



THE CIRCUIT TIMES

NEWSLETTER OF THE 20TH JUDICIAL CIRCUIT

FALL / WINTER 2014

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Three Circuit Judges Retire

Their time on the bench spans more than a decade. "When Judge Rosman first said we have 50 years of experience it was kind of difficult for me to accept that 25 of those years are me," said Judge Edward Volz. On the afternoon of October 31st, 2014 we said goodbye in a joint ceremony to three well-respected 20th Judicial Circuit Judges retiring this year. One of those judges is Judge Volz who has served on the bench since 1991, most recently as a felony judge. "I'm going to miss this place; I'm going to miss the people who are here. I've had some fun," said Judge Volz.



Judge Edward Volz gives remarks about retirement

Along with Judge Volz, the gathering was held for Judge Mark Steinbeck and Judge Sherra Winesett. Judge Steinbeck has served on the bench since 2006 and is married to fellow Circuit Court Judge Margaret Steinbeck. "He was the one who encouraged me to go to law school and was my mentor and has been my greatest supporter ever since," said Judge



Judge Mark Steinbeck receives technology award from CIO, Craig McLean.

Margaret Steinbeck. His wife of 34 years talked about his mentorship to not only her, but to others he has worked with for the last eight years. "I know that he will do in retirement what he has done every single day of his life exceptionally well and in service to others," said Judge Margaret Steinbeck. As for his retirement plans, Judge Steinbeck said her husband plans to raise two golden retriever puppies to later certify as therapy dogs as well as serve as a Senior Judge. "It's been a great gig, I got it and someone will get it too when I leave," said Judge Mark Steinbeck.

"She has always put her heart into everything," said Attorney Rick Winesett. Judge Winesett's husband told a touching story about his wife and how she was one step ahead of him, but he was never too far behind. They both became teachers, then lawyers, before Judge Winesett was appointed to the bench in 1995. They also raised five children together. In Judge Winesett's parting speech she passed along words of advice to the crowd.

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Judge Sherra Winesett gives her remarks during ceremony

“One thing when you become a judge, you don’t know it all... it’s tough, but one thing you have is you have all these people behind you and the judges and they all want you to succeed,” said Judge Winesett. She says will serve as a Senior Judge in her retirement and spend more time with her family. Another goal is to work on a history of the judges in this circuit.

The ceremony ended with a plaque presentation and special gift from Court Technology which commemorated the Judges triumphs and woes with technology in the circuit. This included the “Court Technology

Leadership Award” that was presented by Judge Keith Cary to Judge Volz who wasn’t the biggest fan of the Court Smart notification and immediately had it removed from his courtroom. “Unfortunately, no one had discussed the blue man with Judge Volz,” said Judge Cary. As for Judge Volz’s plans for retirement, he says you’ll likely see him eating with the “Lunch Bunch,” volunteering with the Edison Festival of Lights Parade, and enjoying time with his wife, Carolyn.



Above: Chief Judge Jay Rosman and TCA, Scott Wilsker present AOC award to judges.

R : Judge Volz’s technology award



Voters Elect New Circuit Judge



On August 26, 2014, Southwest Florida voters decided they wanted Attorney Mary Evans as their newest 20th Circuit Judge. Judge Elect Evans practices out of the Law Office of Mary C. Evans, P.A. where she provides divorce and family law legal services. Prior to starting her own practice, she was an attorney for two Lee County law firms from 2004 to 2011 that practiced family law exclusively. Evans earned her B.A., Summa Cum Laude, from Florida Gulf Coast University and her Juris Doctor from Stetson University College of Law. She has been a member of the Lee County Bar Association since 2010 and is a past President of the organization. She will be presiding over the Unified Family Court in Collier County.

Mary Evans was born in Washington, DC, and was raised in Maryland before relocating to Florida in 1984.

“I continue to be elated after winning the election for circuit court judge. I entered the election wanting to expand my public service and I can’t wait to get on the bench and do just that. I am excited to put my energy to work from both sides of the bench to further effective administration of justice and education of the public.”



Judge James Sloan Welcomed to Circuit Bench



Right: Judge Sloan gives his remarks on becoming a Circuit Judge



Judge Sloan receives the Oath from his Judicial Assistant Tilena Gutshall along with wife, Kathy Sloan.

It wasn't your typical Investiture. Instead of being held in a courtroom, Circuit Judge James Sloan's Investiture was held at a church. The site was chosen after discovering the size of the Hendry County Courthouse was too small for the several hundred people expected. Carlson United Methodist Church is also the largest assembly hall in Labelle. Although the distinct qualities of a courtroom were absent, the sanctuary was outfitted to look much like a courtroom would. The bench was hand-made from volunteers of the church, where Judge Sloan is a long-time member. Having been a County Judge for 22 years, Judge Sloan has seen several new judges take the bench, but on September 12th he celebrated his own.

The Investiture was attended by family, friends, members of the judiciary and local dignitaries. Guests enjoyed stories and jokes from fellow Circuit Judge Christine Greider, long-time friend and attorney Ralph Elver, and Judge Sloan's daughter, Amy. And in a twist, the oath of office wasn't administered by a judge, but rather by Judge Sloan's Judicial Assistant Tilena Gutshall. Gutshall has been Judge Sloan's Judicial Assistant for eight and a half years and a Judicial Assistant in Florida for 18 years. During the ceremony, Chief Judge Jay Rosman said, "She is an important and indispensable part of Judge Sloan's office and plays a major role underlying the reason he is being sworn in today." Judge Sloan's wife, Kathy, was by his side as she assisted with the enrobing. Following the Investiture, guests dined on classic BBQ dishes at RiverBend Resort Clubhouse.

Governor Scott appointed Sloan to the bench on July 1, 2014 to fill the vacancy created by the resignation of Judge Sherra Winesett. Judge Sloan was appointed to the County Bench in 1992 by Governor Lawton Chiles.

Governor Rick Scott Appoints Two Judges to Bench



Governor Rick Scott said, "During Robert's years of practicing law, he has proven his dedication to serving Florida families with humility and integrity. I am confident that he will continue that honorable service on the Twentieth Judicial Circuit bench."

We will welcome two judges appointed by Governor Rick Scott in 2015. Attorney Robert Branning was appointed to the Twentieth Judicial Circuit Court and Attorney Scott Cupp was appointed to the Hendry County bench. Governor Scott made the announcement on November 11th, 2014.

Branning has practiced with Rehak & Branning, LLC, since 2007 and has been in the private practice of law since 2002. Branning began his legal career as an Assistant State Attorney for the Twentieth Judicial Circuit Court in 1999. He received his bachelor's degree from Florida State University and his law degree from the Mississippi College School of Law. Branning has served as an adjunct professor at Southwest Florida College since 2012. Effective January 6, 2015 Branning will be presiding over Charlotte County's Domestic Relations, Domestic Violence, Juvenile Dependency, and Delinquency Judgments dockets.

Cupp is currently President of the Law Office of Scott H. Cupp, LLC in West Palm Beach. He has served as Assistant State Attorney in the Twentieth Judicial Circuit from 2003-2006 as Chief of the Felony Division, and from 1993 to 1999 as Chief of the Crimes Against Children and Sex Crimes Units. Cupp received his bachelor's degree from Duquesne University and his law degree

from the Western New England University School of Law.

Branning fills a vacancy created by the resignation of Judge Mark Steinbeck, while Cupp fills the vacancy created by the appointment of Judge James Sloan to the Circuit Court.



Governor Rick Scott said, "Throughout his career, Scott has demonstrated the qualities that make for a great judge. I know he will serve Floridians well and make a fine addition to the Hendry County bench."

Cost Of Supervision Money Recovered in Criminal Division

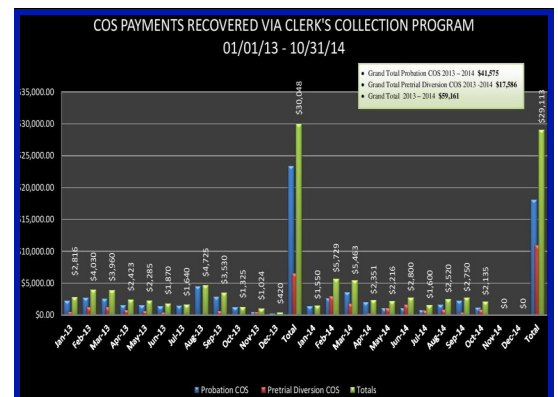
Over the past several years, fiscal responsibility has moved to the forefront of business plans for most managers. The Lee County Criminal Division is no exception. Early in 2013 it was discovered that a simple change in wording could have a positive impact on previously uncollected Costs of Supervision (COS). COS is generated when the Court orders an individual to pay a certain amount during the term of their supervision. When defendants under the supervision of the Pretrial Diversion Program or County Probation fail to comply with these monetary obligations; they are brought back before the Court. If the Court finds them to be in violation Court Presenters then address the unpaid balances by recommending the Court convert those monies into a payment plan that is agreed upon by the

defendant and their attorney.

From that point forward, the defendant would enter into a contract with the Clerk of Court which would consist of a monthly payment schedule commensurate with the defendant's ability to pay. But, if the defendant fails to pay, the amount of money owed is then sent to collections. Due to these proactive efforts of Criminal Division staff, more than \$59,000 has been collected from defendants who have failed to pay for their cost of supervision.

The 2013-2014 Fiscal Year is the first full year that this current practice has been in place. According to Clerk of Court records, the Court Presenters of the Lee County Criminal Division

(Alonzo Laster and Ed Bruns) and Pretrial Diversion Officers (Michelle Meyer, Henry Rosario and Lisa Vagle) were responsible for arranging for collection of \$19,042 in probation and \$10,706 in diversion during the fiscal year. The collection of this money serves to offset the over-all operating costs of the Criminal Division.



Lee County AOC Employees Receive CPM Certification



Left: Graduate Dawn Whittington with TCA Scott Wilsker and CPM Director Ben Green



Above: Graduate Nichoel Forrett with TCA Scott Wilsker and CPM Director Ben Green



R: Doug Jaye proudly displays his certificate of completion.

After two years of hard work and dedication, three employees with the Administrative Office of the Courts have graduated from the Florida Certified Public Manager Program. Along with 95 graduates, Probation Supervisor Doug Jaye graduated from the CPM program on August 12, 2014. Then on October 2nd, 2014, Human Resources Specialist Dawn Whittington and Senior Staff Attorney Nichoel Forrett joined 67 people for a Graduation Ceremony at FGCU. The students represented local, county and state agencies across Southern Florida. The ceremony was hosted by the Director of the Florida Center for Public Management, Ben Green, and featured Lee County Tax Collector Larry Hart as the Commencement Speaker.

"I can only hope that when you travel from this venue today that you are as proud of this program as I am and that you take the experience you have with you and you most definitely need to share it with others," said Lee County Tax Collector Larry Hart. "If you are to achieve greatness in whatever endeavor you choose your vision should be to reach high and never give up and never give in."

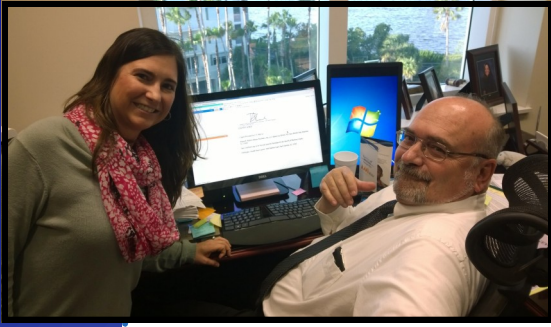
The Certified Public Manager program is a nationally-recognized program for training and developing public managers and supervisors. It is currently offered in 38 states. The primary goals are to professionalize public management and improve organizational efficiency and effectiveness. The program focuses on the fundamentals of leadership and management, with an emphasis on improving one's people skills, team

leadership, and organizational effectiveness. The course, which consists of 32 days of classroom study, extends over a two year period. The eight levels are divided into four days of instruction every 2-3 months, with testing and homework during the non-class periods. The classes were held at FGCU and taught by adjunct professors throughout the state.

Florida has one of the largest, and most successful, CPM Programs in the country, with 4,800 graduates from more than 100 agencies. This summer 420 students graduated from the program – the most in a single year! Florida's CPM Program is administered by the Florida Center for Public Management, which is part of the Askew School of Public Administration at Florida State University. The plan is for new classes to begin in January.

"Be happy in what you do, advance your career, and move within the agency as much as possible. Understand that your personality is important, chemistry is important and understand that not everyone can do what you do. The most important thing you can take away is to make sure you care about your career and your future." - Tax Collector Larry Hart

Charlotte County Goes Live with AiSmartbench



Above: Judge Alessandroni and Mentis Technology Manager Jenny Bunch

In November, Charlotte County was our third county in the circuit to go live with the AiSmartbench Judicial Viewer. Pilot Judges Paul Alessandroni, Peter Bell, and Lisa Porter received their training last month and were navigating through dockets in the new electronic format in a few short hours after training. Pilot Judicial Assistants' s Pattie Twardzik, Vicki Delledonne and Deb Hamsharie have really stepped up to the plate to become knowledgeable with the new program and all of its benefits while taking care of their daily responsibilities. Although not perfect just yet, and

with tweaks being made daily, it was a successful roll-out. Other Charlotte Judges and staff are scheduled to receive training in the weeks to come.

Court Technology Project Manager Greg Koenig and tech Michael White have spent hours ensuring that training has gone well and that the program integrated into the Charlotte Case Management System, Pioneer Benchmark, successfully. Templates have been created and workflows set up so that Judges and JA's can create orders with information automatically being provided through the application. In court processing is enhanced with the ability to search related cases, set up "tabs", sort the dockets, search on words, put electronic "sticky notes" and communicate through the "notes section".

With three counties down and Lee and Collier to go, the next year will bring exciting new changes as we continue to roll-out AiSmartbench.

Advice from the pilot judges and JA's:

"Allow time to get to know the program and understand that there will be a learning curve"

"Keep your sense of humor, keep smiling"

"You have to use the program to know the potential it has to save time and effort"

"You can't break anything, but keep the helpdesk number handy, just in case"

"Make the system work for you, it is a powerful tool"

Lee County Probation is Awarded No-Cost Grant

The Lee County Probation Department has been awarded a no cost grant in an effort to assess the current needs of the department as it relates to the implementation of evidence based practices, including but not limited to the use of a validated risk instrument. A risk instrument will allow the department to categorize cases in accordance with risk and thus ensure that they are utilizing limited resources in the most efficient manner.

The Lee County Probation Department has been providing supervision of defendants convicted of misdemeanor offenses for over 35 years. The department is committed to promoting public safety by enforcing

court orders, supervising probationers, and motivating positive behavioral change.

Currently, there are 14 probation officers who supervised a total of 2,771 probationers. This equates to an officer to defendant ratio of 1:241 for general population caseloads, felony reduction cases and Spanish speaking caseloads. Additionally, the ratio for the intensive supervision and domestic violence officers is 1:117. The department recognizes the need to tailor its approach to the needs of the probationer. The message to probationers is delivered through repetition and prioritization of Court-ordered conditions coupled with encouragement toward achieving satisfactory completion of probation and a crime-free life style.



Please Congratulate...

Mr. Scott Peckham who has been nominated and approved to serve on the APPF Executive Board as the Southwest Regional Director. The Board of Directors manages the association's business and affairs, including adoption of resolutions, policies and contracting for services. Each Regional Director is tasked with furthering the purposes and objectives of the Association in his/her region. In this regard, each maintains contact with pretrial programs in the regional area, serves as a liaison between the membership and the board, assists with membership and in furthering the growth and development of the Association's standards and goals.

All officers in the Pretrial Services Department are considered members of the Association of Pretrial Professionals of Florida/APPF.

Mr. Edgar Cruz who was awarded the National Association of Pretrial Services Droege Award. This NAPSA Award provided a full scholarship, including air transportation, accommodations for three nights at the conference hotel, and registration to attend the annual NAPSA Conference, which was held this year in Denver, Colorado. The award is named after Jim Droege, a former Director of the Indianapolis Bail Project (1969-1974) who oversaw the development of pretrial services in Marion County as Director until 1978. Jim served as Vice-president of the original NAPSA Board from 1973-1974, and again from 1976-1978.



Record Number of Children Adopted on Adoption Day



100,000 children in foster care waiting to be adopted. It is also a day to celebrate the adoptive families and to encourage other families to adopt children in foster care. During the 14th annual National Adoption Day in 2013, about 45-hundred children were adopted nationwide.

This year, Lee County held their biggest mass adoption since the Children's Network of Florida was started. On November 22, 2014, Juvenile Dependency Judge Lee Schreiber presided over the ceremony in Lee County in which there were 25 adoptions. There was also a family that adopted 2 sets of siblings for a total of four children. There were five teen adoptions in Lee County as well.

Each Thanksgiving, we gather with our children, our parents and our families to give thanks to them and to the good things we receive. But, there are some children who are not so lucky. Thankfully, an annual event works to make the dreams of having a family come true for those children who are in foster care.

November is National Adoption Month and each year on the Saturday before Thanksgiving thousands of foster children are adopted to their forever families throughout the nation. First launched in 2000, National Adoption Day has since spread to almost 400 cities in all fifty states, the District of Columbia, Guam and Puerto Rico. The day was created to bring awareness to the

Charlotte County celebrated their Adoption Day in the afternoon of November 19th in front of Judge Lisa Porter with five families adopting eight children. On November 21th, 2014, Circuit Judge Joseph Foster finalized the adoptions in Collier County. The courtroom was filled with family, friends, caseworkers, adoption advocates and staff of the Children's Network of Florida. During that ceremony, four families adopted five children. Following the ceremonies there were receptions which included food, face painting and gifts for the children.



Middle School Students Tackle Petit Theft Case

On Thursday October 9, 2014, Fort Myers Middle Academy Students participated in a mock trial in front of the Honorable Judge Leigh Hayes. The State Attorney was represented by Assistant State Attorney Jennifer Forsythe and The Public Defender Office by Assistant Public Defender Nicole Devito. The role of defendant was played ASA Clark Cary and The Loss Prevention Officer was Pre-trial Officer Enrique Rosario. Also, students of Fort Myers Middle Academy participated with different roles in the trial.

The trial was based on a petit theft committed by the defendant, Clark Cary, at Sears Department Store inside the Edison Mall in Fort Myers. The state alleged Gary entered the store by the electronics department, walked to the area that displays the iPhones, removed one and placed it into his pocket. Cary passed all cashiers stations without attempting to pay for the phone. While he was walking out of the store, he was approached by Sears Loss Prevention Officer, Enrique Rosario, who identified himself as an LPO for Sears and informed Cary that he watched when he removed the property and placed it into his pocket. Rosario said he then saw Cary walk out of the store without paying. The defendant was escorted back to the office and Lee County Sheriff Office was called. LCSO Deputy Tyrone Ward participated as the arresting officer. Cary was taken into custody and housed at the Lee County Jail for booking.

The jury, which was made up of Fort Myers Middle Academy students, found the defendant guilty and Judge Hayes finished the trial by sentencing the defendant. Following the mock trial, Judge Hayes, attorneys and courthouse staff answered questions about the law, the

courthouse and their jobs. The students were then given a tour of the Jail holding cells.



Charlotte County Mental Health Court is Awarded a Grant



The Honorable Donald H. Mason presides over Mental Health Court.

Charlotte County has received a \$200,000 Charlotte County Mental Health Court Expansion Grant from the Office of Justice Programs, Department of Justice Assistance (OJP-BJA). The grant funds will be used to support the Mental Health Court Program by expanding the capacity by ten to twelve participants, provide for a half-time jail screener and a full-time therapist to implement the evidence-based practices. A priority will be given to women with serious mental health and substance abuse diagnoses. Treatment will focus on providing interventions for issues that disproportionately affect women including trauma informed care and parenting education.

The success of the Charlotte County Mental Health Court is the result of a collaborative partnership of the Charlotte Judiciary, State Attorney's Office, Defense Counsel, Public Defender's office, State and County Probation, Charlotte County Sheriff's Office, Pretrial Services and Charlotte Behavioral Health Care. The Florida Mental Health Institute (FMHI) provides ongoing consultation and technical assistance to partners. The collaborative relationship is demonstrated by regular meetings of the Specialty Courts Roundtable and strategic planning activities of the Charlotte County Criminal Justice and Behavioral Health Advisory Council. The Charlotte County Mental Health Court has been in operation since 2005 providing evidence-based mental health and substance abuse treatment to individuals involved in the criminal justice system.

Circuit Times Newsletter

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