



# The Circuit Times

Volume Four

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## Judge Jay B. Rosman Takes Office as the Chief Judge of the Twentieth Circuit

by Rick Callanan

I am pleased to announce that Judge Jay B. Rosman began a two year term serving as the Chief Judge of the Twentieth Judicial Circuit on July 1, 2011.

Chief Judge Rosman brings a broad array of experience with him as he settles into his new role. He has been a member of the judiciary since 1986 serving first as a county judge and since 1992 as a circuit judge and he has sat as an Associate Judge on the 2d DCA three times.

As an attorney before being appointed to the bench he was in private practice handling a wide range of civil and criminal cases in a small firm. Prior to private practice he served as an Assistant State Attorney (here) and as an Assistant Public Defender.

He has taught at the graduate and undergraduate level teaching Business Law and Criminal Law Courses. He has taught law for the past 27 years at USF and Florida Gulf Coast University.

Chief Judge Rosman has a Master of Judicial Studies from the National Judicial College and presently is a Doctoral candidate, needing only to complete his dissertation for a degree.

He has received three awards while on the bench. First, an Outstanding Teacher award, the first time given to an adjunct, The Governor's Peace at Home Award based on research he did in Domestic Violence, and a Statewide award from MADD given for the student tours that were given while he was a County Judge to help prevent students from drinking and driving.

Chief Judge Rosman has had four law review articles published while on the bench, two dealing with domestic violence and one on juvenile crime. The fourth article on the return of jury trials in Russia was published last spring.

His wife Cathy is a partner in Naples with Roetzel and Andress, practicing in the area of civil litigation. They have been married for 28 years and have 3 children. They live in Bonita Springs.

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## Criminal Case Management Earns National Award

The National Association of Counties (NACo) conferred upon Lee County's Criminal Case Management program the NACo Achievement Award for 2011. The program was noticed for being an "effective and creative program...that promotes quality, efficient, and responsive management and administration". Criminal Case Management was first in the category of "Best Practices" and received an honorary mention for being "Best in Show". This is the third award the Court, and indirectly the county, has received from NACo in as many years. The first two awards recognized the AWACS system and eFirst Appearance system.

On July 20, 2011 a luncheon was held honoring the felony judges and case managers for their contributions to the development of Criminal Case Management. Also in attendance was retired Felony Judge Thomas Reese, long considered the co-architect of Criminal Case Management along with Trial Court Administrator, Rick Callanan.

## Twentieth Circuit in the Forefront of Dependency Court Improvement

by Judge Krier, Collier County

The Twentieth Circuit hosted a workshop on child safety decision-making for the Twentieth Circuit judges, magistrate and leadership of the various organizations and agencies involved in dependency cases. The Twentieth Circuit judges and magistrates have adopted this new decision-making model that is being promulgated not only nationally, but also by the Florida Dependency Court Improvement Panel and the DCF Dependency Workgroup, chaired by the Eleventh Circuit's Judges Jeri Beth Cohen and Cindy Lederman respectively. The Panel and Workgroup were formed to evaluate and make recommendations for improvements to the dependency system so that Florida can pass its upcoming Federal review. Failing this review for three consecutive years, will result in Florida losing a significant amount of child-welfare Federal funding. Florida's ability to keep children safe which includes improving their families' functioning, is dependent upon this federal funding. The Safety Decision Making model will improve outcomes for children and their families in dependency cases and also give Florida a better chance of passing the Federal review.

The Child Safety Decision-Making model was developed by judges and lawyers, and mental health and child development experts from the National Resource Center for Child Protective Services, the National Resource Center on Legal and Judicial Issues, and the American Bar Association. The goal of this decision-making model is to provide dependency judges and agency personnel with a method for better assessing safety risks to children who are in the dependency system as well as their families' strengths, and to effectuate a more efficient and effective path to permanent safe and improved family functioning. During the next six to twelve months, we will be planning and effectuating the integration of this model into the work of the various dependency agencies so that we are all using the same criteria in our cases. Consequently, not only will the Twentieth Circuit judges and magistrates be using this model in our dependency decisions, but we are expecting that dependency investigators, case managers, guardians ad litem, Citizens' Review Panel, and the various related evaluators will be using this model in performing their responsibilities and presenting information to the court.

Presenters at the recent Twentieth Circuit workshop included: Therese Roe Lund, MSSW from the National Resource Center for Child Protective Services; Attorney Jennifer Renne from the National Resource Center on Legal and Judicial Studies in Washington DC; Dr. Rita Cameron Wedding, Chair of the Department and a professor of Women's and Ethic Studies at California State University in Sacramento; and Katib Waheed,

M.Ed. who is a Senior Fellow for the Center for the Study of Social Policy and the Alliance for Racial Equity in Child Welfare in Washington D.C. The Lee County Guardian Ad Litem's Office donated the space for the workshop and we obtained funding for the presenters and administrative costs from the National Council for Juvenile and Family Court Judges and the American Bar Association.

In July 2010, Chief Justice Canady requested that Florida judicial circuits begin implementing the recommendations of the Dependency Court Improvement Panel. The Twentieth Circuit is one of the few Florida circuits at the forefront of implementing the Child Safety Decision-Making model. Our Circuit's advanced implementation is made possible because of the leadership of Dependency Judge Seals, the commitment of Dependency Judges Krier and Schreiber and the general cooperativeness of the agencies and organizations involved in our Twentieth Circuit dependency system.

## Dependency Judges Recognized by Guardian Ad Litem

Three Twentieth Circuit Dependency Court judges received Community Advocate Awards from the Florida Guardian Ad Litem (GAL) Foundation for working to implement Model Court

concepts in their circuit. Judges Beth Krier, Lee Schreiber and James Seals were individual recipients of the GAL award. The judges were recognized for their leadership and enthusiasm towards adopting the Model Court concepts committed to child safety which are key to successful outcomes for families and children. These judges held meetings and facilitated trainings in the counties in which they serve, providing a forum for education and planning.

Judge Krier and Judge Schreiber are nominees for the Gladstone Award this year. The Gladstone Award is bestowed upon a judge or magistrate who has shown a lifelong commitment to safe-guarding the welfare and dignity of children. Judge Seals was presented with this award in 2008.



Above (from lt. to rt.): Cynthia Schaefer, Voices for Kids; Judge Lee Schreiber; Alicia Guerra, GAL Chief Legal Counsel; Alan Abramowitz, GAL Executive Director for State of Florida; Judge Beth Krier; Judge James Seals; Claudia Volk, Supervising Attorney 20th Circuit

## Elementary Students Role Play in a Mock Trial

### *Goldilocks Trial Teaches 3rd Graders About Court*

Two 3rd grade classes from Allen Park Elementary School came to court on September 27th to observe the justice system in action and to participate in it. At the event orchestrated by the Honorable Alane Laboda, whose daughter was one of the students in attendance, the children observed the Honorable Maria Gonzalez preside over criminal traffic court. As it turned out they were treated to a trial: Failing to Exercise Due Care to a Pedestrian. The defense laid out its case, witnesses testified and the judge rendered a guilty verdict. The students were very attentive and had several questions that they posed to Judge Laboda during a Q & A session before getting the chance to role play a case and decide the verdict themselves.



Judge Alane Laboda has Q&A with Allen Park students.

The Trial of Goldilocks was captivating. The children played the parts of Assistant State Attorneys and Assistant Public Defenders, bailiffs and clerks. One student even played the role of judge and presided over the case alongside Judge Laboda (what can be said, "Like mother, like daughter). ASA Nicole Mirra co-prosecuted Goldilocks and APD Marisa Boyesen co-defended her.



Back left: P. Dennis, M. Pauly, a friend  
Front, D. Kaiser

Of course, what would the trial of Goldilocks be without Goldilocks? ASA Lanna Belohlavek played Goldilocks. Fellow ASA's Marilla Pauly and Denise Kaiser played Momma Bear and Baby Bear respectively, and Peter Dennis played the gruff and grumpy Pappa Bear. The stage was set.

Under the adept coaching of their adult counterparts, the child prosecutors and public defenders argued their cases and cross examined witnesses in an attempt to convince the jurors to return a verdict in their favor. Two juries of about 10 students each were read the jury instructions and then left to debate the merits of the case. Each group feverishly debated the facts and circumstances surrounding the alleged criminal activity. Guilty or Not Guilty? In the end their would be no consensus, the juries came back with different verdicts. The Bear family was devastated, but the defense looked pleased. Will their be another trial or will a plea be the end of this case?

After the trial Judge Laboda asked the kids about their experience as jurors. It was clear they had their own ideas about the rightness of their positions and could articulate how they arrived at their decisions. The court session ended with the judge pointing out that there are many issues and facts a judge and jury considers before reaching a decision...and, that not everything is as it appears.

## Twentieth Welcomes New Judges, Bids Farewell to Others

The Twentieth Judicial Circuit has undergone changes over the last few months- a changing of the guard if you will- as judges retire and newly elected ones take their places. Additionally, appointments by the governor have spotlighted happenings within the circuit.



Circuit Judge John E. Duryea, Jr.

The most recent appointment occurred on August 31, 2011 when H. Andrew Swett was selected to fill the Lee county judge vacancy created when the Honorable John E. Duryea Jr. was appointed to the circuit bench. The circuit seat became available when Judge Lynn Gerald retired after 22 years of service. Judge Duryea assumed the role of circuit judge for Hendry and Glades Counties on July 5th.



Judge Burns' Oath of Office administered by retired Judge Donald Pellechia

In Charlotte County, John L. Burns was appointed to fill the county bench seat vacated by Judge Wayne Woodard, who held the seat for 20 years. Judge Woodard was honored for his hard work and contributions to the justice system. Judge Burns took the bench in September 2010 but delayed his investiture until the Spring of 2011.

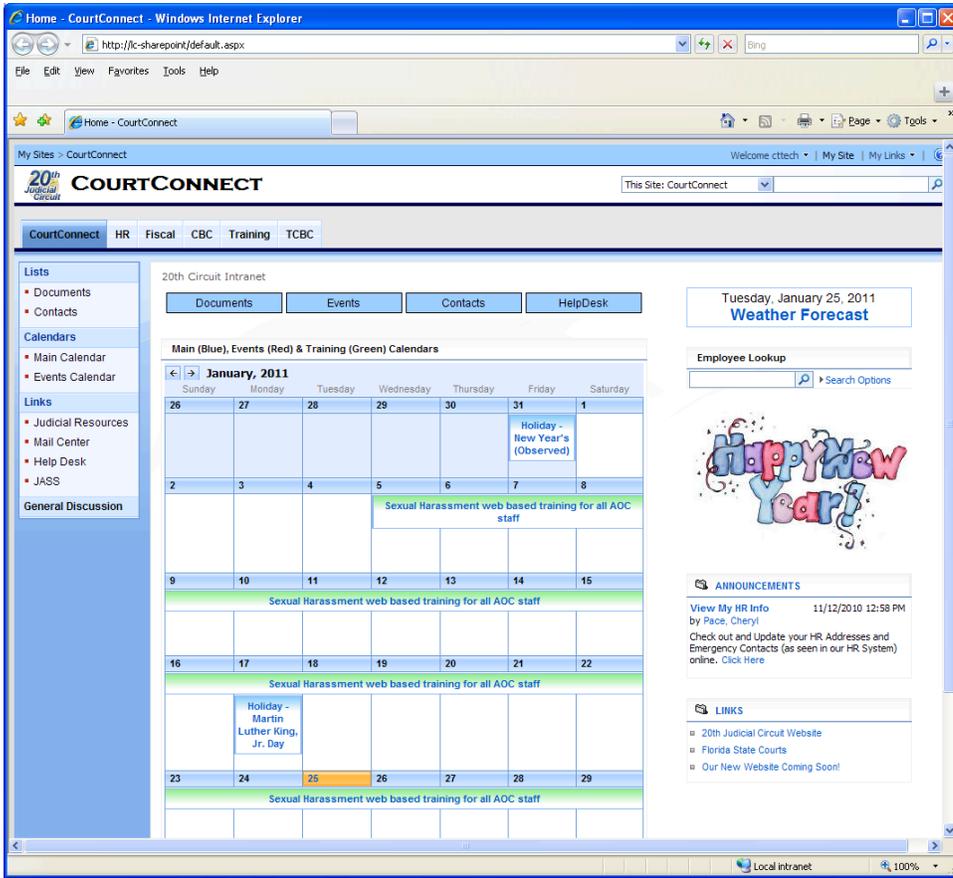
Circuit Judge Nick R. Thompson was elected to the circuit bench to fill the vacancy that resulted from the retirement of Judge Thomas S. Reese. Judge Reese served the Twentieth Circuit for 31 years.

Also elected to the bench was Frank B. Mann, Jr., who took the county bench early in the year to fill the vacancy created by the retirement of Judge Radford Sturgis. Judge Sturgis served Lee County for 29 years.



County Judge Frank B. Mann, Jr.

Judges Reese, Sturgis, and Gerald were dedicated members of the judiciary and integral to the development of the court and programs that have greatly benefited the it.



Court Connect Screen Shot

Any sufficiently advanced technology is indistinguishable from magic

~Arthur C. Clarke

Chief Judge, cont.

## Court Connect...You Connect

by Cheryl Pace

The Court Connect employee website is up and running! Court Connect is a site where employees can find information on training and events as well as share information, share documents and collaborate with other staff or other departments. This sharepoint site can be accessed by typing <http://lc-sharepoint> into your browser while connected to our network. Above is a screen shot of the site. The tabs at the top of the screen allow you to select various subsites within Court Connect. The Human Resources Department (HR) has already posted State and County Employee HR forms under the *HR* tab. Here you can also review your emergency contact information and edit if necessary, just click on *View My HR Info*. The Training tab is where all future training classes will be scheduled and tracked, and, where feedback on a course you have taken can be entered. The Events site has a calendar for scheduling Twentieth Circuit events, posting event pictures and discussions. Also, posted to the site are all the Twentieth Circuit documents currently found on the intranet.

The ultimate goal is for all departments to have a subsite on Court Connect as a way to plan, communicate and get better connected.

Preparation for his transition to Chief Judge began long before his term started. Chief Judge-elect Rosman began meeting with legislators, county officials and partner-agencies so that he could “hit the ground running” on July 1st. He met also with judges and staff throughout the circuit to begin developing a plan for advancing the mission of the court while mindful there are a myriad of challenges that we face as a court system.

We have weathered financial uncertainty over the last few years but have pulled together to maintain high standards for the quality of justice in the 20th Circuit. The future will bring new challenges. Nevertheless, our mission is the same. The courts will continue to serve the public as efficiently and effectively as possible and will continue to anticipate issues and be proactive in our efforts.

Chief Judge Rosman is strongly committed to ensuring the highest level of integrity, equality, fairness and professionalism of the court as well as reaching out to the public to educate it on the role of the court, its importance and the need to preserve its independence.

## Passwords Are Like Locked Doors

*A note from Craig McLean, Technology Officer*

It was about a year ago that I came home for lunch to discover that my home had been broken into. The robbers had taken my computer, some camera equipment, a couple of guns, and some jewelry. They left (for some unknown reason) my older model 200 lb. television, which led me to believe they didn't really go for quality stuff. The police came and when I was asked "did you have your door locked?" I answered, "of course". The investigation showed that the thieves had obviously used a credit card, jimmied the latch and were in my house in about two seconds. I learned my lesson and now have locks that actually work. So if they come to their senses and realize that they left a wonderful TV behind, they will have to work to get in.



We are about to institute a new password policy here in the circuit and there are many parallels that can be drawn between your computer password and your front door. You wouldn't leave the key in plain sight, give your key to just anyone, or have faulty locks guarding your valuables. Passwords are just the same, they are the keys to keep our electronic valuables safe. They also ensure the safety and well being of our network and circuit information. The standard authentication policy for criminal justice partners that we will be using goes like this:

### 2.1 Standard Authentication (Password)

A. Agencies shall follow the secure password attributes, below, to authenticate an individual's unique ID.

Passwords shall:

1. Be a minimum of eight (8) characters on all systems.
2. Not be a dictionary word or proper name.
3. Not be the same as the User-id.
4. Expire within a maximum of 90 calendar days.
5. Not be identical to the previous ten (10) passwords.

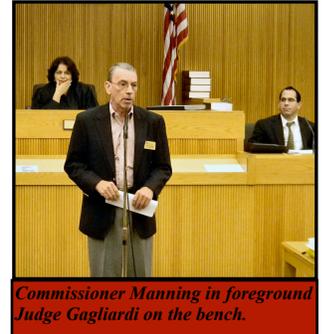
Although this seems complicated and a pain, there are a few tricks that my help: First of all, studies have shown that a "pass phrase" is much easier to remember than a password. I told one of my co-workers about this several months ago and she came up with a classic, "I love me!!!", or it could go something like this "I hate passwords", those of us who took typing might remember "the quick brown fox...", I could go on forever, but you get the idea. Words that include numbers

for letters are always my favorite; Cra1gMcL3an. Hope this helps you remember.

Lastly, we are rolling out this policy by division and county in a phased approach. I'll keep you posted on when you are the lucky selected contestant and get to start playing the password game. If you want, you can jump the gun and start playing today.

## Special Guest Appears at Lee County Drug Court

On October 6, 2011 the Lee County Drug Court graduated five participants for successfully completing the program. Three women and two men were presented with certificates of graduation from the court's special guest, Commissioner John Manning.



*Commissioner Manning in foreground Judge Gagliardi on the bench.*

After a brief address to the family, friends, drug court participants and staff, Mr. Manning handed down the certificates to the recipients. The graduates thanked the court, their counselor and all those involved who afforded them a second chance. One woman encouraged her peers to continue to work the program, stating: "I came into this program kicking and screaming...but I came around. Stick with it you can do it". Once the program is successfully completed the State Attorney announces a Nolle Pros and the charges against the defendant are dismissed.



*Assistant State Attorney, Andrea Canizares announces a Nolle Pros in Drug Court.*

Judge Gagliardi who has presided over drug court since July 2008, invited Commissioner Manning to attend the ceremony so that he could see first hand how Drug Court helps those who want to turn their lives around and to thank the BoCC for supporting the program. The Drug Court concept was being discussed in the 1990's when Mr. Manning was first on the Board of County Commissioners but an Adult Drug Court did not commence in Lee until 2000.

Speaking with a voice like a proud mother, Judge Gagliardi introduced the graduates praising them for the hard work they had done and for the success they achieved. The judge wished them the best and dismissed them from drug court for the last time.

# The Human Resource FYI

by Sharon Suhar

## HR Finds Ways to Save Money in Lee County

No more pencils, no more books...Remember that song? Well, in keeping with that song, the Administrative Office of the Courts (AOC) Human Resource Department did away paper payroll check stubs for the AOC Lee County funded staff. In September the Lee County payroll check stubs became available on-line. This is now the only way employees can review their pay stubs. Employees were provided with a user ID and Logon to the Vista HRMS Payroll system. Thereafter, they could log into the system to view and print, if necessary, their biweekly pay stubs. Of course the idea of the on-line stubs is to save money on paper, ink and distribution time; therefore, printing has been discouraged unless absolutely necessary. But, an added benefit to this system is that all pay stubs will remain available on-line for future convenience.

Another way HR is cutting expenses this year is by offering the Lee County Benefits Open Enrollment changes on-line. The Lee County 2012 Open Enrollment dates have not been set yet; however, it is expected to take place in late October. Open enrollment will be processed by the employees directly using the Open Enrollment Self Service product in the Vista HRMS system. The same user ID and logon that enables them to view their pay stubs will allow them to view their current benefits and to enroll or make changes to their 2012 benefits. Supporting documentation (such as birth certificates, marriage certificates, etc.) will still be required in a paper format and must be provided to the AOC HR by the designated deadline. The AOC HR department would not have been able to make these changes possible without the help of the Lee County Clerk Payroll department, Lee County Clerk IT and AOC IT departments. I want to thank these partners for their roles in making these on-line services and cost saving



## State Employees Open Enrollment Opportunity Coming Soon

The Division of Management Services has pushed back the State's Open Enrollment period from September/October to midnight November 7th thru 6PM November 18th.

Again, like last year state employees will logon to People First to enroll or make changes to their 2012 benefits. Links to the People First system and the State Benefits page are located on CourtConnect in the general links area under the HR tab. As more information becomes available it will be sent out via email and posted on the HR CourtConnect page.

In order to ensure you receive information mailed to you from the Division of State Group Insurance, please confirm that the address on your pay stub is correct. If a change has occurred to your address, please fill out a W-4 and Change of Address form available on HR CourtConnect.

### *Circuit Times Newsletter*

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