



# THE CIRCUIT TIMES

## NEWSLETTER OF THE 20TH JUDICIAL CIRCUIT

SPRING 2014

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## Circuit Judge Sherra Winesett to Retire

Circuit Judge Sherra Winesett has announced her retirement, effective August 31, 2014. Governor Rick Scott accepted her resignation in March. By resigning early, her replacement will be appointed by the Governor from nominees selected by the Judicial Nominating Commission for this circuit.

Judge Winesett was appointed to the circuit bench in 1995, becoming the first woman to serve as a circuit judge in the 20<sup>th</sup> judicial circuit. She served for 7 years in Charlotte County where she grew up and graduated from Charlotte High School. For the past 12 years she has served on the bench in Lee County. Before becoming an attorney, she taught math at Fort Myers High. After obtaining her law degree from the University of Florida, she practiced law in Fort Myers in the areas of taxation, wills, trusts and estates. She and her husband Rick, whom she met in high school and practiced law with, have five children and 12 grandchildren.



As for her future plans, in addition to spending more time with family, Judge Winesett looks forward to doing all the things she never had time to do while working and raising a family. She has many interests, including a goal to work on a history of the judges in this circuit.

Applications are being accepted for this vacancy. Applicants must have been a member of the Florida Bar for the preceding five years, a registered voter and must be a resident of the territorial jurisdiction of the court at the time he or she assumes office. If interested, applications may be downloaded from the Governor's website by clicking the Judicial tab. The deadline to submit an application to the 20th Judicial Nominating Commission is Friday, April 4, 2014 at 5:00 PM.

*"It has been a privilege to serve the community and citizens of the Twentieth Judicial Circuit, first as a teacher, then as an attorney, and for the past 19 years as a Circuit Judge. As I look forward to retirement and new experiences, I will always look back with gratitude for the opportunity I have had to serve in these capacities."*

## Charlotte County Clerk and Judges Give Thanks

It had the makings of a feast — turkey, ham, mashed potatoes and gravy, along with pies and other desserts. Since the 1970's, a buffet has been held during the holiday season as a get together, but this time local judges simply wanted to say thanks. The luncheon

was hosted by Barbara T. Scott, Clerk of the Circuit Court along with Charlotte County Judge Paul Alessandrini. It was done as a means of showing gratitude for the dedication and support that has been shown by the employees, attorneys and law

enforcement at the Charlotte County Justice Center.





## Glades County Courthouse Receives Renovations

You may have noticed some changes at the Glades County Courthouse. With the help from grant funding, the historic building is getting a few much needed renovations. Crews have already finished replacing and updating the air conditioning units, repairing the elevator and building a courthouse storage facility. Technology in the historic building also got a major upgrade. An 80 inch monitor was installed in the courtroom to show evidence and a wireless printer was added as well. Security will too get a major boost. New cameras and security system are being put in soon. The phone system will be updated along with the recording system in the Board of County Commissioners Chambers. If needed, it can be used as a courtroom. The updates will be completed throughout the coming months.

## Longtime Court Interpreter Retires



Deputy Court Administrator Jim Sullivan presents Gilderman with a service award.

Dozens of people gathered to say goodbye to friend and colleague, Martin Gilderman. After 10 years as an interpreter in the Lee County Courts, he decided to retire at the end of February. Gilderman has his doctorate in Spanish Language and Literature and a Masters in Criminology. He once taught Spanish for police officers in Philadelphia before becoming an interpreter in Union County, New Jersey. In 1989, he

passed both the New York State interpreter's exam as well as the California State written exam for interpreters. He accepted the New York position and worked in the Manhattan Supreme Court until September of 1999. Gilderman then came to Florida. He started teaching and working as a contract interpreter with the Lee County court. In addition, Martin was also Adjunct Administrator at Edison College for three years. Martin has taught Spanish, Sociology,

Criminology, Criminal Justice and English as a Second Language. He loves to sing opera and was admitted to the Brower School of Music at FGCU, he will start classes in the summer session of 2014.



## Veterans Get Their Own Docket in Collier County

Judges, attorneys, treatment counselors and law enforcement hope a special docket within the Collier County courts will help veterans stay out of jail. The Veterans Docket is part of Mental Health Court and is an alternative sentencing program formally created in spring of 2012, specifically for former military members. Right now there are about a half-dozen men on the docket who appear frequently before the Honorable Janeice Martin. Nationally, such "Veterans Treatment Courts" have been around since 2008, and are evolving rapidly. The U.S. Department of Veterans Affairs supports the courts' efforts, and has hired a corps of social workers called Veter-

ans Justice Outreach Specialists, or VJO's. The VJO's responsibility is to coordinate with the courts, conduct outreach, and serve as the case managers for these particular veterans involved in the criminal justice system. The program was formed in recognition of the fact that, sometimes after serving in the military, veterans experience physical and mental trauma such as post-traumatic stress disorder (PTSD), substance abuse or traumatic brain injuries (TBI), which can lead to criminal involvement.

It works similar to Mental Health Court. The Sheriff's Office helps the courts identify veterans as soon as they are arrested. Those people are then referred to the VJO who looks

for any history of mental illness or substance abuse problems. The State Attorney's Office then decides whether the person is suitable for the veteran's docket, from the legal standpoint. Once admitted to the program, those on the docket are first evaluated by a doctor and then are obligated to comply with what treatment the doctor suggests. People will either be seen by VA doctors or can seek treatment at the David Lawrence Center if they are not eligible for VA benefits. The program is voluntary and typically lasts about a year.

"If we can get them these services and supervise them then we can get them out of jail and keep them out," said Judge Martin.

*"If we can get them these services and supervise them we can get them out of jail and keep them out."*

## Lee County Mental Health Court Enters its 11<sup>th</sup> year

**IT'S NO SECRET**, officials in the criminal justice and mental health systems have become increasingly aware that counties across the country have grappled with jail overcrowding and over representation of persons with mental illness.

For more than a decade, the Lee County Mental Health Court Program has provided an opportunity for individuals with severe mental illnesses to participate in treatment as an alternative to jail. Since the program began in 2002, it has enrolled 528 participants.

The Lee County Mental Health Court demonstrates that defendants

with severe mental health disorders are more effectively and efficiently served in the community by linking with intensive, community-based case management. This helps reduce symptoms, improve quality of life and close the revolving door of the criminal justice system. Since 2002, 390 participants have completed the Lee Mental Health Court Program with an overall 73% success rate, and a recidivism rate of 6% studied over a five year period.

### How it works

During the booking process, individuals with a history of mental illness are flagged as possible candidates. The Program coordinator then screens the candidates for mental illnesses such as major depression with psychotic features, schizophrenia and bipolar disorder,

and persistence of the mental illness. Ultimately, the Assistant State Attorney decides who is accepted, but the program is completely voluntary.

Once admitted to the program, which lasts 8 to 12 months on average, participants are linked with community based services. They also appear frequently before the Honorable H. Andrew Swett, who presides over the Mental Health Court. Participants must attend all scheduled treatment appointments and all court dates. To graduate from the program, participants must get the treatment they need, establish stable housing and income, show a reduction in symptoms, avoid criminal charges and improve their social supports.

“Taking people with mental health issues off the regular docket and giving them the services provided by the

mental health court program are more than just a way to take care of the criminal problem. It's a way to help the participants lead a normal life,” said Judge Swett.



*“Everyone has someone they know that has mental health issues. It's not just people you don't know. It can be your neighbor, friend or brother,” said Judge Swett.*

## Mock Trial Teaches Students Civics Education

It was up to twelve students to decide the fate of a woman who had allegedly stole a doll. Don't worry; it was only a mock trial.



tended two different mock trials on October 11<sup>th</sup> and 25<sup>th</sup>, 2013.

The premise was that the defendant, Gretchen, took the doll to

give to her daughter for her birthday. A Deputy spotted Gretchen and caught her as she allegedly ran from the store. The mother admitted (without Miranda) that she took the doll, but said she planned on coming back to pay for the doll when she had the money. Assistant State Attorney Abe Thornberg was the attorney for the state, Assistant Public Defender Angela Agostino was the attorney for the defendant and Judge Bruce Kyle presided over the mock trial. The jury of students then rendered their decision. It was a hung jury with nine kids voting Not Guilty because

Gretchen planned on paying for it later. Judge Kyle then polled the audience of teachers and students and the majority voted Guilty. Afterward, Judge Kyle spent 30 minutes answering questions and talked to the students about what they learned.





## Lee County Commissioner Visits Drug Court



**Above:**  
Commissioner Hamman, Judge  
Gagliardi & A graduate

**Below:**  
Judge Hayes, Judge Gagliardi &  
Rep. Heather Fitzenhagen

Graduation in Lee County Drug Court was made a little more special with a visit from Lee County Commissioner Brian Hamman. With Judge Josephine Gagliardi presiding, Commissioner Hamman presented the certificates to three deserving individuals who have struggled with a drug addiction. Not only that, but he also gave some parting advice. "For those of you who graduated today, today is not the end. Actually, today is the beginning for you all. Today is the beginning for your opportunity to go out and grab that life you want to have," said Commissioner Hamman.

There are 115 active participants in Drug Court at this time with an overall success rate of 61 percent. The Drug Court team is held weekly in front of Judge Gagliardi and Judge Leigh F. Hayes.

## Lee Drug Court Celebrates National Drug Court Month

A special graduation ceremony was held last May in honor of "National Drug Court Month". The drug court team invited community leaders, dignitaries, and treatment providers to share in this event.

drug treatment, supervision, and accountability. Those present for the ceremony were treated to guest speakers and performances that told a story of how drug court has made a significant difference in their lives.

Overall, findings indicate that participation in a drug court program tends to reduce not only drug crimes, but also serves as a means to reduce substance abuse.



The ceremony showcased the dedication of 15 graduates who not only achieved sobriety, but became productive members of society. This accomplishment included each graduate's completion of an intensive program that includes

Research continues to show that Drug Courts are a viable means in lieu of incarceration and serve as an effective strategy at reducing recidivism. On average, drug court participants are re-arrested significantly less often after the program than before the program.



## Circuit to Take the Next Step in Going Paperless

For years, the Florida State Courts System has worked to automate the process for filing court documents. The 20<sup>th</sup> Judicial Circuit has already implemented electronic filing through the clerks e-portal in the criminal and civil divisions. A mandate from the Supreme Court requires the entire circuit must eventually go paperless.

Currently, we are able to save taxpayer money by working with the clerk on various interim paperless solutions, e.g. utilization of the clerks case maintenance system, printing documents on demand, etc. The Mentis aiSmartBench

Judicial Viewers will take the savings to the next level with the potential of courtrooms being fully electronic. An audit in Manatee County found a cost savings approaching one million dollars a year.

"This will complete the cycle for e-filing. Allowing it to go paperless end to end," said Chief of Technology Craig McLean. "It's also a huge savings."

Judicial viewers integrate the case information with the clerk's case maintenance system for the particular county and display it

electronically on a large monitor. Judges will be able to go back and forth through multiple documents as the attorneys make their arguments. Documents are also searchable for faster access. The software essentially replaces the thick case files judges get from the clerk.

The concept allows judges to create their own orders, motions and final judgments with e-signature and then facilitate them to the parties involved. The viewers have been implemented in Glades and Hendry counties. Lee, Charlotte and Collier counties will follow.

*"This will  
complete the cycle  
for e-filing.  
Allowing it to go  
paperless end to  
end."*

## Court Security Employee Given Inaugural Commitment to Excellence Award



*Deputy Court Administer Jim Sullivan, Trial Court Administrator Scott Wilsker, and Court Security Chief Jeff Torain present award.*

On December 2<sup>nd</sup>, 2013 the Court Security Department awarded its first Hubert “Eddie” Swords Commitment to Excellence Award to Carlos Rivera. Officer Rivera was nominated anonymously by his fellow co-workers and selected by an award nominating committee. He first came to the department as an on-call

employee and since moved into a full-time position.

Winners are judged on collaboration, commitment and leadership. The Eddie Swords Commitment to Excellence Award was created to recognize and reward court security employees who exemplify a consistent commitment to excellence.

“The members of the Court Security Department felt it was fitting to name it after a well respected former Court Security Officer Eddie Swords,” said Chief of Court Security Jeff Torain. “Swords was known for his love of people, ability to effectively communicate with the public, staff and his co-workers.”

Eddie Swords was a Court Security Officer from December 2009 until

his passing in November 2012. He was also a decorated U.S. Naval veteran and retired from the Federal Bureau of Prisons before joining the Court Security Department.



*Officer Carlos Rivera and his wife, Mavel Rivera.*

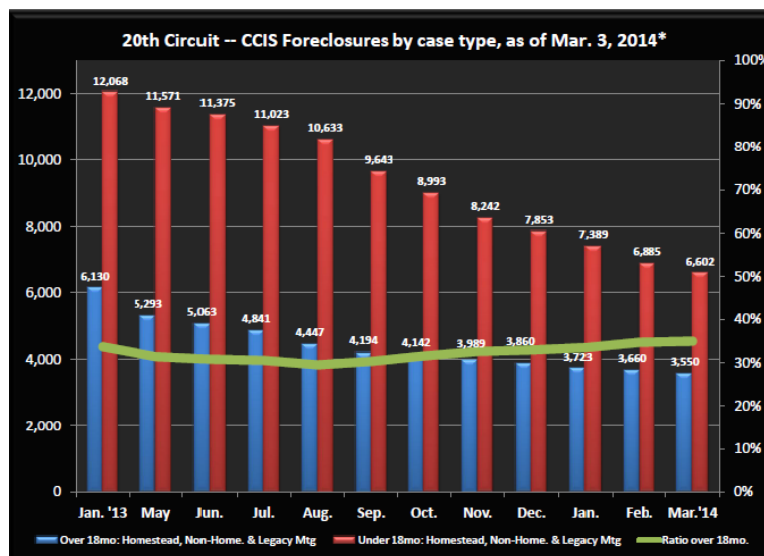
## FY 2013-14 Foreclosure Backlog Reduction Plan

The purpose of the Twentieth Judicial Circuit Foreclosure Backlog Reduction Plan is to bring foreclosure cases into compliance with state time standards and improve clearance rates, while ensuring that the due process rights of litigants are protected and the integrity of the process is maintained. The 20th Judicial Circuit utilizes Circuit Civil Judges and Senior Judges / Quasi-Judicial resources (General Magistrates), in conjunction with case management personnel and industry best practices.

In Fiscal Year 13/14, \$414,253.00 was allocated to the Twentieth Judicial Circuit incase processing resources. The resources for the 20th Judicial Circuit were allocated as follows :

- 342 Senior Judge Days, to be divided among the 5 counties
- 3 PT (.5 FTEs) OPS Magistrates (Lee County, Collier County, and Charlotte County)
- 3 FTE OPS Court Program Specialists I (Lee County, Collier County, and Charlotte County)
- 3 PT (.5 FTE) OPS Senior Secretaries (Lee County, Collier County, and Charlotte County)
- 2 FTE OPS Senior Secretaries (Lee County)

According to the Summary Reporting System official filings, dispositions and clearance rates—March 2014 Report, The 20th Circuit received 7,823 foreclosure cases filings and processed 15,192 dispositions. This equates to a 194% Clearance Rate.



At time of print there were about 10,000 pending circuit wide foreclosure cases. In Lee County, there are around 5,300 pending cases. In Collier County, 2,500 pending cases, 1,800 pending cases in Charlotte County, 200 in Hendry County and 60 in Glades County.

## Probation Officer Shares Story of Success

As daughter of migrant farm workers, it was not out of the ordinary for Nancy Mandujano to help her family in the fields. But along with these daily chores, Mandujano was also busy with school-work. The teen often struggled with help at home because of language barriers. Even so, Nancy graduated from Immokalee High School in 2002. She became the first person in her family to graduate. She furthered her education with a degree in Criminal Justice from Hodges University, which ultimately helped her land a job as an Officer with the Lee County Probation Department. Her success doesn't end there.



Mandujano was selected by Collier County Judge Janeice Martin as part of a panel who would speak to group of students from Immokalee High

School on the merits of persistence and hard work.

Something Mandujano could relate to. The students visited the Collier County

Courthouse in

February as a result of the joint effort from Judge Martin and the Immokalee Foundation. The goal was to expose the students to the professional opportunities available within the criminal justice system. Mandujano was able to share her uplifting story with the young people from her hometown. Her next goal is to obtain her Master's Degree.



Thanks to an idea from Court Security officer Nick Iammatteo and the generosity of Lee County Justice Center employees, some soldiers overseas will get to call home.

After serving overseas in the Army himself, Iammatteo decided it would be a great idea to partner with Cell Phone for Soldiers. The organization takes donated phones, recycles the materials and then purchases prepaid phone cards for soldiers. Each phone can provide up to two hours of free talk time. To date, Court Security has sent out more than 70 phones. Some of the phones were left abandoned at the Justice Cen-

ter, donated after a department upgrade or were someone's old private cell phone.

Since the charity was founded in 2004, it has provided more than 200 million minutes of free talk time to troops overseas and veterans. There are approximately 7,500 calling cards sent out each week all over the world.

Court Security is still accepting donations. You can drop off a phone or monetary donation at the Court Security Office which is room 100C-1 in the Justice Center Tower between 8:00am and 4:00pm Monday – Friday.

## Looking Ahead....

**May 2nd—**

**Second DCA Oral Arguments**

**May 9th—**

**Judicial Campaign Conduct Forum**

## Circuit Times Newsletter

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