



The Circuit Times

Volume II, Issue II

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Points of Interest:

- New Judges
- Judge Brodie
- JACS
- Justice Teaching Initiative
- Court Manager Training
- International Visitors
- Probation
- Lee Jail Expansion
- Pay Equity

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Judges Mark Steinbeck & Gagliardi Sworn in by Justice Cantero

On November 17 in a ceremony held in the historic Lee County Courthouse, Florida Supreme Court Justice Raoul G. Cantero, III swore in Judge Mark A. Steinbeck as a Circuit Judge and Judge Josephine M. Gagliardi as a Lee County Court Judge in the 20th Judicial Circuit.

Judge Steinbeck became the twenty-fifth circuit judge in the 20th Judicial Circuit when he was appointed by Governor Jeb Bush to fill one of the circuit court positions created by the legislature in the December, 2005 special session.

Judge Steinbeck earned his B.A. degree from Mercer University in 1970. Upon completion of his Army ROTC program in 1971, he was commissioned as an active duty officer. While on active duty, Judge Steinbeck attended law school on an Army merit scholarship and received his Juris Doctor in 1976 from the Walter F. George School of Law at Mercer University. Judge Steinbeck served as an Army JAG officer from 1976 though 1991 when retired from the Regular Army.

Prior to his judicial appointment, Judge Steinbeck was in private practice as a civil litigation attorney with the Fort Myers offices of Peper, Martin, Jensen, Maichel and Hetlage, a Missouri law firm, and the Fort Myers offices of Roetzl & Andress, an Ohio law firm. In 2000, Judge Steinbeck was appointed to a position with the United States Department of Justice as an Assistant United

States Attorney in the Middle District of Florida, where he served until his appointment to the Circuit Court, 20th Judicial Circuit, in April of 2006.



Justice Cantero administering the oath of office to Judge Mark A. Steinbeck and Judge Josephine Gagliardi

Judge Gagliardi was appointed by Governor Jeb Bush to fill the position vacated by the appointment of Edward J. Volz to the Circuit Bench. At that time, she was serving the Twentieth Judicial Circuit as a Magistrate hearing Domestic cases, Baker Acts and Department of Revenue matters.

Judge Gagliardi began her legal career with Florida Rural Legal

Services and since 1990 she worked as a sole practitioner. She is twice the recipient of the Florida Bar's President's Pro Bono Award and she has served as president for the Lee County Bar Association, the SW Florida Federal Bar Association and the Lee County Association for Women Lawyers. She is active in her church, the United Way, the Boy Scouts, and Rotary South.

Judge Gagliardi earned her bachelor's degree from the University of Pittsburgh and her JD from Antioch School of Law. She is married and the mother of twin sons. She is fluent in the Spanish and Italian languages.



Judge Brodie Recognized

Selected 2007 Distinguished Judicial Service Award Recipient

Circuit Court Judge Lauren L. Brodie has been named the recipient of the 2007 Distinguished Judicial Service Award. The award will be conferred at a January 25 ceremony at the Florida Supreme Court.

Judge Brody came to the Twentieth Judicial Circuit by way of Miami Dade County, where she served as a County Court Judge from 1991 – 1994 and a Circuit Court Judge from 1995 until 1998. Judge Brodie served the Twentieth Judicial Circuit as a Senior Judge from 1991 – 2001. In 2002 she returned to the Circuit bench in the Twentieth Judicial Circuit as a full time sitting Circuit Judge. Since her assignment to the Twentieth Circuit's Juvenile Delinquency/Dependency Division and the Family Division nearly three years ago, Brodie has committed herself to rebuilding the Collier County Juvenile Justice Council.

When Brodie turned her attention to the Collier County Substance Abuse Coalition, she did so with a targeted mission of decreasing juvenile substance abuse through increased education and prevention services. At her direction, she arranged for the newly created and integrated coalition to receive training from the State of Florida Counter-Drug Training Academy. She also is credited with creating a collaborative environment where law enforcement, school administrators, mental health and



Circuit Judge Lauren L. Brodie
2007 Distinguished Judicial

medical providers, business leaders and parents are able to unify a community response.

During her tenure, Brodie has been instrumental in expanding much-needed resources for troubled youth and their extended families. With her emphasis on collaboration, the Juvenile Assessment Center made significant strides forward serving the needs of Collier County youth.

Brodie devotes between 15 and 20 hours each week to the Juvenile Justice Council and the Substance Abuse Coalition. By example, she encourages members of the local bar to

participate and contribute on a pro bono basis to the success of both organizations.

Judge Brodie offered these thoughts on the news of her selection for this award: "I am extremely honored and humbled by being selected as the

"I am extremely honored and humbled by being selected as the recipient of the 2007 Chief Justice's Distinguished Judicial Service Award".

recipient of the 2007 Chief Justice's Distinguished Judicial Service Award. Serving as Chair of the Juvenile Justice Council and creating the Substance Abuse Coalition was a way in which I could contribute to the improvement of the administration of justice in accordance with Canon 4(B) of the Code of Judicial Conduct. As the judges' teaching program and other statewide initiatives are created, judges are in a unique position to teach and educate the public on a myriad of topics. Little did I know that my desire to help others avoid the emotional and personal difficulties that I have endured would result in this award presentation."



JACS Instituted in Lee Family Court

The Twentieth Circuit recently purchased the JACS (Judicial Automated Calendaring System) Calendaring System. The vendor customized the JACS calendaring system to fit the needs of the growing Family Law Division. The JACS calendaring system integrates with the current Family Court case Management system and in the near future will interface with the Lee County Clerk's Odyssey system. This integration provides valuable information retrieval capabilities and an important communication link between departments such as the Magistrate,

Judiciary, Family Court Services and Mediation. The JACS program offers many features such as docket reporting, case information, scheduling hearings, search capabilities and a work flow management piece. JACS enables each calendar owner to customize the appearance of their calendar on screen as well as create customized reports. The JACS system enables Family Court Services and the Magistrates to coordinate the next event in cases without the need to even pick up a phone. There is less manual intervention in creating

weekly dockets as well as the ability to quickly search the calendar for the next available date for scheduling events. The JACS system provides users with multiple easy to read views such as weekly, monthly and a daily view of their calendar as well as other users calendars. Calendars may be color coded by users for ease of reading.

As the technology department continues to work with the Family Division to help and enhance their process we hope the JACS system can be deployed to the rest of the divisions and counties.



Chief Justice Lewis' Initiatives

Reprinted from "The Full Court Press"

Emphasizing the importance of "the team" as opposed to the "me or I" in his closing remarks at the June 30 passing of the gavel ceremony, Chief Justice R. Fred Lewis articulated his priorities for the next two years, many of which will depend upon collaboration and cooperation among justice system partners. Among his most pressing interests, he asserted, are an open and operational court system in the face of whatever emergencies may occur, whether weather-induced or virus-based; the continued application of technology founded on "values-based judgment"; an improvement in the management of complex cases; greater interaction between the bench and the bar; the standardization of jury instructions for business and contract disputes; continued implementation of unified family court; a mechanism for evaluating judges; a permanent, statewide justice teaching initiative; statewide diversity and sensitivity training for judges and court personnel; and greater ADA compliance in the courts.

It is not unusual to witness heightened judicial activity within the first few months of the passing of the gavel, for new chief justices invariably have weighty judicial concerns that they would like to see addressed during their two-year tenure. Not surprisingly, then, within three months of the gavel ceremony, Chief Justice Lewis signed over 20 administrative orders (AOs), many of which deal with the issues he enumerated on June 30 (AOs are available online). Several focus on technology (the Appellate Court Technology Committee; the Florida Courts Technology Commission), on technology as it relates to privacy and access to court records (Committee on Access to Court Records; Implementation of the Report and Recommendations of the Committee on Privacy and Court Records; Interim Policy on Electronic Release of Court Records), and on families and children (Standing Committee on Families and Children in the Court; Task Force on Treatment-Based Drug Courts). In addition to these are many others, several of which invite particular attention and will be addressed in the

following pages: two of these AOs create new committees; one creates a new board; and one renews and redirects a committee that was established in 2004 by the former



In creating the Select Committee on Justice Teaching, the chief justice's overarching goal is to "promote an understanding of Florida's justice system and our laws, develop critical thinking abilities and problem solving skills, and demonstrate to students the effective interaction of our courts within the constitutional structure."

chief, Justice Pariente.

Because the process of selecting judges in Florida is "impacted by multiple sources and forms of information and at times is vulnerable to misdirection from the core value of a non-partisan, impartial judiciary"—and because "The need for proper evaluation is critical for public trust and confidence in the administration of justice"—Chief Justice Lewis created the Committee on Judicial Evaluations by AO on September 15, 2006. Chaired by Judge Peter D. Webster (First DCA), this 21-member committee consists of eight judges, eight Florida Bar members, and five lay members; Justice Quince is the Supreme Court liaison. The committee is responsible for studying "proper methods, processes, elements, and systems of judicial evaluation" and for providing "recommendations as to the creation of a proper system, process, and criteria for the evaluation of judges." As a result of the work of this committee, the people of Florida will have an equitable and sound basis for knowing who their judges are. The chief justice's goal is twofold: to keep unfit judges off the bench but also to protect from baseless

attack those judges who do their jobs competently.

Civics education is another of the chief's passions. In his passing of the gavel address, Chief Justice Lewis stressed that the "cornerstone of the next two years will be justice teaching," and he vowed to create a "permanent, statewide structure for reaching out to every school in Florida," through which "We're going to form the most comprehensive approach to support civic education that's ever been attempted." Thus he established the Select Committee on Justice Teaching by AO on July 24, 2006. The chief justice chairs this 30-member committee, which will work in conjunction with "attorneys, court managers, superintendents, school districts, boards of education, teachers, school administrators, the Florida Law-Related Education Association, and other appropriate organizations" to advise the Court about the elements necessary for successfully navigating educational programs about our legal system 9 Program, recently authorized by the legislature; and to the Standing Committee on Fairness and Diversity, effective September 8, 2006, which addresses the chief's drive for diversity and sensitivity training for judges and court personnel as well as for ADA compliance in the courts—specifically with regard to facilities access. Background on and the charges of both of these AOs are detailed in the following two articles.

The lynch pin of all Chief Justice Lewis' initiatives will no doubt be the partnership-based, collaborative efforts of everyone who is involved in the justice system—and, in many cases, as with the Justice Teaching Program, the confederation will be considerably more far ranging than that. And the reason for these widespread alliances? The chief said it best himself: "We are all connected in our search for visions of justice," as he affirmed in his passing of the gavel address: "We pledge to work diligently together so that justice is a reality for all of us."



Court Management Training Program

By Roseann Brown

In early 2005, the 20th Judicial Circuit Court established a Court Management Training Program (CMP) through a partnership with the National Center for State Courts, Institute for Court Management (ICM). The Circuit has partnered with ICM to make the national level Court Management Training Program available to managers, judges and staff locally; thereby reducing costs of travel and enhancing the skills of current and future court managers and leaders in the 20th.

The Court Management Program (CMP) consists of two phases that address the training needs of mid-level court managers.

Phase 1 courses include:

- Fundamentals of Case flow Management
- Human Resources
- Court Technology
- Court Performance Standards
- Managing Court Financial Resources

The five courses of CMP's Phase 1 develop participants' knowledge, skills and abilities in case flow management, information technology management, the Court Performance Standards, fiscal management and human resource management.

Phase 2 - The Concluding Seminar:

This weeklong course combines elements of leadership, management techniques, and specific court issues in a program that provides participants with the necessary knowledge, skills and abilities to achieve their professional goals as court managers. Incorporating nationally recognized articles and books on leadership, management and court issues, this course will expand upon and integrate court management competencies identified in the NACM Core Competencies. Participants will build upon the Phase 1 foundational courses and explore the roles and purposes of courts; deal with the concepts of judicial independence and



Participants in the ICM Criminal Case Flow Management held October 18—20 at the Holiday Inn Bell Tower.

interdependence; become familiar with various leadership and management theories as they apply to courts; take time to recognize and appreciate their own conceptual and interpersonal skills, as well as those of others; develop new teambuilding techniques;



Our instructor, Chris Crawford

and through interactive group work, understand the importance of good



Working on a group assignment during break.

communication as they move to higher levels of critical thinking. The Concluding Seminar culminates in a formal graduation ceremony and the awarding of CMP certificates.

The Phase 2 seminar is built around the following three areas and topics:

- Introduction to Leadership: Strategic Planning, Leadership Styles and Empowerment, Learning Styles, Communication, Situational Leadership, Critical Thinking, and Ethics of the Court Manager.
- Management Techniques: Team Building, Employee Enhancement, Empowerment and Delegation, Change and Innovation, Court Improvement Projects, Conflict and Crisis Management, and Project Management and Planning.

- Court Issues: Purposes and Powers of Courts, Judicial Independence and Interdependence, Courts and the Public, Courts and the Media, Court Security, Jury Management, and New Court Technologies. Develop critical thinking skills needed to plan and implement court improvement activities; use appropriate decision-making models; and present ideas, opinions, and facts in a variety of ways. Discuss the need to exercise strong leadership through example and according to ethical principles.

We are in the final stages of Phase 1 of the Court Management Program (CMP). Our last of the five core courses, Managing Court Financial Resources, will be held on March 5-7, 2007.



South Korean Judges visit the 20th

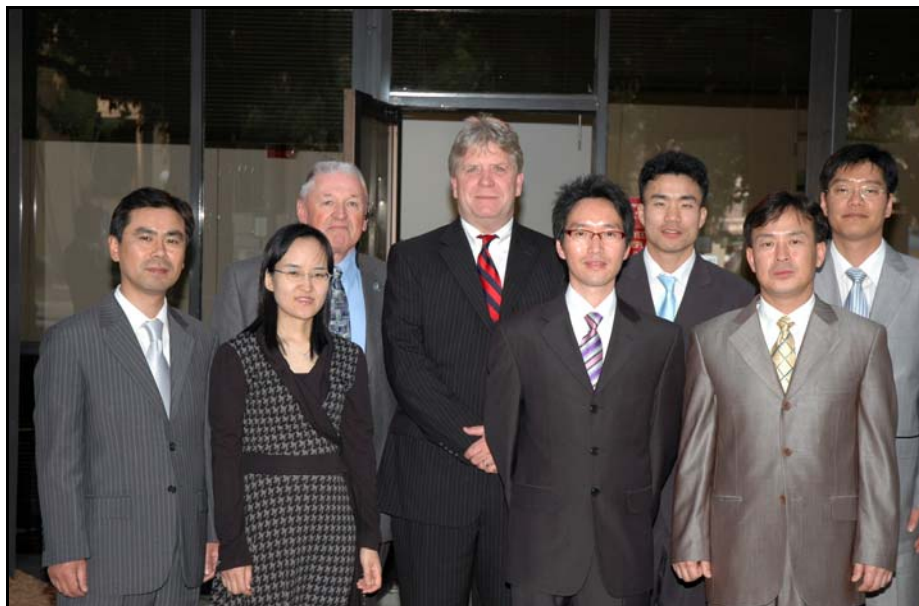
By the Honorable Margaret O. Steinbeck

At the request of the National Center for State Courts, the 20th Judicial Circuit was pleased to host a one-day visit from a small delegation of South Korean judges and court administrators on Wednesday, December 20, 2006. The delegation was comprised of four District Court Judges and two court administrators, led by Presiding Judge Choi, Kyuhong, of the Seoul Eastern District Court. Under the able guidance of our Chief Deputy Court Administrator Rick Callanan, and Deputy Court Administrator Ken Kellum, the delegation had an opportunity to tour the courthouse and observe several court sessions.

After a brief orientation, which included a windshield tour of the Edison/Ford Estates en route from their hotel, the delegation saw what could only be described as “volume” case processing for youthful offenders in Juvenile Delinquency Court, with Circuit Judge Mark A. Steinbeck presiding. The delegation then observed the team meeting and court appearances for adult criminal defendants in Felony Drug Court, with Circuit Judge R. Thomas Corbin presiding.

The delegation also had an opportunity to tour our court administration offices, and the Lee County Clerk of Court offices, and spoke with several of our judges, court administrators and deputy clerks. They were especially interested in the clerk’s court records imaging system.

The delegation was fascinated by the Criminal Felony jury trial they observed, with Circuit Judge Lynn Gerald presiding. Indeed, many of the questions the Korean judges asked during a roundtable discussion with a number of our 20th Circuit judges focused on our jury trial process. There are presently no jury trials in Korea. Our visitors explained that they are considering implementing a jury trial system for criminal cases in their courts. The Korean judges were therefore interested in our process for selection of jurors, as well as the types of issues submitted for jury consideration. Both the Korean and American judges participating in the roundtable discussion agreed that our jury system promotes public trust and



Korean delegation led by Presiding Judge Choi Kyuhong with Chief Deputy Court Administrator Rick Callanan and Security Chief Jim Ross

confidence in the courts.

Korea has traditionally been a



Judge Steinbeck leads a discussion of civil trial procedures.

The delegation was fascinated by the Criminal Felony jury trial they observed,



Sandi Sauls, Lee County Clerk of Courts Civil Division Supervisor explains the clerk’s imaging project to the Korean delegation

highly non-litigious nation, and we understand that Koreans frequently choose to resolve conflicts in private without legal action. Accordingly, while our jury trial process was of great interest to the Korean judges, our judges, especially those in the Unified Family Court, were interested in learning from our Korean colleagues’ experience with mediation and other non-judicial dispute resolution.

The visit was a learning experience for us as well as our new friends from across the Pacific and we were honored to be selected as a host court.



Probation Making Strides into the Future

By Scott Wilsker

The Lee County Board Of County Commissioners established the Lee County Probation Department in 1975; over the past thirty years the Department has evolved with the needs of the community. Currently, two innovative programs are being developed to better meet the changing needs of the community.

Experience has taught that not all offenders need the same type or amount of supervision to successfully complete their probation. Applying the concepts of differentiated case management, clients entering the probation program will be assessed and assigned to different tracts according to the type and amount of supervision required. Probation officers will have specialized caseloads of offenders who share similar characteristics in terms of offense and or personal attributes. Depending on the type of cases, some probation officers will have a reduced caseload, which will permit a greater

level of supervision and more frequent contact with the client. Specialization reduces role conflict by permitting Probation Officers to focus on a particular task, population or groups of populations. I

The second program is designed to reduce the number of revocation hearings for technical violations. Two Enforcement Officers will conduct Administrative Review Hearings approximately 90 days into the client's probationary period in an effort to reduce the number of revocation hearings for technical violations that come before judges.

The Enforcement Officers role is to motivate, encourage, and assist probationers to successfully complete their probation. Probationers who have medical or financial hardships, which may impede their ability to comply with the conditions of their probation will be identified in the early stages of their probation.

Enforcement Officers will meet with as many new probationers as possible following sentencing. They will also meet with all new probationers at the regularly scheduled group instruction on Friday Mornings. At that time, each probationer will be given a date for an Administrative Review Hearing in approximately 90 days. At the Administrative Review Hearing, the Enforcement Officers will review the conditions of probation with the probationer and develop a compliance plan to assist the probationer to complete the conditions of probation as ordered by the Court. Follow-up Administrative Review Hearings will be scheduled as needed on a case-by-case basis. The Enforcement Officers will work closely with each client's probation officer to achieve a successful probation.



Core Facility Expansion Project

In recent years, the Lee County Sheriff's Office has experienced significant growth in its inmate population. Average daily population figures show an increase from 17 to 24 percent from previous years. On a typical day, the department must house over 2000 inmates in the department's four facilities with a cumulative capacity of 1635 beds. Those four corrections facilities include the County Jail (maximum security, downtown Ft Myers) and three facilities at the Ortiz Avenue campus... the Core Facility (maximum security), the Stockade (medium security) and the Community Programs Unit (minimum security).

Reasons for this rapidly growing inmate population are numerous. Rising county population-28,000 move to Lee County each year, additional businesses are started to meet expanding consumer needs, increased; work force, a more proactive law enforcement bureau and an



Sheriff Mike Scott, Commissioner Tammy Hall, State Attorney Steve Russell & Public Defender Robert Jacobs turn the first schovel of dirt for the Core Expansion Project

overburdened judicial system are all key factors in this dramatic rise.

This project is an eight story addition to the existing Core Facility. 768 new beds will be added to the Core Facility, 384 as Indirect Supervision Beds configured in two

person cells and 384 Direct Supervision Beds in Dormitory style housing. Additionally, an Infirmary able to house 26 Inmates and a High-Risk Supervision Unit able to house up to 30 Inmates will be provided. The structural frame will be pored concrete and the exterior of the building will be clad in pre-cast concrete panels to match the existing facility. The expansion cost \$52,790,650. The current Core Facility has 448 beds.

When completed, the current 600+ inmates housed at the Stockade will relocate to the new building. The Stockade, the oldest of the four facilities, will be demolished. Planning is already underway for additional housing to be constructed in its place.



Pay Equity top priority for courts

By Mark D. Killian

Managing Editor—Reprinted from "The Florida Bar News"

The court system's top legislative priority this year is to bring judicial branch employees' salary and benefits in line with those paid executive and legislative staffers.

Ninth Circuit Chief Judge Belvin Perry, Jr., chair of the Trial Court Budget Commission, told the House Committee on Courts in January that the compensation disparities must be corrected in order for the court system to attract and retain quality staffers.

"This is limited to court employees and court employees alone - it does not deal with judges," said Chief Judge Perry, who was briefing the committee on the court system's funding needs as a late fill-in for State Courts Administrator Lisa Goodner.

Perry said a recent OSCA study found that 74 percent of court system employees made 12.4 percent less than paid comparable executive branch employees. The gap grows to 13 percent when compared to salaries paid legislative branch staffers and other similarly

situated employees of local governments. That, Perry said, has led to turnover and hiring problems.

"You don't get your first choice; you don't get your second choice; you get your third choice, fourth choice, and sometimes your fifth choice - and they don't stay long," said Chief Judge Perry, noting as an example that in the 11th Circuit, nine staff attorneys left for better paying positions with other government agencies in the past 18 months.

Perry said it will take an additional \$12.9 million to increase pay grade minimums to address the non-competitiveness and boost current employees' salaries to compensate for pay inequities.

Another \$1.6 million is needed to provide 563 judicial branch staff attorneys and 93 senior managers with the same benefits enjoyed by 16,000 other similarly situated state employees, including 100 percent paid health, life, and short-term disability insurance, Perry said.

The courts are also asking for another \$232,000 to address inequities in retirement benefits for 93 senior managers, many of whom lost those benefits when they went from being county employees to court system workers during the implementation of Revision 7.

"There is definitely something that is not even when it comes to competitiveness in the workforce, and hopefully we can address that this year," said Republican Rep. John Quinones, a practicing lawyer from Kissimmee, who added he has first-hand knowledge of good employees leaving the judicial branch for better paying positions and the negative impact it has on the courts.

"I, too, see the employees leaving and the effect that it has," said Rep. Perry E. Thurston, Jr., a Democrat who practices in Ft. Lauderdale.



Public Safety Management

By Editor

Terrorism is just one factor that has made our world today very different than it used to be, especially for law enforcement, firefighters, and emergency medical services. Even on a day-to-day basis, today's public safety professionals are expected to grasp current social problems; to work with citizens from various cultural, racial, and socioeconomic backgrounds; and to professionally deal with people who have differing attitudes about the law.

Leaders have recognized the need for a higher level of education for those who lead public safety organizations. Several organizations, including the National Advisory Commission on Criminal Justice Standards and Goals, have called for a minimum education level of a four-year college degree for public safety professionals.

Edison College is meeting the need in our community by establishing its first four-year degree, the Bachelor

of Applied Science in Public Safety Management. The inaugural class began last August with 36 local students admitted to the program. They are learning from one of the best, Dr. John Dunaway. Dunaway not only has a decade of teaching experience, he also has more than 30 years experience as a law enforcement executive, risk manager, and security chief.

"This degree will provide students with the genuine theoretical grounding that a baccalaureate program provides in terms of education," Dunaway says. "But it's also an applied degree meant to produce practitioners, not academics, who can move their agencies forward as they advance through the ranks."

Earning a Bachelor's degree develops the important skill of critical thinking, as well as intellectual curiosity, analytical ability, the ability to articulate ideas, and a capacity to relate the events of the day to the

social, political, and historical context in which they occur.

Edison's Bachelor of Applied Science in Public Safety Management is designed as a path to advancement in the public safety profession, both for individuals and the agencies they serve.

"The increasing complexity of security issues, growing seasonal and year-round populations, and increasing agency interdependence require qualifications far beyond technical and on-the-job training," says Edison College District President Dr. Kenneth Walker. "We developed this program in cooperation with leaders from 61 separate fire, EMS, and criminal justice agencies in southwest Florida, to create a course of study that is both relevant and practical to the world we live in today."



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State Attendance & Leave Goes Hi-Tech

by Sharon Suhar

The Office of the State Courts Administrator (OSCA) has developed a web based paperless system to track leave and attendance for state funded employees and judicial assistants. OSCA has piloted the system and is now ready to roll it out to the Circuits.

Here in the 20th we are eager to move to this system that we believe will improve the efficiency of recording attendance, leave, and requesting time off. The new system will enable employees to input leave used, keep track of their hours and make modifications as necessary during that payroll period with the supervisor's approval. It will also allow for electronic submission of leave requests. Once the pay period ends the employee will electronically submit the time sheet to their supervisor for electronic approval. Employees will receive an email informing them of the supervisor's approval.

Our goal is to offer training sessions and begin to use the system in early 2007. Human Resources will keep you informed as we progress towards implementation. To help us prepare for the move to the electronic system we are asking that all state funded employees bring their timesheets up-to-date to ensure an accurate and smooth transition. When you receive your annual report in February, please review it carefully and immediately inform Human Resources of any discrepancies.

County funded AOC employees will continue reporting attendance and leave in the usual manner.



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