases’ are now identified as **UFCT** and ‘Linked cases’ are identified as **UFCL**.

FW Division:

Effective immediately, Connie Thomas, Family Division Lead Case Manager, will be performing case management duties for the new FW Division (Belle Glade).

This division was created in October and is included in the new UFC Administrative Order.

Connie will process the files at the Main Courthouse, and will forward them to Judge Bailey for the case to be heard.

The zip codes covered are: Belle Glade 33430, Canal Point 33438, Clewiston 33440, Pahokee 33476, and South Bay 33493

Screening for Juvenile Mail-in Petitions:

Effective 12/8/08, the Clerk's Office is screening ALL Juvenile mail-in petitions.

JUVENILE COURT PROGRAM

The Delinquency Drug Court has been in operation since May, serving youth on juvenile probation who have substance abuse issues. Currently, there are five participants in the program, all of whom were also facing other challenges in their lives such as school and family concerns. Throughout their stay in Drug Court, participants are provided with the guidance, support, supervision and services necessary to help redirect them. In addition to attending counseling several times per week, including individual, group and family sessions, these youth are subject to random drug testing and are monitored by a specialized unit of the Palm Beach County Sheriff's Office, Juvenile Arrest and Monitoring (JAM).

Recently, three participants were promoted to Phase II, as a result of compliance with court-ordered sanctions and their progress in treatment. With the promotion, participants will see a reduction in their required court appearances, frequency of drug testing and counseling sessions.

Judge Ronald Alvarez presides over the Delinquency Drug Court, which is in session on Wednesdays at 3:00 pm. When asked about the Drug Court program, he responded "to help save a person from a life of substance dependency through drug court is a socially, morally and economically preferable alternative to incarceration. If we could only make it politically a more common choice, we might have a good chance of making a major dent in our state's budgetary woes, short and long term, not to mention helping individuals, families and communities." In order to be eligible for *Delinquency Drug Court*, candidates must be between the ages of 12-17 and on juvenile probation with a pending violation of probation.

If you would like additional information, or know of someone who may benefit from the program, contact Cristy Altaro (561) 355-6586.



Judge Alvarez reviewing the progress of a Drug Court participant.

"to help save a person from a life of substance dependency through drug court is a socially, morally and economically preferable alternative to incarceration"

Judge Ronald Alvarez



Cristy Altaro (foreground) and the Delinquency Drug Court in progress.

PROCESS SERVER SEMINAR

The Fifteenth Circuit presented the annual Process Server seminar on Friday, December 5th. The class of 115 applicants is the largest in the 20 years the program has been operational.

Presenters included **Chief Judge Kathleen Kroll**, **General Counsel Amy Borman**, **Mark Kleinfeld**, Esq. (Grievance Committee Member) and Process Servers **Teresa Leonard** and **Evan Balash**.

Attendance at the seminar is a prerequisite for the certification exam to be held on January 5, 6 and 12.

For more information on Process Server certification please contact Debra Oats-Ducram at (561) 355-4495



Chief Judge Kathleen Kroll talks to the process servers about Ethics.

"When you are participating in service of process you are acting on behalf of the court."

Chief Judge Kathleen Kroll

FLORIDA STATE COURT AND COUNTY LAW LIBRARIES ANNUAL MEETING

The 31st annual conference of the Florida State, Court and County Law Libraries, Inc. (FSCCLL) was held on October 9th, 10th and 11th in West Palm Beach.

Linda Sims and Sara Jones from the Palm Beach County Law Library hosted. The conference was attended by twenty-five (25) law librarians from several counties throughout the state and three (3) from as far away as Bay County, Okaloosa County and the Supreme Court Law Library in Tallahassee.

Several Judges from the 15th Judicial Circuit spoke at the conference on Friday, October 10th, which was held in the Law Library conference room.

Krista Garber, Chief Deputy Court Administrator, and **Judge Jonathan Gerber** gave the welcome and opening remarks. **Judge Jeffrey Colbath** spoke on “Strategies for assisting Pro se’s on Foreclosures”.

Judge Debra Moses Stephens spoke on “Strategies for assisting Pro se’s on Landlord and Tenant issues”, and **Judge Karen Miller** spoke on “Surviving Civil and Criminal Circuit Matters”.

Michael Kinsella, West Librarian Relations Manager gave a demonstration on the “Rise of American Law”, a digital archive of 19th and 20th Century Legal Texts.

The new officers of the FSCCLL were sworn in by **Judge Charles Burton**.

The law librarians enjoyed the speakers and thought the program was very educational and useful from a practical standpoint.

After the luncheon at “Bonds”, sponsored by Thomson*West, the group took a tour of the 1916 Historical Courthouse and Museum.

*For questions about the law library please contact:
Linda Sims, Law Library Manager at 355-2928.*



Judge Jonathan Gerber welcomes Florida Court and County Law Librarians to the 15th.



Judge Debra Moses Stephens spoke on Landlord Tenant issues.



Judge Jeffrey Colbath speaking by video-conference from the North County Courthouse.



Judge Charles Burton swears in the FSCCLL officers for 2009.

Photos by:
Linda Sims

HUMAN RESOURCES

PHIL SMITH RETIRES

Phil Smith retired on October 31, 2008 after 37 years with Information Systems Services (ISS) and the Fifteenth Judicial Circuit.

**GOOD LUCK
PHIL**



HR HUDDLE

Announcement:

On January 5, 2009, Rebecca Storrow will join the Circuit as the Alternative Resolution Dispute Director. Ms. Storrow most recently served as the Mediation Services Coordinator in the Nineteenth Circuit and is active in teaching conflict resolution techniques in the community. She holds a Masters of Science degree in Organizational Leadership and is currently completing her PhD in Conflict Analysis.

COURT ADMINISTRATION HOSTS HOLIDAY LUNCH

Court Administration held it's annual pot-luck holiday luncheon on December 12, 2008.

Chief Judge Kathleen Kroll thanked the staff for their hard work and dedication during these difficult times.



Court Administrator Barbara Dawicke (back right) and Court Reporters Susan Wiggins, Michelle Voce, Phyllis Dames.

Please note:

The December pay warrant reflects any benefit changes elected during Open Enrollment. To ensure that you have the correct deductions, you can check your pay calculations by signing in at:

<https://flair.dbf.state.fl.us>.

Thank you!

In the midst of difficult economic times for State employees, the Administrative Office of the Court extends thanks to all Court Personnel for their dedication and extraordinary effort throughout 2008. We wish you and your families a safe and healthy New Year.

Photos by:
Linda Sims

(l to r)

Sara Blumberg, Rebecca Ricker, Don Drodgy, Les Davis, Krista Garber, Noel Chessman, Michelle Spangenberg.



For Human Resources questions, please contact Krista Garber, Chief Deputy Court Administrator at 355-2154 or Letitia Warren, Personnel Management Analyst at 355-1847.

ADMINISTRATIVE ORDERS

The Administrative Orders (AO's) for the Fifteenth Judicial Circuit have been revised to be more user friendly. This revision includes restructuring and renumbering the administrative orders. The Administrative Orders were converted effective October 11, 2008. You can find the new AO's, along with a conversion chart, on our website at:

<http://15thcircuit.co.palm-beach.fl.us/web/guest/ao>.

The topics for the new series are listed below:

- Series 1: Local Rules (no change)
- Series 2: General Administrative Orders (applicable to all Divisions of the court)
- Series 3: Civil Administrative Orders (county and circuit)
- Series 4: Criminal Administrative Orders (county and circuit)
- Series 5: Unified Family Court Administrative Orders (domestic relations, dependency, delinquency)
- Series 6: Probate and Guardianship/Mental Health/Substance Abuse Administrative Orders
- Series 7: Writs, Post Conviction and Prisoner Litigation
- Series 8: Appeals (county to circuit and administrative appeals)
- Series 9: Open
- Series 10: Traffic Administrative Orders (criminal and civil Infractions)
- Series 11: Internal Policies and Procedures
- Series 12: Special Appointments



Florida State Court and County Law Librarians enjoy breakfast and share ideas at their annual meeting held in Palm Beach County on October 9-11, 2008.

UPCOMING EVENTS

January

- 12th** Process Server Exam
- 19th** Judicial Rotation
- 29th** Drug Court Graduation

February

- 13th** Volunteer Mediator Training
- 26th** Drug Court Graduation

March

- 30th** Drug Court Graduation

COURT HOLIDAYS 2009

January

- 19th** Martin Luther King Day (Court Closed)

February

- 16th** President's Day (Court Closed)

The Circuit Courier

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Barbara Dawicke, Trial Court Administrator

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