



The Circuit Times

Volume I, Issue I

December 2004

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- Storm Charley Aftermath
- Changes in the Judiciary
- Judge Hardt
- Pretrial 24/7
- Electronic Court Recording
- Lee Justice Center Expansion
- 2005 Legislative Update
- Florida Prepaid College
- Promotions/New Hires
- Words from the Chief

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Surviving the Storms

Now that the holiday season is upon us, it is time to let out a collective sigh. Florida was the first state to experience the impact of five hurricanes and tropical storms (hurricanes Charley, Frances, Ivan and Jeanne and Tropical storm Bonnie) since Texas in the late 1880's. SW Florida and the 20th Circuit was either impacted or affected to some degree by all four hurricanes beginning with Charley on August 13.

Charley, Frances and Ivan resulted in closures of the Court in all five counties, however Charley inflicted the greatest damage causing the closure of the Charlotte County Justice Center for over a week. Damage to the Justice

Center itself was minimal, but the Charlotte County community was devastated. Power to the justice center was restored in about ten days and the Justice Center



Judge Hayes presenting a plaque to Judge Woodard for his service to the Charlotte Community in the aftermath of Hurricane Charley.

reopened for business on August 25.

While the Charlotte Justice Center was closed, Judge Wayne Woodard

worked tirelessly to keep the court running, doing first appearance, detention hearings and signing emergency orders. Chief Judge Hugh Hayes recognized his efforts with a plaque presented at the Lee County Bar Luncheon on November 4.

A word of thanks also goes out to all of the judges and court employees who worked during the storms to maintain order and keep the courts functioning and to aid their fellow workers and communities in a time of need to recover from these storms.



Around the Circuit

Much has been happening around the 20th. In addition to a busy storm season, Revision 7 changes went into effect on July 1. This meant that many of our court employees moved from the county payroll to state payroll. It has also meant



Chief Judge, Hugh Hayes meeting with the Charlotte County Public Safety Committee regarding the expedited docket for Violation of Probation.

a change in the way we do business in many instances. Overall the transition has gone reasonably well.

This year has seen change in the judiciary. **Judge "Bill" Blackwell** retired in

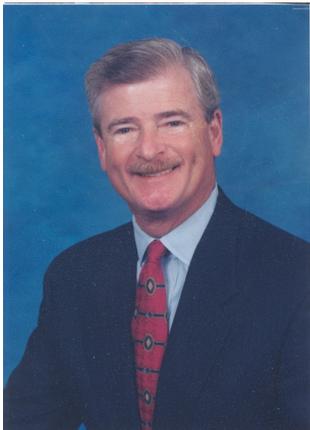
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Profile: Judge Hardt

Born in Highland Park, Illinois, Frederick R. Hardt was raised in Barrington, Illinois and Lake Geneva, Wisconsin.

Judge Hardt graduated cum laude from the University of Wisconsin in 1969 with a bachelor's degree in Accounting and Finance. He studied law at the University of Wisconsin Law School, where he was a member of the Wisconsin Law Review. Judge Hardt received his LLB in 1972. After graduation, he served in the Judge Advocate Generals Corps of the U. S. Navy as a prosecutor in special and general courts-martial for three years until his discharge in 1975.

From 1975 until 1983, Judge Hardt practiced law in Elkhorn (Walworth County), Wisconsin. He decided early in his career that he wanted to be a judge. In 1981, Judge Hardt made an unsuccessful run for the circuit court. "I guess it's a good thing I lost that election, because I never



Hon. Frederick R. Hardt

would have moved to Florida!" In 1983, he moved to Naples and opened a law practice. For the next 20 years he specialized in civil trial litigation with the Naples law firms of Hardt & Stewart and Roetzel & Andress. Judge Hardt is board certified by the Florida Bar as a civil trial lawyer and a business litigation attorney. He is also certified by the Florida Supreme Court as a circuit court civil mediator and arbitrator. Prior to his appointment to the Circuit Court by Governor Jeb Bush in December of 2003, Judge Hardt served as

Chairman of the Collier County Republican Party from 1992 until 2000 and as Republican State Committeeman thereafter until his appointment to the bench. Judge Hardt is active in the community. He served as President of the Pelican Bay Property Owner's Association (5 years); a Member of the Pelican Bay Municipal Services District Board (3 years); a Trustee, North Collier Hospital and Naples

Community Hospital (9 years); Director, Training and Education Center for the Handicapped (TECH) (6 years).

Judge Hardt is married to Pamela Flowers Hardt, of Dothan, Alabama, Miss Alabama 1975. They have three adult children: twin sons, Tyler and Bradley, and a daughter Laina. The family dog is a two year old Maltese named Penny.

Judge Hardt holds a private pilot's license with an instrument rating and in addition to flying enjoys sailing and golf.

On becoming a judge, Judge Hardt says "Service as a judge is the highest calling in the legal profession. Judges are public servants charged with the solemn duty to administer equal justice to all persons who come before them and to protect and defend the rights and privileges of all citizens guaranteed by the United States Constitution and the Florida Constitution." The part of being a judge that he likes best is "helping people to resolve their disputes." His least favorite responsibility: "deciding child custody issues."

Judge Hardt is currently assigned as the Circuit Judge for Glades and  H e n d r y

Pretrial Services: 24/7 program proposed for Lee

Over the last seventeen years booking admissions in the Lee County Jail increased 87%. This increase dramatically impacts jail costs as well as every aspect of Pretrial Services. On November 8, Court Administration submitted a proposal to the Lee County Board of Commissioners for transition of the Lee County Pretrial Services department to 24 hours, 7 days a week operation. The proposal has been well received and when approved the Lee County Pretrial



Juan Ramos discusses the 24/7 Pretrial Services proposal for presentation to the Lee County Board of Commissioners with Liza Maldonado and Yazmin Ravera.

Services department will become an integral part of the booking process. Inmate interviews will be conducted as a part of the booking process. The 24/7 program will enable Pretrial Services to improve service delivery to the citizens, the Courts, and other criminal justice agencies.



Electronic Court Recording

For several years, the 20th Judicial Circuit has faced the challenge of ensuring sufficient court reporters are available for court proceedings required by State statutes or court rules. Court reporting schools are closing, and the number of court reporters has steadily declined at a time when caseloads are growing at a rapid rate. Other circuits throughout the State have reported similar problems.

Recognizing the critical nature of these circumstances, the 20th Judicial Circuit evaluated and selected CourtSmart® a state-of-the-art digital recording system marketed by CourtSmart Digital Systems, Inc.

Beginning in November of 2002 the CourtSmart® system was installed in two courtrooms in Hendry County, a single courtroom in Glades County, seven courtrooms in Collier County, twenty-eight courtrooms and hearing rooms in Lee County and six courtrooms in Charlotte County. When Charlotte



Electronic Court Recording

County comes on line in early 2005, deployment of the system will be complete.

The quality of the digital recordings is excellent; and is easily transcribed. Each court event is recorded simultaneously to dual servers and archived to DVD discs. This redundancy ensures both the accuracy and preservation of the record.

The digital court recording system incorporates some unique features. Among them are playback and simultaneous recording; the

ability of the presiding judge to make and retrieve private notes as well as the audio portion of a proceeding and the immediate availability of court proceedings on CD at the end of each day at a low cost.

Experience with the system in has demonstrated a reduced need for the production of transcripts and a reduced requirement for court reporter appearances resulting in a significant reduction in court reporting cost.

The 20th Judicial Circuit is fortunate to have the support of the Counties in responding to this critical need. Explosive population growth in SW Florida, the associated growth in caseload, and a growing demand for fiscal efficiency dictate that we step out of the past and look to the future for solutions. Digital Court Recording is a milestone in our efforts to meet the demands of growth, improve accuracy, and function with greater efficiency.



Around the Circuit

(Continued from page 1)

January. However he is not entirely gone from our midst. He now serves the 20th as a Senior Judge.



Hon. John E. Duryea, Jr.

Lee County Judge **Frank Porter** was appointed to the Circuit bench to fill the vacancy

created by Judge Blackwell's retirement and **Judge Fred Hardt** was appointed to the Circuit Bench to fill the vacancy created by the untimely death of Judge William Nelson.



Hon. Maria E. Gonzalez

John Duryea was

appointed to the Lee County bench to fill a vacancy created when Judge Chappell accepted an appointment as a Federal Magistrate. **Maria Gonzalez** was appointed to the Lee County Court Bench to fill the seat vacated by Judge Frank Porter.

On the retirement front, Chief Deputy Court Administrator **Dick Hallam** and Chief Fiscal Officer **Dick Kuhn** retired on June 30.

There have been numerous accomplishments and changes among the court staff. **Sharon Randolph**, a senior probation officer in Collier County, was selected to present a paper on "Contemporary Cults" at the 2004

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Around the Circuit cont.

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Academy of Criminal Justice Sciences in Las Vegas. **Sharon's** talk on the similarities between cult organizations and criminal defendants was well received. Sharon also earned a Masters in Criminal Justice from International College in June.

Juan Ramos and **Danny Hornbeck** received their Masters in Public Administration from FGCU in June. **Juan** has been promoted to Chief Pretrial Officer in Lee County. **Danny** is the Indigency Examiner/Pretrial Officer in Collier County.

New Faces: **Rick Callanan**, came on board in August as Chief Deputy Court Administrator. **Brenda Geissman**, was promoted to Electronic Court Reporting Supervisor for the 20th. **Paul Ackerman** has been promoted to Computer Network System Engineer. **Joyce Brown** was promoted to Administrative

Assistant II in the Collier Magistrates' Office. Other new faces in the 20th include: **Bryce Smink**, Mediation Services Coordinator, Collier County; **Sarah Mabery** and **Charles Denton**, Staff Attorneys, Collier County; **Linda Houston**, Pretrial Officer, Lee County; **Alicia Hutchinson**, Administrative Assistant in the Family Law Resource Center, Lee County; **Nancy Figueroa-Ibanez**, Secretary III, Collier County Court Administration; **Wilfredo Pagan**, Security Representative Trainee, Lee County; **Heather Box**, Administrative Assistant, Family Law Resource Center, Lee County; **Melissa Smith**, Secretary III, Lee County Probation Office.

On November 9, a



Judges from Orange County, California toured the Charlotte County Justice Center in November.
Left to right: Judge Marjorie Laird Carter, Judge Andrew Banks, Judge Kim Dunning and Judge Gerald Johnston.

delegation of judges from Orange County California visited the Charlotte County Justice Center as part of a tour of court facilities across the country seeking ideas and design concepts for a new justice center to be constructed in Orange County.



Lee County Justice Center Expansion



A committee of Lee County Judges meets regularly with Kevin Williams of BSSW Architects, Dan Wiley of Dan Wiley & Associates, Caron Jeffreys, Court Administrator and other staff members to review the planning and design of new court facilities.

In an effort to jump ahead of the growth curve, Lee County has

undertaken an ambitious project to expand and remodel the Lee County Justice Center. The project includes the recent acquisition of the SunTrust Bank Building at a cost of \$17 million, the closure of Heitman Street between MLK Blvd. and Main Street, demolition of the Heitman Street Building to make room for the construction of a new ten story tower to house new courtrooms, office space for the judges and new holding facilities for prisoners, and extensive remodeling of the existing Justice Center to better serve the needs of the public.

Currently undergoing extensive remodeling, the SunTrust

Bank Building, now referred to as the Justice Center Annex, will house the offices of the State Attorney and Public Defender and the Lee County Law Library.

In the existing Justice Center, the first two floors will be remodeled to house the offices of the Clerk of Courts. The third floor will house court programs and services. The existing judges offices and courtrooms on the fourth and fifth floors will remain. Finally the sixth floor will be remodeled to house administrative offices and the staff attorneys. When completed, the total cost of the project is expected to top out at \$100 million.



HR: Are You Comfortable at your Desk?

Are you comfortable at your desk? Working at a desk on a computer can take a toll on your body. It can cause sore muscles, headaches, eyestrain, tension and fatigue. The good news is that you can do something about it.

There are three basic principles to keep in mind.

1. **Work in neutral postures**
2. **Move and change positions**
3. **Maintain good lighting**

Understand these basics and almost everything else on office ergonomics falls in place.

Work in neutral postures. Neutral postures are those in which your body functions

at its optimum-your muscles are balanced, you have the most strength, you have control over your movements.

Maintain the natural curve of the back. It is important to maintain the natural S-curve of the back, which essentially means keeping a slight “sway back.” Additional lumbar support is often helpful to maintain the curve in the small of your back.

Keep the neck in alignment. Understanding the neutral posture of the neck is fairly straightforward (no pun intended). As you would expect, neutral neck posture simply means not bending

or twisting.

Keep arms low and elbows in. The neutral posture for your arms is to keep your elbows at your side with your shoulders relaxed.

Keep wrists in neutral. It is important to keep the hand in the same plane as the forearm. Wrist rests are often helpful for this reason. Ideally, the hands should be angled slightly forward and in.

Next issue:

2. **Move and change positions.**



2005 Legislative Session

It's not too soon to start thinking about the next regular session of the legislature that begins on March 8. Bills are already being pre-filed and committees have begun to meet.

Some bills of interest filed in the Senate:

- SB 64: Relating to Guardianship
- SB 152: Relating to Alimony
- SB 172 & SB 174: Relating to Probation & Community Control
- SB 188: Relating to Sexual Battery on a Minor

- SB 214: Relating to Right to Speedy Trial
- SB 232: Relating to Emergency Management/ Counties

You can view these bills and others and keep up to date on the legislative session by logging onto Online Sunshine the official web site of the Florida Legislature at: <http://www.leg.state.fl.us/>



Plan Now for your children's education

Saving for college may seem overwhelming. But, like all your other financial goals, it is possible with the right plan.

With the [Florida Prepaid College Plan](#) you can lock in the cost of college tuition, local fees and dormitory housing at a public Florida university or community college – guaranteed! With the new Florida College Investment Plan,

you can save for your qualified college expenses, in Florida or out of state.

Sign up today online at www.florida529plans.com or call 1-800-552-GRAD (4723) to request an



Enrollment Kit and application. To lock in this year's Florida Prepaid College Plan prices, you must sign up by Monday, January 31, 2005. You can sign up for the Florida College Investment Plan at any time.

Start planning now! The earlier you start saving for college, the better.



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The 20th Judicial Circuit

American Heart Walk 2004

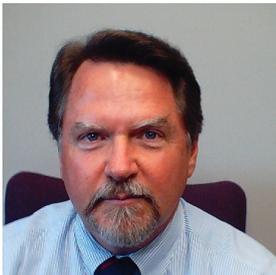


The 20th Judicial Circuit Team poses for a group shot prior to the start of Heart Walk 2004. Everyone made the entire 3.1 mile course.

Twenty-five co-workers, family and friends representing the 20th Judicial Circuit turned out to walk in the 2004 Heart Walk on Saturday, October 30 at Centennial Park in downtown Fort Myers. The walk covered 3.1 miles from Centennial Park over the Edison Bridge and back. Through your generosity the Circuit was able to contribute over \$1,250 to the American Heart Association. Thanks for a job well done.



From the Chief Judge



Greetings!

Now that we have substantially addressed Article V Revision 7 mandates (some unfunded), we are again initiating the "The Circuit Times" newsletter . . . the purpose of "The Circuit Times" is to inform, educate, entertain and of course keep everyone in the 20th Judicial Circuit connected. I know you will appreciate the newsletter, and we look forward to delivering it on a quarterly basis.

I would like to thank Court Administration for re-energizing "The Circuit Times," improving it's format, and making it a serious means of communication among the judges and staff of the 20th Judicial Circuit.

Chief Judge Hugh Hayes We encourage you to submit news worthy items, memoranda and information for consideration and potential publication in "The Circuit Times," including articles from our Clerks of Court, State Attorney's Office, Public Defender's Office, the Bar and law enforcement agencies throughout the 20th Judicial Circuit.

Finally, we would appreciate any criticism, constructive hopefully, as to what you would like to see included in your newsletter because we want this to be a primary resource for information and ideas within the 20th Circuit.

Please enjoy this edition and we look forward to your contributions and comments.

Respectfully yours,

Hugh D. Hayes

Hugh D. Hayes,
Chief Judge
20th Judicial Circuit