



THE CIRCUIT TIMES

NEWSLETTER OF THE 20TH JUDICIAL CIRCUIT

SPRING 2018

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County Judge elevated to Circuit bench

It was never Judge Scott H. Cupp's goal to be a Circuit Court Judge.

"I was content being a County Court Judge," said Judge Cupp. "I thought I would retire on the Hendry County bench."

But when the opportunity struck to apply for the vacated Twentieth Judicial Circuit Position he decided to go for it.

"I had four years under my belt and I've worked hard at being the sole Hendry county Judge," said Judge Cupp. "Here in Hendry County you do it all and I wanted to make sure we have quality Judges on the bench."

On June 4, 2018, Governor Rick Scott announced the appointment of Judge Cupp to the Circuit Court bench.

The vacancy was created by the resignation of Judge Jay B. Rosman in February 2018. Judge Cupp will be transitioning from the Hendry County bench in LaBelle to the Circuit Bench in Collier County where he will be one of three Judges in United Family Court.

"I'm determined to do what I need to do, to get up to speed and I'm ready to learn and take on a new challenge," said Judge Cupp.

Before his appointment as a County Judge in 2014, Judge Cupp was in private practice in West Palm Beach. Judge Cupp also served as an Assistant State Attorney for the Twentieth Judicial Circuit where he served as the

Chief of the Felony Division. His primary focus as an attorney was in criminal law where he practiced for almost 30 years, so family law will definitely be a new challenge. Although as a County Judge in Hendry County, Judge Cupp received a Circuit assignment from the Chief Judge to preside over Juvenile delinquency and domestic violence cases.



"I don't think I'll feel any different being a Circuit Judge. You do what is in front of you and do the best job you can," said Judge Cupp.

Judge Cupp believes his transition to the County Bench was smooth and expects much of the same when he gets to Collier County.

"I'm looking forward to it and also to working with the Judges in Naples," said Judge Cupp. "But I leave with mixed emotions. I truly enjoy the people of Hendry County."

Judge Cupp will begin his work on the Collier Circuit Court bench in July. Applications are being accepted by the Judicial Nominating Commission for his vacancy in Hendry County.

Circuit Judge wins Trailblazer of the Year award

Circuit Judge Robert Branning was awarded News-Press' Trailblazer of the Year. The paper says this award is given to someone who has built a pathway of success for others through innovation, determination and commitment. Judge Branning was chosen for his work piloting the therapy dog program in Lee County dependency court.

About a year and a half ago, Branning proposed piloting the program along with the Children's Advocacy Center of Southwest Florida. Therapy dog providers bring the dogs to meet with the children in waiting rooms adjacent to the courtroom prior to their hearing.

The Children's Advocacy Center of Southwest Florida has several teams of dogs that range from Dalmatians to Retrievers. The program is currently offered in depend-

ency and Termination of Parental Right proceedings, but the courts are exploring the possibility of using dogs in criminal court as well.

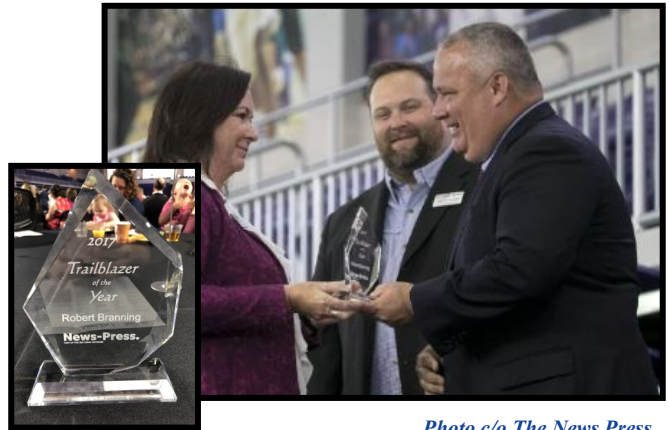


Photo c/o The News Press

Judges host Mock Trials for students



Circuit Judge Bruce Kyle held a Mock Trial with students from St. Francis Xavier School



Circuit Judge Robert Branning met with students from Classical Conversations Group prior to their mock trial

Judicial Campaign Conduct Forum held in Fort Myers

The standards governing judicial elections were explained to candidates, campaign managers, staff, and others during the Judicial Campaign Conduct Forum held in Fort Myers on May 11, 2018. Judge Miguel de la O presented on behalf of the Judicial Ethics Advisory Committee to candidates, friends, and campaign staff.

“The judicial system cannot function effectively without public confidence in the integrity, independence, and impartiality of the individuals who serve as judges,” said Judge de la O.

These public forums are designed to raise awareness regarding the requirements of Canon 7. The forums are organized each election year by the Florida Supreme Court and The Florida Bar Board of Governors in conjunction with the

state's trial court chief judges and the Judicial Ethics Advisory Committee.

Chief Judge Michael T. McHugh opened the forum with brief remarks emphasizing the importance of integrity and professionalism among candidates and the potential impact of campaign misconduct on public trust and confidence in the courts. Representatives of The Florida Bar's Board of Governors will speak briefly regarding the Bar's role in judicial elections. Members of the Judicial Ethics Advisory Committee will then provide a summary review of Canon 7, give examples of conduct which may violate the Code, call attention to online resources, and further impress upon candidates, campaign staff, and others in the community the seriousness with which the Supreme Court views any abuse of the elections process.

Security revamped in Hendry County

The Hendry County Courthouse Complex is undergoing some security changes. Hendry County in collaboration with the Chief Judge and Court Administration will be implementing universal screening for everyone, including employees, in the upcoming month. The courthouse complex will now have one entrance and one exit, changing the flow of traffic to enter through the courtyard. Currently, there are 11 entrances and exits. Additional cameras, panic alarms, and other security features have been added to improve the safety and security of the facility.



Written by: Dawn Oliver, Administrative Services Manager



Elite DNA
Therapy Services



Drug Court returns to Hendry County

Adult Drug Court is being re-established in Hendry County. Effective July 1, 2018, the Center for Progress and Excellence, which is a subdivision of Elite DNA, will provide professional alcohol and drug treatment services for adult drug court participants. In February 2015, Hendry County's drug court program was discontinued due to the previous treatment provider's inability to secure adequate funding for services.

Research shows that drug courts work. Treatment courts not only help participants, but also the whole community. Drug court programs have proven to help break the cycle of addiction in individuals with alcohol and drug problems and help them become productive members of society.

Adult Felony Drug Court is a multi-phase diversion program offered in lieu of incarceration. Non-violent offenders who have committed crimes related to their substance abuse or dependency, and who qualify, may choose to receive specialized outpatient substance abuse services, stay in recovery and become productive members of society. The program typically takes 12 to 19 months to complete.

May is National Drug Court Month!

In honor of National Drug Court Month, both Naples City Council and Collier County Commissioners signed a proclamation honoring Collier County Drug Court. Collier County Judge Janeice Martin and participants attended the meetings. Drug Court was started in Naples in 1999.

Also during May, Lee County Judges Andrew Swett, Josephine Gagliardi, and members of the Treatment Court team (below right) attended the National Association of Drug Court Professionals Annual Training Conference in Houston, Texas. The conference features hundreds of sessions on the critical issues affecting treatment courts.



Participants at Naples City Hall



Participants at Collier County Commission



Treatment Court Team at conference

2nd District Court of Appeals Judges visit for Oral Arguments

Three Judges from the Second District Court of Appeals made their annual visit to the Lee County Justice Center on May 4th, 2018. The visit is coordinated by Judge John Carlin and Lee County schools in hopes of educating and engaging students in the area of law. Approximately 75 students attended from four Lee County schools.

Before arguments began, Judge Edward LaRose, Judge Moris Silberman, and Judge Samuel Salrio answered questions from students. Topics included the difference between circuit and appellate courts, the importance of oral arguments, and the process to become an attorney or judge.

Following Oral Arguments the judges attended the Law Week Awards Luncheon.



Judge Salrio, Judge Silberman, and Judge LaRose

Circuit Judge celebrates 40 years on the bench



Circuit Judge Hugh Hayes celebrated 40 years as a Judge in March 2018. Judge Hayes was appointed to Collier County Court in 1978 and to the Circuit bench in 1982. Judge Hayes served for two terms as Chief Judge of the Twentieth Judicial Circuit (2003-2007), and has served as the Administrative Judge for Collier County on multiple occasions. Judge Hayes is the longest-serving judge in the 20th Circuit and one of the longest-serving judges in Florida.



Magistrate awarded Jurist of the Year



Magistrate Perez is pictured here with Peter Gladstone, Esq., the immediate past-president of the Chapter, and Jack Long, Esq., a Collier County family law attorney who chaired the awards committee.

Magistrate Gil Perez was awarded the Gavin Letts Memorial Jurist of the Year Award for 2018 by the Florida Chapter of the American Academy of Matrimonial Lawyers. The award is presented for the Most Outstanding Contribution to the Field of Matrimonial Law by a Member of the Judiciary. Florida AAML provides exclusive and valuable educational, marketing, and networking opportunities to the most qualified, ethical family law attorneys in Florida.

In the past forty years of the organization giving the award, Magistrate Perez is only the third Magistrate and the second honoree from the 20th Judicial Circuit.

“I am very proud of this personal achievement,” said Magistrate Perez. “I believe it is also a reflection on our Circuit and our excellent Family Law Team.”

Charlotte County Teen Court celebrates 25 years



Teen Court of Charlotte County celebrated its Silver Anniversary this season! In 25 years, Charlotte County Teen Court volunteers have clocked in over 40,000 volunteer hours, sat in over 1,100 cases as Jurors, Attorneys, Shadow

Attorneys, Bailiffs, and Clerks.

Judge Woodard and William Hayes IV began the program from the model they saw from the Sarasota Teen Court Program and it took off from there. Several judges and attorneys help train the students on proper court procedure and conduct. Unlike regular court, the jury is allowed to ask questions so they can fully understand how to render their sanctions when they deliberate. Some come in at 9th grade as Jurors and stay all four years as Jurors because they enjoy their role as a Juror. Some students go on to other roles as Bailiffs, Shadow Attorney, Clerk or Attorney because they want to try their hand out there.

They have options. Whatever they feel comfortable in is what we encourage them to do. I do challenge them to step out of their comfort zone, but I do tell them to do what makes them feel the most comfortable.

In these 25 years, former volunteers have come back to court as Assistant State Attorneys, Staff Attorneys, Psychologists, and Police Officers. Could they have accomplished these goals without Teen Court? Of course, but it's so rewarding to know that Teen Court was a part of their journey.

It's rewarding when a troubled youth sees you later in their life and remembers you and says thank you for giving them another chance. Not everyone can be "saved" but there is something about being "judged" by your peers that makes a difference in a young person's life and hopefully Teen Courts will be around for at least another 25 years!

Written by: Andrea Williams, Charlotte Co. Teen Court Coordinator



Teen Court participants pictured with Circuit Judge Donald Mason, Mrs. Williams, and Deputy James Bulczak

Lee County Teen Court volunteers log more than 2000 hours



Lee County Teen Court members gathered on May 24 to celebrate another successful year. The program currently has 57 active members logging 2,442 hours total. The member with the largest total will be a junior in High School this year and has logged 266.5 hours total and had 90 hours this year. The average number of hours is about 70-80 per volunteer per session.

Participants include high school students, LCSO Explorers, and volunteer Judges from the State Attorney's Office, the Attorney General's Office, and several from private practic-

es. There were two new judges this year, and hope to recruit a few more.

Teen Court members are very high-achieving students with most of them in advanced curriculum programs. Many participate in the Mock Trial program as well. Permanent members must maintain good grades and must volunteer at least one session per month. They are also awarded community service hours.

Most of the cases heard in Teen Court are Petit Theft cases, however recently they have been receiving referrals from the State Attorney's Office to include marijuana/paraphernalia possession, DV Battery, Felony Theft, Controlled Substances and other more serious cases.

"The talent levels are rising and I am proud of each and every one of their accomplishments," said Teen Court Program Coordinator Stacey Lowe.

Teen Court will start back up in August. Our website has more information on how to join.

Please congratulate...



Lee County Criminal Division Director Amy Kinsey has been selected as Team Leader of the Year by the Florida Corrections Accreditation Commission. Amy is the first EVER PTS/ Probation Assessor-Team Leader to receive this award. In addition to serving as an assessor for the Florida Accreditation Commission, Amy took the next step and became qualified to serve as a team leader. As an assessor-team leader, Amy has additional responsibilities when she is assigned to assess an agency. In addition to taking the lead role of the overall assessment, Amy is responsible for compiling and generating the final report that is submitted to the Commission. In order to become qualified as an assessor and Team Leader, Ms. Kinsey has completed and maintained specific training certifications through the Florida Accreditation Office.



Lee County Pretrial Supervisor Scott Peckham was awarded a scholarship to attend the PTAC Conference in Ponte Verde through the Pretrial Justice Institute (PJI). The inaugural Police, Treatment, and Community (PTAC) Collaborative conference is the first conference of its type in the United States focused on the newly emerging field of pre-arrest diversion and open to all approaches linking law enforcement, behavioral health, community and research. PJI selected only one recipient to receive this scholarship, which included registration fees, lodging and travel expenses. During the conference, Mr. Peckham posted daily reflections in the University of Pretrial Community and a blog entry to PJI for publication.



Lee County Pretrial Officer Shawn Tanner has obtained the Certified Pretrial Services Professional Certification through the National Association of Pretrial Services Committees on Education and Training. Mr. Tanner qualified in experience and education and passed an examination on both general legal issues and issues specific to pretrial investigation and release. This demonstrated a basic understanding of the pretrial movement and the history upon which it is based. The Certification Program is designed to advance the overall knowledge level of practitioners in the pretrial field, and help ensure that they are aware of the most current information and best practices. Further, it promotes the capabilities of pretrial professionals—both within the program and to the public in general—by demonstrating their adherence to the NAPSA Code of Ethics, and enhancing their public image thereby aiding in the recruitment and formation of new and talented staff.

Welcome Lee County's Security Lieutenant



Lt. Richard D. Oppelt
Roppelt@ca.cjis20.org
 Ext. 32657

Introducing: Richard D. Oppelt ("RD")

The AOC Court Security Department is pleased to introduce Richard D. Oppelt, who has recently joined the AOC, as Lieutenant of the Court Security Department. As Lieutenant, Richard will manage the daily administration and operations of the department.

Richard has some 22 years of criminal justice experience, most recently serving as Assistant Warden of the Moore Haven Correctional Facility in Moore Haven, Florida. He holds a Master of Business Administration degree and a Bachelor of Science degree in Criminal Justice with a concentration in Homeland Security.

We are confident that Richard will apply his considerable experience and expertise to continue to improve upon the delivery of security services to our community at the Justice Center Complex.

Welcome aboard Richard!

Administrative Professionals Day celebrated



The Circuit's Administrative Professionals were celebrated this year during Administrative Professionals Day, which falls in the last full week in April. Human Resources handed out lanyards in appreciation and Lee County's Criminal division organized a luncheon to recognize clerical staff.

Mediation and Arbitration volunteers honored

The 20th Judicial Circuit's volunteer Mediators and Arbitrators were celebrated in March 2018 at the annual Arbitration and Mediation Advisory Board's appreciation dinner.

The dinner is put on to celebrate the volunteers who devote countless hours to Mediation and Arbitration throughout the circuit. Service awards are also handed out to those who have been giving their time for five to 15 years.

The event is hosted by Alternative Dispute Resolution/Civil Manager Jack Hughes and was emceed by Chief Judge Michael McHugh and Lee County Judge Tara Paluck.

Those who received service awards are as follows:

5 Years

Michelle Bagnal
Dean Brown
Jack Ryan
Kenneth Bubnick

15 years

Greg Masonick
Stephen McIntosh
Esta Rubinstein

10 Years

Gary Biernesser
Thomas Malkus
Jack Mutzabaugh
Flora Ashley
Leo F. Rattigan
William VanSanten



*Back (L-R): Judge Peter Bell, Judge Robert Branning, Judge Andrew Swett, Judge Geoffrey Gentile, Chief Judge Michael McHugh, & Judge Devin George
Front (L-R): Judge Zachary Gill, Judge Leigh Hayes, Judge Christine Greider, Judge Tara Paluck, Judge Lee Schreiber, & Judge Josephine Gagliardi*

Human Resources hosts two training opportunities

Recently 20th Circuit's Human Resources Department held two trainings for its employees.

The Train-the-Trainer Workshop was held on April 20th. The facilitator was HR Assistant Manager, Dawn Whittington. The workshop was designed to assist supervisors, managers, and team leads to prepare course structure and content to conduct effective training sessions. As a result of attending this course, participants are able to identify principles of participatory learning, assess specific learning needs, write clear learning objectives, use various teaching methods and aids, and develop an effective training program.

The second training was the Employment Law Supervisor Workshop, which was held on May 11th. The facilitator was Ms. Suzanne Boy, Employment attorney with Henderson Franklin. The workshop covered areas such as harassment/

discrimination/retaliation; FMLA/ADA; Performance Management; and Social Media basics.

As a result of attending this course participants learned: The difference between unlawful harassment, bullying, and inappropriate or insensitive conduct; the difference between FMLA and ADA and identify keys words and/or situations that require either FMLA and/or ADA follow-up; how to determine when to use a performance improvement plan (PIP) or corrective action (CA) form; Understand the importance of thorough and accurate documentation, including evaluations and disciplinary documents; Identify the importance of creating personal social media boundaries; Differentiate when information found on social media can be used for discipline and when it cannot; and other relevant objectives.

All Rise for Collier County's newest courtroom

The Collier County Administrative Office of the Courts is proud to announce the opening of Courtroom 1-C. Continuous utilization of this courtroom began in late February of 2018 following a construction period of just over one year. State-of-the-art features include tabletop power access for electronics and sub-floor wiring. The courtroom provides public seating for fifty, a fourteen-seat jury box and a newly appointed jury room. Courtroom 1-C is conveniently located on the first floor, just beyond Security and will primarily handle county court cases.

Written by: Jeff Nichols, Collier County Criminal Division Director



Are You Hurricane Ready?

1. Be Prepared BEFORE the Emergency

- Develop a family disaster plan (see www.ready.gov).
- Develop a disaster supply kit (see www.ready.gov).
- Keep your contact information with Human Resources up-to-date.
- Know your floor monitor.
- Be familiar with the Emergency Evacuation Plan for the court facility in which you work.

2. Stay Safe and Informed DURING the Emergency

- Find a safe place—and stay there
- Say informed using:
 1. The 20th Judicial Circuit web site (www.ca.cjis20.org) or twitter (@SWFLCourts)
 2. Send Word Now Emergency Notification System
 3. Local Radio and television stations
 4. A NOAA weather radio
 5. Your work e-mail
 6. 20th Judicial Circuit hotline: 239-533-1773

3. Recover and Restore AFTER the Emergency

- Seek assistance for medical and other personal needs if necessary.
- Stay informed using the available means listed above.
- Follow instructions as provided.

4. Recover and Restore Court Operations AFTER the Emergency

- Complete step 3 and insure the safety of your family and property.
- Stay informed using the available means listed above.
- Follow instructions as provided.
- Report to your regular work location or alternate relocation site as directed.



Outside Hendry County Courthouse after Irma



Damage on 5th Floor of Lee County Justice Center after Irma

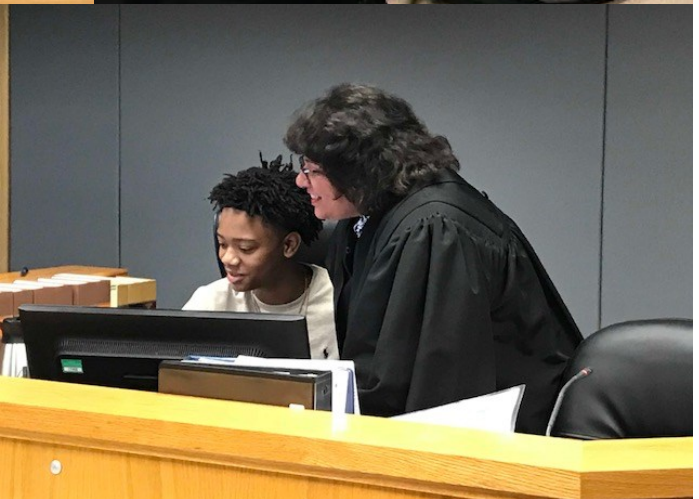
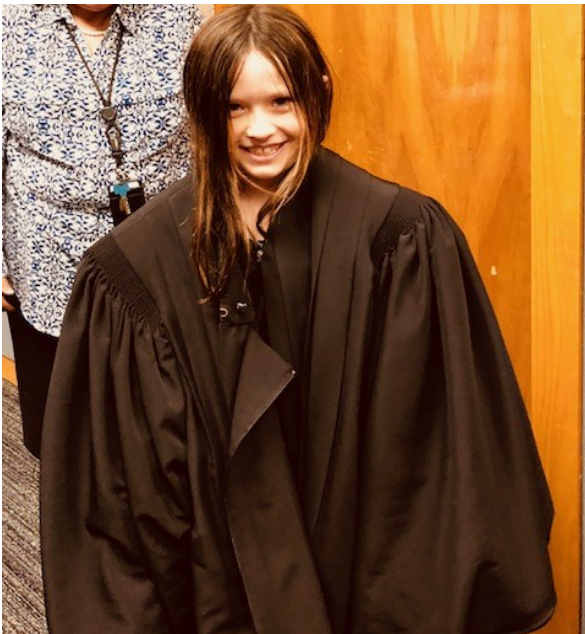


Damage in Charlotte County CR 3A after Irma

2018 Hurricane Outlook

It's that time of year again. Hurricane season is upon us. For 2018, Forecasters predict a 35 percent chance of an above-normal season, a 40 percent chance of a near-normal season, and a 25 percent chance of a below-normal season for the upcoming hurricane season, which extends from June 1 to November 30. It is predicted there will be 10-16 named storms, 5-9 Hurricanes, and 1-4 Major Hurricanes.

Pictures from 2018 Take Your Kids to Work Day in Lee County



Circuit Times Newsletter

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*For more information about the Twentieth Judicial
Circuit visit our website at www.ca.cjis20.org*



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