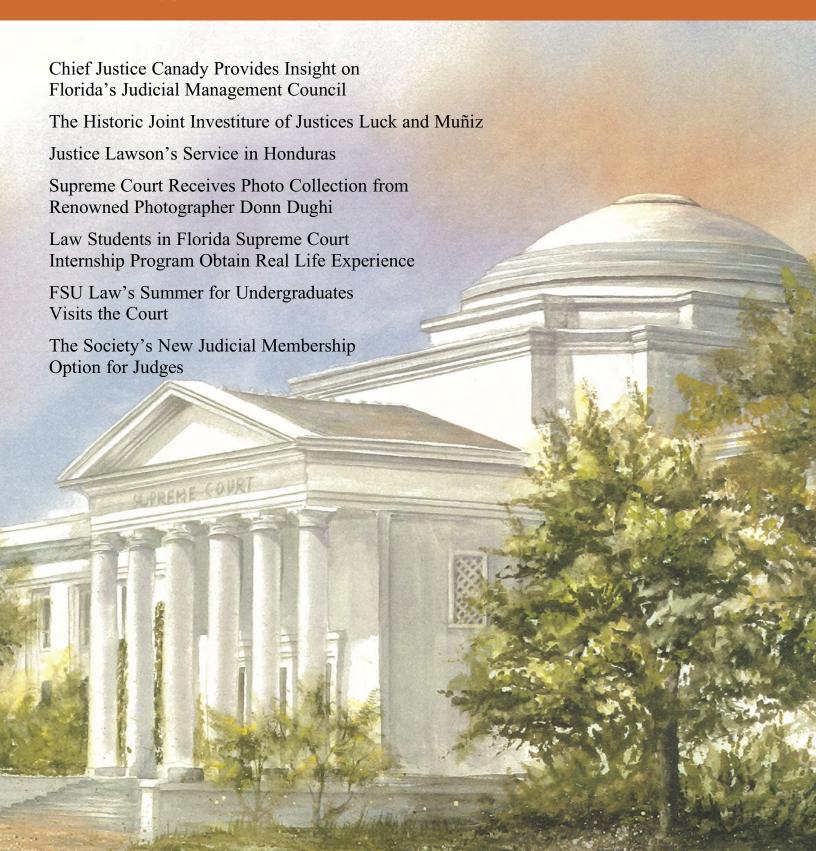
# Florida Supreme Court Historical Society

FALL/WINTER 2019



# FROM THE EDITOR



2019 continues to be an exciting and unique year for the Supreme Court of Florida. In January, three new Justices joined the Court after the mandatory retirement of three former Justices. But the change may not be over, as two of the new Justices have been nominated to the U.S. Circuit Court of Appeals for the Eleventh Circuit.

2019 is also an exciting year for the Florida Supreme Court Historical Society. It has long been the Society's goal to publish this magazine, the *Historical Review*, twice each year. This issue marks the accomplishment of that goal, and the Society intends to continue publishing the magazine twice per year in years to come. This issue features the joint Investiture of Justices Luck and Muñiz in September as well as the Society's new membership option for Florida's judges.

This issue also includes a Save-the-Date for the 2020 edition of the Society's annual event: A Supreme Evening. In addition, articles in this issue explore Justice Lawson's passion for service and how law students from around the State of Florida interact with the Court throughout the year.

If you have a topic for an article you would like to see included in the magazine, we would love to have you contribute! Please feel free to contact us at editor@flcourthistory.org.

MKalmanson

Melanie Kalmanson Akerman, LLP Tallahassee, Florida



# Florida Supreme Court Historical Society

Fall/Winter 2019

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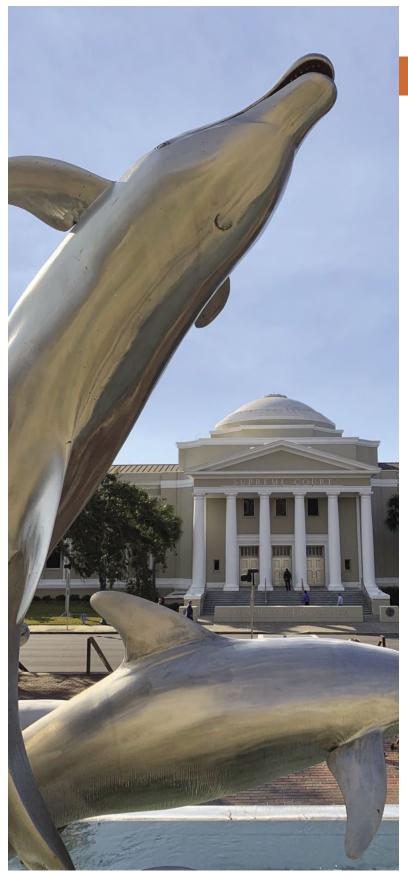
Lili Picou

Published bi-annually by the Florida Supreme Court Historical Society

The Florida Supreme Court Historical Society works to save and maintain for future generations the records of the people and events that have shaped the evolution of Florida's court system from the early 1800s, through the 20th Century, and beyond. The Society is committed to making sure people understand the importance of a strong, independent judiciary in our governmental balance of power. The Society's two-fold mission is to (1) educate the public about the critically important work of the courts in protecting personal rights and freedoms, as well as in resolving the myriad of disputes that arise within the state, and (2) preserve the rich history of Florida's judicial system.

This publication has been sponsored by the members of the Florida Supreme Court Historical Society.

Florida Supreme Court Historical Society 1947 Greenwood Drive, Tallahassee FL 32303



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Left Photo: Duane Daiker (Shumaker, Loop & Kendrick, LLP)

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Kimberly Kanoff Berman is a member of Marshall Dennehey Warner Coleman & Goggin's Appellate Advocacy and Post-Trial Practice Group in Fort Lauderdale, Florida. She handles civil appeals and provides litigation support in Florida state and federal courts. She is also admitted to practice in the Third Circuit Court of Appeals. Kimberly has served as President of the Third District Court of Appeal Historical Society and is a former research attorney for the Honorable David M. Gersten of the Third District Court of Appeal in Miami. She is a Florida Supreme Court Historical Society Trustee and serves as co-chair of the Society's Communications Committee.



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**Judge Flower** was appointed to the Bench by Governor Jeb Bush in January of 2000. Before joining the bench, Judge Flower served as an Assistant State Attorney and spent time in private practice, where he received an AV rating from Martindale Hubbell. Judge Flower is the former President of the conference of County Court Judges and the past Chair of Education for the Conference of County Court Judges, Co-Department Head for the Advanced Colleges of Judicial Studies, and serves on the Video Faculty of the Florida Judicial College. Judge Flower also serves his community as a member of the Police Athletic League Board, the Rotary Club of Jacksonville, as Assistant Scout Master for Boy Scout Troop 277, and as a regular speaker at numerous schools, civil organizations and clubs.

# FROM THE PRESIDENT

Welcome to the Fall/Winter edition of the Florida Supreme Court Historical Society's *Historical Review*. It has long been the Society's goal to provide our members with two magazines each year. Through the hard work and dedication of our editorial and executive staff, this magazine is the inaugural edition of the bi-annual *Historical Review*. Special thanks to the magazine's editor, Melanie Kalmanson, for her continued devotion to the written word and the Society's mission.

Our Florida Supreme Court has undergone a period of great change over the last year with the retirement of Justices R. Fred Lewis, Barbara Pariente, and Peggy Quince at the beginning of 2019. The Society worked closely with the Court and the retiring Justices to ensure that each Justice's retirement celebration was a success. The Society was happy to see so many familiar faces at each of these events to honor the retired Justices.

Of course, the retirement ceremonies meant the addition of Justices Barbara Lagoa, Robert Luck and Carlos Muñiz. The Society worked with each new Justice to assist with the planning and execution of the investiture of Justice Lagoa, held on May 10, 2019, and a joint investiture for Justices Luck and Muñiz, held on September 24, 2019. Justice Lagoa's investiture was featured in the last issue of the magazine. Please enjoy the article contained in this issue regarding the joint investiture for those that could not be present. In addition, photographs and articles regarding the investitures are available at https://www.flcourthistory.org/ under the News and Events tab.



With the recent nominations for appointment of Justices Luck and Lagoa to the U.S. Court of Appeals for the Eleventh Circuit, the Court is shortly going to add two new justices to the bench. The Society will work with the Court during this transition and has been honored to be a part of such momentous occasions for each retiring and new Justice.

Through our membership's generosity, one of the Society's annual projects is to fund the commission of each new Justice's portrait that hangs in the rotunda of the Florida Supreme Court. We look forward to the commissioning of the portraits of Justices Lagoa, Luck and Muñiz.

The Society's committees are hard at work to preserve the Court's history through artifact acquisitions, oral histories, publications such as this edition of the magazine, and further outreach to our members via social media and other outlets. We welcome member submissions and ideas for future articles, historical artifact identification, and archiving.

Plans are well underway for the Society's annual dinner, and we hope that you will join us on January 30, 2020, at the University Club in Tallahassee.

I am honored to serve as the President of the Society and have the privilege to interact and work with our Board of Trustees, the Court, and the Society's members. Each interaction reminds me of why I chose our noble profession and reminds me of our Society's mission. Please enjoy the magazine.

Sincerely,

Jonathan F. Claussen

Jontho Chus

President

Florida Supreme Court Historical Society

# FLORIDA'S JUDICIAL MANAGEMENT COUNCIL WORKING TO IMPROVE THE ADMINISTRATION OF JUSTICE FOR ALL FLORIDIANS

# BY CHARLES CANADY, CHIEF JUSTICE OF THE SUPREME COURT OF FLORIDA

As Florida's Chief Justice, I have the responsibility to interpret and uphold our laws and constitution in my role as a judge. The job of chief justice comes with another duty of great importance: to serve as the chief administrative officer of the judicial branch and of the Supreme Court. To best protect our rights and liberties requires efficient management of resources and a responsive structure. These tasks are interdependent. Our Court has recognized the importance of an ongoing, concentrated effort to ensure excellence in the administration of justice.

An integral element of this effort is the Judicial Management Council, created in its current form in 2012, but continuing a long tradition of judicial councils to help guide the judicial branch.

It is an immense undertaking to administer Florida's courts, and it is a job best done in collaboration. The chief justice does so first with all the other members on the Court. While our laws and rules provide many administrative powers and duties to the chief justice, the rules often contemplate the chief justice should, and in other instances may, fulfill his responsibilities with the benefit of consultation with other justices.

Our rules also recognize the importance of seeking guidance beyond the supreme court, an approach with an extensive history going back to the Judicial Council of Florida, created by the legislature in 1953 and allowed to sunset in 1980. The idea behind this first version of a judicial advisory council has evolved over the ensuing decades with the supreme court establishing different points of focus to serve the needs of the time.

The supreme court created the Judicial Council of Florida in 1985 by adopting a rule within the Florida Rules of Judicial Administration. The rule called for the Judicial Council to have 23 members and required representation from the four levels of jurisdiction within Florida's courts. Also included were representatives of state attorneys, public defenders, clerks of court, The Florida Bar, and the general public.

The Judicial Management Council was reorganized in 1995 with a rule amendment that set its membership at 21 and added representatives from the Governor's legal office, two legislators, and a member of The Florida Council of 100. In my pre-judicial career, I briefly served on this version of the Council in my capacity as the Governor's general counsel. This group focused on strategic



initiatives and produced the first long-range plan for the judicial branch. It was active through 2002 when the court system's priority became the 2004 implementation of Revision 7 to Article V of the Florida Constitution, which transferred a greater responsibility for funding of the state courts system from the counties to the state and was subsequently called "the judicial branch's greatest challenge in recent history," in an administrative order. Revision 7 aimed to advance the unification the State Courts System begun in 1972.

In 2006, the Judicial Management Council was reauthorized "as a judicial branch advisory council for the purposes of providing a formal mechanism for effective two-way communication about the justice system between major citizen constituencies and the courts, informing the public about the justice system, and providing a unique and broad perspective on significant court initiatives." Its membership was set at 27 and closely followed the representation of its predecessor. The strategic charges presented to this version of the Judicial Management Council were overtaken by the budgetary and workload challenges of the national recession and mortgage foreclosure crisis felt simultaneously beginning in 2007. The reduced court positions across the state, a hiring freeze, and travel moratorium meant this version of the Judicial Management Council was shelved in 2008.

The underlying benefits of the Judicial Management Council were recognized by the Judicial Branch Governance Study Group created in 2009. Under the leadership of Justice Ricky Polston, the Study Group's recommendations were delivered in 2011 and rule amendments were adopted in a 2011 Supreme Court opinion amending, among others, Florida Rule of Judicial Administration 2.225. "The Council will become part of a loop that will assist the Court with forward-looking vision, while the Court gets feedback from the trial and district courts, the chief judges, and the conferences," the majority opinion read, establishing the structure and direction of the council as it is now.

Membership in the Judicial Management Council was set at 15 and its responsibilities narrowed from the scope of previous councils. The larger purpose of the current version is captured by Justice Polston's memorable and apt phrase describing the council as the judicial branch's headlights, shining on the road ahead to alert the branch's leadership to possible hazards and showing the best way forward. As chief justice, he appointed members to the Judicial Management Council under the current rule by an administrative order issued November 15, 2012.

It is this version of the Judicial Management Council I now chair. Its current work, as described below, illustrates just how it performs this important guiding function to the chief justice and the supreme court. As chief justice, fulfilling my role as the branch's chief administrative officer, my focus is firmly on the litigants who come to Florida's courts seeking justice and a peaceful, efficient resolution of their disputes. The members of the Judicial Management Council work hard on the workgroups of the council to provide input to me and recommendations to the Court.

The current active workgroups of the Judicial Management Council are focused on issues that need illumination on the road ahead for Florida's courts.

### **Appellate Review of County Court Decisions**

This workgroup is required to study and report to the supreme court on whether circuit courts should be uniformly required to hear appeals in panels of judges, whether circuit courts should be authorized to certify intra- and inter-circuit appellate conflict to a district court of appeal, and whether other changes to the appellate review process for county court decisions would improve the administration of justice.

# **Access Workgroup**

This workgroup is charged with advising the council on initiatives and issues related to providing access to justice within Florida's courts. Among its projects is the Do-It-Yourself initiative, a program that has resulted in guided interviews now available on the statewide online e-Portal for filings in landlord-tenant cases. The DIY initiative has further case types in development for deployment on the e-Portal.

# **Workgroup on Remote Appearance**

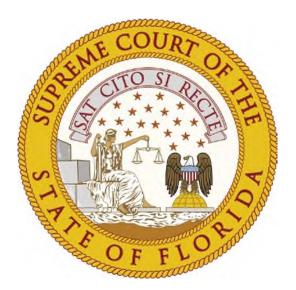
This workgroup is to consider how remote appearance technologies may be appropriately employed in the court system to enhance efficiencies and cost effectiveness for both courts and court users. The workgroup seeks to identify the types of court proceedings in which remote appearance technology may be lawfully and effectively used. Part of the workgroup's effort includes a comprehensive review of existing remote appearance technology use and practices.

### **Workgroup on Court Costs and Fines**

The workgroup is charged with reviewing the imposition of court costs and fines in this state in criminal and traffic cases, and with making recommendations, if warranted, for processes ensuring that the imposition of such assessments does not disproportionately impact low-income individuals in a manner resulting in undue hardship.

The current Judicial Management Council continues in the tradition of advisory councils to the judicial branch in Florida spanning seven decades. I am appreciative of the experience and conscientious effort the current members bring to this important group and their commitment to the people who come to Florida's courts seeking justice. I extend my sincere thanks to them.

Justice Carlos G. Muñiz, Florida Supreme Court
Judge Rachel Nordby, First District Court of Appeal
Judge Robert Morris, Second District Court of Appeal
Judge Edwin Scales III, Third District Court of Appeal
Judge Jonathan Gerber, Fourth District Court of Appeal
Judge Linda L. Nobles, First Judicial Circuit
Judge Olin Shinholser (retired), Tenth Judicial Circuit
Judge S. Scott Stephens, Thirteenth Judicial Circuit
Judge Benjamin Garagozlo, Brevard County
Judge Robert Lee, Broward County
Judge Nina Ashenafi Richardson, Leon County
Thomas Edwards, a Jacksonville attorney
Laird A. Lile, a Naples attorney
Steven Seibert, a Tallahassee attorney
Elisabeth H. Kiel, state courts administrator and non-voting member



# THE JOINT INVESTITURE OF JUSTICE ROBERT LUCK AND JUSTICE CARLOS MUÑIZ

# A MOMENT IN FLORIDA HISTORY

BY JEFF KOTTKAMP



Justice Luck (left) and Justice Muñiz (right) at their Joint Investiture

In a first since the Florida Supreme Court was established in 1846, the Court held a joint investiture for its two newest Supreme Court Justices—Robert Luck and Carlos Muñiz. Guests had "an opportunity to witness a moment in Florida history as it happens," said Chief Justice Charles Canady.



Surrounded by his family, Justice Muñiz takes the Oath, administered by Chief Justice Canady



With his wife by his side, Justice Luck takes the Oath, administered by the Honorable Ed Carnes, Chief Judge of the United States Court of Appeals for the Eleventh Circuit



Florida's three newest Justices (from left to right): Carlos Muñiz, Barbara Lagoa, and Robert Luck

The event was standing room only and had an impressive cadre of guests, including Governor Ron DeSantis, Florida's First Lady Casey DeSantis, Attorney General Ashley Moody, Chief Financial Officer Jimmy Patronis, Senate President Bill Galvano, the Chief Judge of the U.S. Court of Appeals for the Eleventh Circuit, Ed Carnes, two judges from the U.S. District Court for the Southern District of Florida, Rodolfo Ruiz and Frederico Moreno, and two former Chief Justices of the Supreme Court of Florida, Major Harding and Steve Grimes, among family, friends, and colleagues from across the state of Florida.

The joint investiture for the 88th and 89th justices was unique for a second reason. Justice Robert Luck had recently been nominated to serve on the U.S. Court of Appeals for the Eleventh Circuit along with Justice Barbara Lagoa.

Governor DeSantis acknowledged that Justice Luck may not be serving on the Florida Supreme Court for much longer. The Governor said he received a call from the White House asking if he would be disappointed if President Donald Trump nominated Justice Luck and Justice Lagoa to serve on the Eleventh Circuit Court of Appeals. The Governor said "absolutely not" and encouraged the White House to put "good people on the Court." The Governor said Justice Luck and Justice Lagoa should "get ready" because he was told their appointments to the federal bench could be concluded by the end of this year.

Justice Luck's quick ascension from circuit court to the Florida Third District Court of Appeal to the Supreme Court of Florida and now to the Eleventh Circuit Court of Appeals was subtly mentioned throughout the remarks of his personal speakers, Judge Rodolfo Ruiz and Chief Judge Ed Carnes. Judge Ruiz greeted everyone by welcoming them "to the annual Robert Luck Investiture."



Justice Muñiz with Attorney Timothy Cerio (Gray Robinson), who spoke at the Ceremony for Justice Muñiz

Chief Judge Ed Carnes, Justice Luck's mentor and first boss, had to tweak his remarks, teasing about Justice Luck's inability to keep a job. He read quotes from some of Justice Luck's opinions. Those quotes revealed several movie references including an "Animal House" reference in one of Justice Luck's recent dissenting opinions. In *In re: Amendments to the Florida Evidence Code*, No. SC19-107 (2019), Justice Luck compared the internal operating procedures of the Court to "the little-known codicil in the Faber College Constitution."



Justice Muñiz stands with his family at his Investiture Ceremony

Governor Ron DeSantis spoke glowingly about the qualifications and intellect of both Justice Luck and Justice Muñiz. But one personal characteristic stood out when he interviewed both men for the Court—humility. That humility was on full display during the investiture as both Justices thanked and gave credit to the family, friends, and mentors who had made their success, and appointment, to the Supreme Court possible.

During his remarks, Justice Luck explained that he and Justice Muñiz decided to have a joint investiture to make it more convenient for the staff that had to plan the event. He also said "they both wondered if either of us could fill the Courtroom" if they had separate investitures.

Justice Luck thanked Governor DeSantis for his appointment to the Supreme Court. He said it is too early to talk about the Governor's legacy but noted that "at least two kids in the Luck house think you're the greatest Governor ever."

Speaking on behalf of Justice Muñiz, Attorney Tim Cerio described the "great intellect and quiet humility" of Justice Muñiz, adding "Carlos is a good guy, the white hat, the steady reliable man." Mr. Cerio also noted the Justice's impressive resume and his passion for public service.

Chief Justice Charles Canady was emotional as he administered the Oath of Office to Justice Muñiz. The two Justices have known each other for many years. The Chief Justice said, "I have performed no duty in public service that has brought me more joy than administering the oath to Carlos Muñiz."

"I have performed no duty in public service that has brought me more joy than administering the Oath to Carlos Muñiz."

— Chief Justice Charles Canady



Justice Muñiz with Historical Society Trustee Renee Thompson



After his Investiture Ceremony, Justice Luck pauses in front the Supreme Court's bench for a photo with his family, Joshua, Julia, and wife, Jen



Historical Society President Jonathan Claussen (middle) with Justice Luck (left) and Justice Muñiz (right) at the Justices' Joint Investiture

In his remarks, Justice Muñiz was soft-spoken and humble. After thanking his family for "laying the foundation for everything I've accomplished in life," Justice Muñiz said, "professionally, the appointment to the Supreme Court is an honor of a lifetime." Justice Muñiz said his judicial philosophy is very simple: "people—not the Courts—are in charge."

The Florida Supreme Court Historical Society and the Dade County Bar Association sponsored a reception following the investiture.

Photos from the Joint Investiture may be found at www.flcourthistory.org/Joint-Investiture.

"Probably from the time Justice Luck was a baby people thought he would be a judge. Clearly he has a passion for it."

— Governor Ron DeSantis



The event was standing room only and had an impressive cadre of guests. Pictured here (from left to right): Governor Ron DeSantis, Florida's First Lady Casey DeSantis, Attorney General Ashley Moody, Chief Financial Officer Jimmy Patronis, Senate President Bill Galvano, Secretary of State Laurel Lee, and Senator Tom Lee

# JUSTICE ALAN LAWSON'S COMMITMENT TO SERVICE RUNS DEEP

BY KIMBERLY KANOFF BERMAN

Justice Alan C. Lawson was raised going on service trips. His wife, Julie, did not have the same background. But, when one of Justice Lawson's close friends, a cardiologist, suggested that they take their wives on a service trip, Justice Lawson and his wife were all in. It was that first trip that would change the Lawsons' lives forever.



In a recent photo, Justice Lawson works alongside others in Honduras.





In a picture from 1999, Justice Lawson sits with a girl who he and his wife met in Honduras. The Lawsons later helped her obtain a life-saving surgery and hosted her at their home during her recuperation.

# "You get more out of life when you give back."

— Justice Lawson

In 1999, Justice Lawson and his wife took a 5-day trip to Honduras on a medical mission shortly after Hurricane Mitch devastated the country. In college and law school, Justice Lawson had worked as an EMT in a hospital emergency room and on ambulances. He had a basic medical background; he knew how to take a patient's vitals, among other things.

When he came across a 12-year-old girl with a rare congenital health condition, who needed complicated surgery, he and his wife knew they needed to find a way to save her life. Justice Lawson and his wife took the girl's medical records to Orlando, and three weeks later got her a visa to come to America to have open-heart surgery at Orlando Health Arnold Palmer Hospital for Children. The life-saving surgery was successful. The girl stayed with the Lawson family for the next year to recuperate and became part of the family.



For the past two years, Justice
Lawson has coordinated service projects in Honduras, which have included friends who are also esteemed Florida judges and lawyers.

When it was time for the girl to return home, the Lawsons went with her to Honduras and built a house for her family. Each year the Lawson family went to visit her and her family and began participating in different service projects—sometimes to provide food giveaways and other times to build houses for various families. They would build 16x16 wood structures in one day. These homes would provide housing for people in Tegucigalpa, the capital city of Honduras, and surrounding areas.

Then, eight years ago, Justice Lawson's wife, who had fallen in love with Honduras, sought to get more involved in helping empower Honduran women. As an artist and jewelry designer, Mrs. Lawson teamed up with the organization, Mi Esperanza, to create the Jewelry Studio of Mi Esperanza.

Mi Esperanza (My Hope) is an organization that provides lifesustaining change in the lives of women in the villages surrounding Tegucigalpa. The organization helps lift women out of poverty by giving them the tools and resources needed to break the cycle of intergenerational poverty. More information about Mi Esperanza can be found at https://www.thewomenofmyhope.org. Now that the studio is up and running, Mrs. Lawson remains active as a member of the board of Mi Esperanza. She returns several times a year to train the women in the jewelry studio, and Justice Lawson accompanies her to Honduras when his schedule permits.

The Lawson family's love for Honduras and desire to give back to the community was infectious, prompting others to get involved. For the past two years, Justice Lawson has coordinated service projects in Honduras, which have included friends who are also esteemed Florida judges and lawyers.

Although Justice Lawson's service trips are privately organized, service trips can be arranged on similar missions. Take it from Justice Lawson: "You get more out of life when you give back." ■

Photo credit: Supreme Court of Florida Public Information Office and Justice Lawson

# A REPORT FROM THE FLORIDA SUPREME COURT INTERNSHIP PROGRAM FOR DISTINGUISHED LAW STUDENTS

# BY KATRYNA SANTA CRUZ



Each semester, interns have an opportunity to take a picture with the Supreme Court of Florida. Students stand behind the Justice for whom they work during their internship.

This past summer, I was selected as the Florida International University College of Law candidate for placement as an intern at the Supreme Court of Florida in Tallahassee, Florida. The internship was a six-week program in which I worked closely with Justice Alan Lawson's law clerks to draft determination of jurisdiction memoranda. These memoranda recommended to the Supreme Court's Jurisdiction Panel to either accept or deny review of cases on the basis of the Court's mandatory or discretionary jurisdiction. The cases seeking review related to a variety of legal issues, including the retroactive applicability of statutes, double jeopardy, hearsay exceptions, and employment discrimination. In writing these memoranda, I also became familiar with the standard for express and direct conflict—the most often invoked basis for Supreme Court jurisdiction.

Orientation for the internship program consisted of a private tour of the Supreme Court, during which interns got top-tobottom access to every part of the courthouse, from the Justices' elusive deliberation room—to which not even law clerks are granted access—to the courthouse gym. The internship program also hosted a legislative history research workshop at which the Court's librarians taught interns the importance of supporting legal arguments with legislative history and intent, the difference between various legislative resources and documents, and of course, the process of conducting Florida legislative history research. I also had the opportunity to attend a full day of oral arguments which covered a range of issues, including judicial and attorney discipline, a death sentence appeal, and whether a Batson challenge was properly preserved. Finally, by spending six weeks at the Florida Supreme Court, I also learned the process of writing and editing opinions including concurring and dissenting opinions, drafting case summaries, preparing for oral arguments, and the value in collaborating with multiple clerks and other interns.

Walking the hallways and saying "Good morning" to a Supreme Court Justice or waiting for the elevator while standing on a Supreme Court-monogrammed rug were memorable experiences that always felt surreal, even though they happened every day. Any pompousness associated with being an intern at the highest court in Florida simply melted away, as Justice Lawson would casually pop his head into the clerks' office to ask us what we thought about a particular case and took us to a Tallahassee "Escape Room" as part of an unforgettable (and challenging) team-building exercise. Marshalls, law clerks, and judicial assistants around the Court were always eager to hear about whether we were enjoying our experience and consistently went out of their way to make sure that we did.

I met other first- and second-year law students from schools around the State, and some outside the State: University of Miami, Florida State University, Stetson University, University of Florida, Duke University, and Louisiana State University. I also met law clerks with differing backgrounds, interests, and levels of experience (one of whom made me feel right at home with daily Cuban coffee), librarians who were eager to share their wealth of knowledge, and the most inviting staff of judicial assistants, Marshalls, custodians, and maintenance workers I have ever encountered. I am eternally grateful for having been selected to represent Florida International University and for the opportunity to experience the Florida Supreme Court in a light that not many students or attorneys get the pleasure of knowing.

Photo credit: Supreme Court of Florida Public Information Office

# A HISTORY OF THE SUPREME COURT OF FLORIDA THROUGH THE LENS OF RENOWNED PHOTOJOURNALIST DONN DUGHI

BY JOSEPH BOYD

The Florida Supreme Court has a front row seat at every opening session of the Florida Legislature. For decades, sitting on the floor in front of them and amidst the flowers, pomp, circumstance, Governor, Cabinet, Senators, and Representatives was Donn Dughi, like a timeless fixture, capturing it all through the lens of his camera. Donn got photos of the Justices on the front row like no one else.

Donn was born on July 9, 1932, in Hampton Beach, New Hampshire but was raised in St. Petersburg, Florida. Before becoming a star in photography, Donn was a star on the field, playing high school football and basketball. However, one year after starting at the University of Florida, he was drafted into the Korean War where he spent nine months in combat as a Marine rifleman. Once a Marine, always a Marine. After returning to the United States, Donn dreamed of writing a great American novel, which he pursued by enrolling in Florida State University's creative writing program. After graduating from FSU, Donn accepted a position at WCTV, a Tallahassee television station. This marked the beginning of his career in photography.

Retired Florida Bar Executive Director Jack Harkness remembers seeing Donn when Jack worked as a young lawyer in the Old Capitol for Attorney General Earl Faircloth. The basement of the Old Capitol was used by the press, where the nightly Ray Starr Capitol Report and others originated. Jack remembers Donn as always at the ready with his camera, on the floor, literally, of the House of Representatives, in the Court rotunda, or anywhere in between.

Donn spent 30 years as a news photographer, 20 of which were spent as the photo chief of the Tallahassee Bureau of United Press International. It was Donn, with many others, in front of the Supreme Court building, as one ruling after another was issued in the 2000 election dispute between Al Gore and George W. Bush. Court spokesperson Craig Waters was at ground zero.



Photo of Donn Dughi, courtesy of his longtime friend and fellow Capitol Photojournalist, Mark Foley



February 26, 1986: The Florida Supreme Court took their show on the road, but only went a couple of blocks down the hill to the Florida State University Law School. Left to right: Justices Leander Shaw, Parker Lee McDonald, James Adkins, Joe Boyd, Ben Overton, Raymond Ehrlich, and the newest court member, Rosemary Barkett, talked with law students and answered questions during the afternoon visit.



April 3, 1979: A solemn group of Florida Supreme Court Justices listen to Governor Bob Graham address the joint session of the Florida Legislature. The Justices later broke into smiles when Graham proposed a pay raise for judges. Left to right: Justices Arthur England, James Adkins, Joseph Boyd, Ben Overton, Alan Sundberg, and James Alderman

Craig remembered Donn from when they were both in the Capitol Press Corps, before Craig went on to law school. They were reunited as Craig became (and still is) the Public Information Officer for the Florida Supreme Court. Donn's unique talents captured the Court and its members as they were daily on the world's stage and he had the uncanny ability of being in the right place at the right time.

It was Donn on the upper level of the Court's rotunda who captured the Justices as the late Justice E. Harris Drew was lying in state in 1978. It was Donn there with his camera as newly appointed Justice Rosemary Barkett was robed. It was he who captured the view of Justices attending the law schools to visit with future members of The Florida Bar.

And for those who have observed the government in Tallahassee for decades, it is enjoyable to identify the young leaders of government conversing with the young and older members of the Court, like Representatives Ralph Haben and Ron Richmond, Senator Ed Dunn, and Justices James Adkins, Joseph Hatchett, and Fred Karl. Donn captured the flavor and the spirit of the events and meetings he photographed.

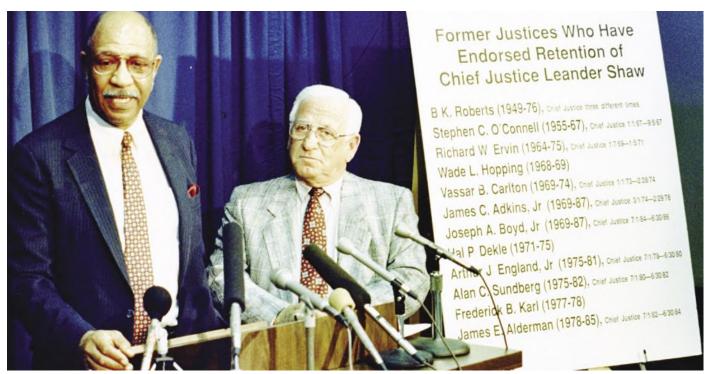
Donn died at the age of 72 in 2005, but his work lives on. When the Historical Society recognized that Donn's daughter, Leslie Dughi (a lawyer at Greenberg Traurig, LLP) had a collection of historical Supreme Court photos taken by Donn, the Historical Society requested that she donate her father's photos to the Supreme Court's archives.



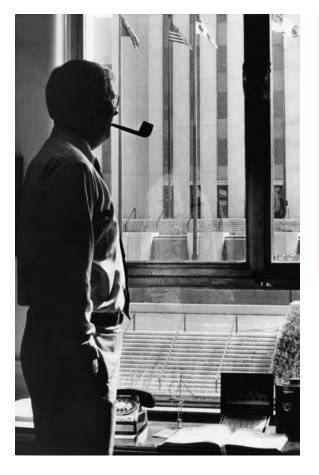
January 30, 1987: With the man he will replace, Supreme Court Justice Joseph Boyd looking on (upper, left), Justice Gerald Kogan is sworn in to the Florida Supreme Court as his wife Irene holds the Bible.



Chief Justice Rosemary Barkett answers questions from the media along with Governor Lawton Chiles and Education Commissioner Betty Castor



October 16, 1990: Chief Justice Leander Shaw, facing a retention challenge from conservative groups, answered questions at a news conference. Supporting Shaw's retention is FEA United President Pat Tornillo. Other sponsors brought along a board with the names of all the former Supreme Court Justices who were backing Justice Shaw.



My dad had a gift of capturing the emotion or significance of a moment — serious or lighthearted — in a single black and white photo.
... He always got "the shot."

— Leslie Dughi

September 1982: A profile photo of Justice Alan Sundberg (with his characteristic pipe) looking out of his office window while he thinks back on the seven years he served as a Supreme Court Justice on his last day as a member of the high court. He announced earlier that year he was stepping down from the bench to return to private law practice.



Chief Justice Arthur England's advocacy for a constitutional amendment on the Supreme Court jurisdiction led to a rare and dramatic news conference on February 29, 1980. England illustrated the Court's heavy caseload by lining up files of pending death cases.



January 10, 1983: Florida's newest Supreme Court Justice, Leander J. Shaw, Jr. (right), is congratulated by Justice Joseph Boyd (left) and Justice Parker McDonald (center) after Justice Shaw's Investiture.

Now, through the invaluable efforts of Leslie Dughi, the Florida Supreme Court archives hold his works related to the Court. She said this about donating them to the Court:

My dad had a gift of capturing the emotion or significance of a moment – serious or lighthearted – in a single black and white photo. He worked in a time before digital photography, so he wouldn't know what he had until the film was developed. But dad had the uncanny ability of being in the right place at the right time. He always got "the shot."

Florida Supreme Court Archivist Erik Robinson appreciates the generosity of the Dughi family: "Leslie Dughi's willingness to share her father's rich archive of Florida and Supreme Court history in photographs is a wonderful legacy that will only grow more useful and valuable with time."

The photo gallery of Donn's photographs are available for public viewing at www.flcourthistory.org/Dughi-Collection ■

The photos in this article are from Donn Dughi's collection, which was recently donated to the Historical Society. The captions for the pictures used here were taken from Donn Dughi's collection with minimal edits.

# PARTICIPANTS OF FSU LAW'S SUMMER FOR UNDERGRADUATES PROGRAM VISIT THE COURT



Justice Lawson (center) with the participants of FSU Law's Donald J. Weidner Summer for Undergraduates Program in the courtroom at the Supreme Court of Florida

Since 1992, Florida State University College of Law has hosted the Donald J. Weidner Summer for Undergraduates Program for aspiring law students enrolled at two-and four-year institutions across the country, in all majors and from all backgrounds. The purpose of the program is to introduce these undergraduate students to the rigors and delights of the legal profession and to help them direct their remaining time in college to best prepare them for law school.





Justice Lawson (right) speaks to participants of the Summer for Undergraduates Program about the Court and its role in Florida's government

The program is offered free of charge to the students thanks to the generosity of FSU Law alumnus and Florida Supreme Court Historical Society Trustee Wayne Hogan and his wife, Patricia.

One of the program highlights each year is a visit to the nearby Florida Supreme Court, where the students enjoy a behind-the-scenes tour of the Court and engage in interactive role-playing exercises. On the first day of this summer's program, the 60 participants made a special visit to the court where they were greeted by Justice Alan Lawson, an FSU Law graduate. Justice Lawson spoke candidly to the students about his career path and answered questions about a typical day as a Justice on Florida's highest court. It was an inspiring start to the four weeks of the program  $\blacksquare$ 

"Year after year, the Summer Program helps students decide their futures. It is intensive and provides just the right introduction to law school and life in the law; after all, there are so many doors a law degree can open, which is the purpose behind the Program."

— Historical Society Trustee Wayne Hogan

# PARTICIPANT QUOTES ABOUT THEIR VISIT TO THE COURT

"Justice Lawson gave unparalleled insight into what it's like working in the halls of justice. He inspired me to be a leader in law."

- Austin Wilson (University of Central Florida)

"Justice Lawson is the perfect person to talk in order to get a real and honest look on what it is like to be a justice."

– Camden Duckett (Florida A & M University)

"Our visit with Justice Alan Lawson was invaluable in that we got to see what being in the law field in Tallahassee is really like."

– Karleigh Gwyn (University of Alabama)

"We all start as strangers! Thank you Justice Lawson, for demystifying this process and for making us all look a little less strange and for wanting to be the future senators and congressmen, congresswoman and presidents. I learned so much from you so thank you!" – Michelle Chmara (Florida State University)

"It was both informative and inspirational to receive the wisdom of such an established legal professional." – Jamario Cantrell (Vanderbilt University)

"Visiting the Florida Supreme Court and hearing from the Hon. Justice Lawson was a remarkable opportunity that I believe all students interested in the legal profession ought to experience. Justice Lawson provided tremendous words of encouragement, and I am grateful to have met such a prominent and admirable legal professional."

- Moataz Abdelrasoul (Youngstown State University)

"It was a lot of fun! Seeing someone so successful in our high legal system in Florida, plus coming from FSU Law was great!"

- Angelique Howard (University of Florida)

"Justice Alan Lawson's discussion with the SUG participants was inspiring and eye-opening."

– Lauren Reed (University of Central Florida)

"I enjoyed hearing about the complexities and all the different responsibilities the Florida
Supreme Court has."

– Karista Colwell (Emory University)

# THE HISTORICAL SOCIETY CREATES JUDICIAL MEMBERSHIP OPTION AND JUDGE FLOWER JOINS HISTORICAL SOCIETY BOARD OF TRUSTEES

BY JUDGE GARY FLOWER



Justice William Ellis's portrait. Justice Ellis's memoirs, personal scrapbook, and the engraved gavel that he received commemorating his term as President of the Florida Bar Association while serving as a Florida Supreme Court Justice were donated by his great-granddaughter Cathy Berry, a Jacksonville attorney, to the Florida Supreme Court Historical Society to be part of the Supreme Court's archive collection.

A strong and independent judiciary is the cornerstone of American life. In my office, in my chambers and in my courtroom, I have found that the craft of judging well depends on fair and measured decisions grounded in consistency. It allows us to foster an environment of mutual respect where those who come before us learn to trust in the judiciary and grant us the authority we have over everyday life to maintain our judicial independence. Strength and independence should be earned and not taken.

With these principles guiding my thoughts and actions, I hope that I can convey the great honor it is to have been selected as a Trustee of the Florida Supreme Court Historical Society, an organization of incredible honor and professionalism, along with the commitment to preserve our judicial system's rich history while also warranting its distinguished future.

During my time at Stetson University College of Law, I had the pleasure of working alongside Cathy Berry. I soon learned that her great-grandfather, Justice William Hull Ellis, served on the Florida Supreme Court from 1915 through 1938.

While Cathy never had the chance to meet him, Justice Ellis still managed to impart to her his intensity and concentration for doing what is right and just. He helped shape the judiciary into one where equality is not just expected, but demanded, and his family's donation of his memoir continues to influence our judicial system as we move toward tomorrow.

While I will not pretend to contemplate that my contributions to the Bench will approach those of Justice Ellis, I hope that I too can pass on a legacy that inspires others to gather and compile pieces of our past so that we can better attend to the community we have committed to serve.

I fill my office with vestiges of our past, Civil War relics found beneath the Courthouse here in Jacksonville, or books with photographic evidence of our country's wars and triumphs.

It reminds me that society as we know it is not a given, and unless we defend the judiciary with decency, we risk falling into the voids of time where our existence will amount to nothing more than a footnote to someone else's story.

It is my hope that my service as a Historical Society Trustee will allow me to contribute to the advancement of the Society's many vital programs that preserve the long and proud history of the Florida Supreme Court. Those of us on the Bench have been given a unique opportunity to be members of this organization, and I am greatly appreciative of the Florida Supreme Court Historical Society's efforts to further enable and inspire members of the judiciary to participate. I will encourage my colleagues to share this opportunity with me and take advantage of the lower dues that the judiciary now enjoys.

I look forward to my time as a Trustee of this great organization, and I am humbled by everyone's confidence in me.



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It is with the support of these outstanding individuals that allows the Historical Society to fulfil its mission. You are invited to join the Historical Society and your colleagues in the support of our mission to preserve the important and rich history of the Florida Supreme Court. To become a member go online to <u>FlCourtHistory.org</u> or join on your Florida Bar Dues Statement.

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Your tax-deductible membership will play an essential role in funding our mission of preserving important judicial documents of the past Justices as well as properly honoring the incoming Justices and their individual robing ceremonies along with other vital programs and projects that include...

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- Sponsoring of the Investiture Ceremony receptions for the incoming Justices
- Commissioning the Official Portraits of the all of the Justices
- Publishing of the Historia Juris Newsletter & FL Supreme Court Historical Society Review
- Ongoing efforts to acquire significant artifacts from the history of Florida's Supreme Court
- Learn more at <u>FlCourtHistory.org</u>

# Please show your support for honoring Florida's Judiciary by joining at one of these options:

- o \$500 One-year Historical Society Contributor Membership
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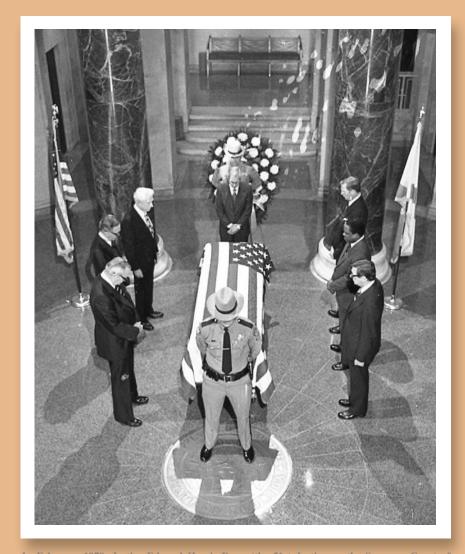




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# A MOMENT IN TIME



In February 1978, Justice Edward Harris Drew (the 51st Justice on the Supreme Court of Florida) lied in State in the rotunda of the Supreme Court as the current Justices paid their respects (clockwise starting at the top) Justices Arthur J. England, Jr., Alan C. Sundberg, Joseph W. Hatchett, Frederick B. Karl, Ben F. Overton, Parker Lee McDonald, and Joseph A Boyd, Jr.