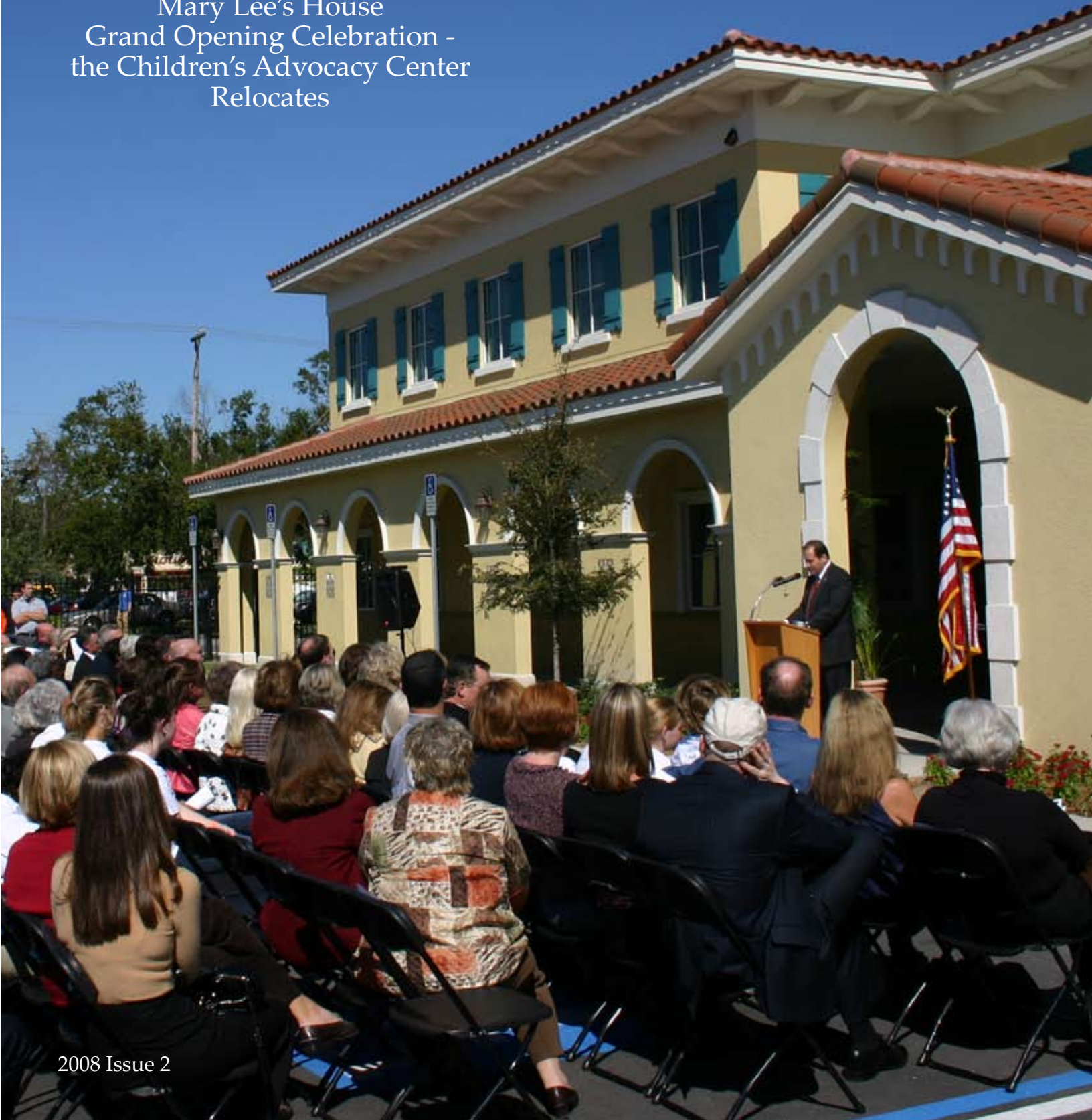


# LEGAL E-CONNECTED

*of the 13th Judicial Circuit*

Mary Lee's House  
Grand Opening Celebration -  
the Children's Advocacy Center  
Relocates



# MIKE'S *Window* TO THE 13TH JUDICIAL CIRCUIT

## MEDIATION TURNS 30



*"It's no accident that the Mediation Program is successful."*

Thirty years ago there was no cable television, home computer or cell phones. There were also no CD players or CD's. The Walkman was the latest innovation. A few of you were "Shadow Dancing" or trying to "Stay Alive" with the Bee Gees, while others were listening to tunes from the Eagles and James Taylor. You start to get the picture, it was a different day – Phil Donahue ruled the airwaves as the talk show host and while our kids were introduced to Schoolhouse Rock, the courts introduced a classic of its own – Mediation.

Hard to believe that a generation has grown up with this concept and now has come to expect mediation as part of the justice system. Once thought of as an intruder in the process, it is now an integral part of the process and conflict resolution is now recognized in our schools as the fourth "R" – Reading, wRiting, aRithmetic, and Resolution.

Last year, in our circuit alone we received almost 9,000 referrals for each of the court divisions we serve, and our Community and Southshore Community Justice Center. Fifty percent of the hearings were in Family Law. That's not a surprise, because in our circuit courts,

this is where our highest filings are. Mediation's resolution rate of almost 60 percent is impacting the system and is a testament to the mission statement of this program.

Almost 45 percent of the hearings were in county court where landlord/tenant and small claims cases are regularly referred to mediation. Over 1,000 cases were settled just last year.

It's no accident that the Mediation Program is successful. It stands on the success of staff and volunteers with rich experience. Retention in this area has been critical and can be accredited in great part to the leadership in this area for the last twenty years, Ms. Marty Merrell.

We have come a long way in this circuit and statewide. Today, mediation has its own funding source through circuit filing fees in the state. Parties' portion of the fee has also increased in the family division, depending on their income. This creates a self sustaining program so that generations to come will always know that they have the opportunity to participate in solving their own problems in court –

*Michael D. Brinkman*



## On the Docket

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Jeske

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Adoption Day : Life Long Families



New Year Brings Four New Judges to  
the 13th Circuit

Legal e-Connected  
is a publication of the  
Office of Public Information  
under the  
Administrative Office of the Courts  
of the  
13th Judicial Circuit of Florida.

# NEWHIRES



Samantha Jones

**S**amantha Jones, Court Program Specialist 1, began work in the Case Management Unit on February 25, 2008. Samantha hails from the Bronx, NY and has lived in Florida for 12 years. Prior to coming to work in the Administrative Office of the Courts, she worked as a Court Representative for the Florida Department of Corrections. According to Samantha, her only child is her Pomeranian, Shayla-Monique who, Samantha says, is loved and goes everywhere with her.

Another New Yorker, **Nancy Brueger** works in the Drug Court Programs Office. Nancy was born in Queens and raised in Yonkers. In her position as Drug Court Specialist II, Nancy is assigned to the Family Dependency Treatment Court. She joined us on April 21, 2008.

Drug Courts are not new to her. She worked as a substance abuse treatment provider to the drug courts in New York, and her career in substance abuse counseling spans 18 years of direct counseling and managing programs.

Nancy moved to Florida in August of 2007 to be near her mother who lives in Hudson. Nancy says that her mom is the most important person in her life, but also placing high on Nancy's list is LuLu, her Miniature Pinscher. 🐶



Nancy Brueger



Angie Smith: Editor's Letter



You can't live in Tampa or be a baseball fan and not be aware of the "new math" created by Rays manager Joe Maddon, that's right... $9=8$ . The skipper who took a last place team to the World Series, who emblazoned the slogan on T-shirts and hats. You have to contemplate the phrase a while and even then some are not believers, "nine players going hard for nine innings equals one of eight playoff spots." Just remember, whether mathematically im-

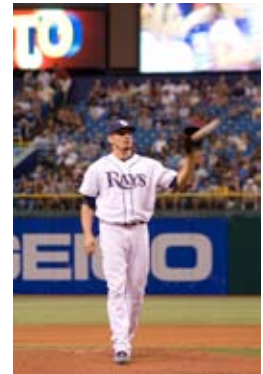


possible or not, the Rays came up with a winning formula and somehow went from worst to best in the American League.

Perhaps the lessons to be learned don't end in arithmetic. You have to applaud the teamwork of this organization at all levels. For those who are not sports fans, you have to understand that it has never been one individual that has stood out on this team. Just when you think one person will be the clutch hitter, it turns out to be another teammate. And they all seem to cheer for one another, even when critical mistakes are made.

All this with what in Major League Baseball terms is considered - limited resources. For those of us who love the game, we are well aware that the Rays payroll amounts to less than one third of the Red Sox. In fact, the Rays payroll ranked 29th out of 30 major league teams, yet the Rays prevailed.

Those of us who work in the courts know what it's like not to have a lot of "fans" and certainly know what it is like to work with "limited" resources. We often work with little expressions of appreciation from the public but when it comes, those accolades are greatly appreciated. And throughout the AOC, we have "teams" who work together. As one of my closest colleague says sometimes though, don't confuse a "team" with a group of people who work together. Perhaps that was the secret of the catchy phrase Joe Maddon coined in spring training. Albeit, I sat by a few people during the playoffs that could have saved the Rays a great deal of money in coaching salaries because they knew a lot more than Maddon, I believe that he is on to something - simplicity, back to the basics and one of those is teamwork.



Despite all the limitations, teamwork and a positive attitude appear to be the keys to success.

Can't help but wonder if we shouldn't give this new math a try.



## Work Life Balance

# CHALLENGE YOURSELF

written by | David Kirby  
photo by | Simone Fallon

Here is your assignment. Should you decide to accept it, you will do a combination of these activities 6 – 7 days a week.

- weight training
- running - up to 10 miles
- swimming
- cycling
- and you will take a spinning class at a gym

Oh, so you're already doing that? Well, if you are, you can join Henry Ajo. Henry works in the Office of Public Information as a Multimedia – Associate Producer, when he is not working out, that is.

Time wise, Henry fits his workouts around, and sometimes in the middle, of his work days. Sometimes it's the morning; other times after work is better, and often it's both. He's been known to use his lunch hours attending spinning classes at the Downtown YMCA.

So, you may ask, what makes Henry run? He says he finds that the time he spends on fitness pays dividends in all areas of his life.

### Benefits

- sense of accomplishment
- feels healthy & fit
- more focused mentally, clearer thought process
- For Henry, working out pushes him to eat healthy foods
- time alone for prayer: He sometimes feels as if he has "transcended to a different realm."

### Motivators

- Both of his grandfathers were diabetic, so assuming he has the genetic predisposition for the disease, he is doing everything possible to tilt the odds in his favor.



- He says that after getting married, his weight rose to 240 pounds. Henry is 5'9". So two-hundred forty was really hefty for him, and he found that he could no longer play football with kids from his church, and even just everyday activities had become difficult for him.
- Longevity and good health through his elder years - Henry recently ran a sprint triathlon in which a seventy-two year old man finished the race, and a sixty-six year old man actually passed him by and finished ahead of him.

This last "motivator" ties into a couple of Henry's beliefs: Henry is sure that our bodies are capable of much more than we challenge them to do. He also believes that we all have a say in how we age. For Henry, getting fit now, while he's young, and staying in shape throughout his life pays both immediate and deferred dividends in terms of physical, mental and spiritual health. 🙏



## Work Life Balance



### If My Friends Could See Me Now

written by | David Kirby

This little cutie (for the moment, let's call her CC) grew up in the projects, and when she talks about this time and place in her life, ever present on her face is a bemused and wistful smile. She recalls walking the two blocks to school with her younger sister, Diann. CC remembers playing long hours in the streets and on the sidewalks of her neighborhood: Abraham Lincoln Houses, in Harlem NY. She and Diann and their friends twirled in hula hoops, jumped rope, rode bicycles, roller skated, and played stickball through after-school evenings and through long, hot, Harlem summer days. She remembered, with a big smile, the times when it was just way too hot and somehow, magically, the fire hydrants were opened and suddenly everybody was cool.

These "projects", where your co-worker was raised, are at 135<sup>th</sup> St. and Madison Ave. and consist of six blocks of multi-story, red brick buildings. CC described these six blocks as a unified, multicultural, safe-island. She recalled the strong sense of community that made this place and time special – the acceptance of diversity, the unified assumption of responsibility, by all parents, for the wellbeing of all the children. Incidentally, Webster's defines the word "project" as "a

large or important undertaking". And, what more important project is there in this life than properly raising children? CC did indeed grow up in a project.

She acknowledged that, outside her neighborhood, there was a rougher "real world." Ah, but within those six blocks, the kids knew to head for home when the street lights came on. That was the rule. They knew that all the parents in the community took care of all the children and that these "extended parents" took that responsibility (to serve and correct) seriously. So the children were safe to play, to learn and to grow.

There was no television in her home so she visited with friends to watch TV. She remembers watching the Wizard of Oz on a nine-inch black and white set.

As the years of childhood unrolled, CC excelled academically, becoming a National Honor Society member. She also played volleyball and ran track in school.

When she was fourteen, brother Earl was born. Now the family consisted of CC, sister Diann, brother Earl and mom and dad, Pearl and Henry Holmes. When CC was eighteen, the family moved to Brooklyn.

And life rolled on. Eventually CC married and moved to Florida in

1981. Her (now ex) husband had secured a job with the Hillsborough County Sheriff's Office. They had three daughters and one son by this time, and she will tell you all about them. They were a close-knit family and she had no trouble with the kids, which she credits to having "raised them with a stern hand." All of her children excelled in sports and one daughter went to college on a basketball scholarship. CC's "claim to fame" is that all four of her children have college degrees! All of her immediate birth family still lives in New York, except her father, a World War II Army veteran, who passed away and is buried in the Veteran's Cemetery in Beaufort, South Carolina. She goes back to New York to visit her mom as often as possible. Abraham Lincoln Homes is still pretty much intact, and CC still attends the same church when she's in the old neighborhood. True, much has changed over the years, but memories of open fire hydrants, hula hoops and the cohesive community have endured along with her very favorite memory from childhood – sitting down, with her whole family, every night, at the dinner table – in the projects.

Do you know who she is? Take a guess and then turn to page 11 to see if you're correct. 🐣



# LUNCH HOUR Stress Busters

Here you go - this is where your co-workers are when you cannot find them between noon and 1:00 p.m.

**Amanda Hevia** enjoys spending her lunch break at Joe Chillura Courthouse Square. She says "the fresh air, sun, shade and park setting are invigorating."

**Cheryl Harris** closes her office door, puts on soft music and opens a good book, and, she says she absolutely will not answer the phone during this hour.

**Judge Kevin Carey** uses his break to either swim or run.

**Marie Folsom** says she makes believe she has money and does some pretend shopping in catalogues.

**Gina Vittone** gets some exercise and breaks up her day by walking around downtown.

This is an excerpt from **Roger Allen's** response. "In the winter I like to go outside and watch the buzzards gaily flit 'mongst the towering spires of downtown."

"When the going gets tough...the tough go shopping." This is **Trish Waterman's** prescription for lunch-time stress relief.

**Danielle Cardamone** agrees with Trish Waterman. Danielle's response was one word: **SHOPPING.**

**Ann Mynatt** goes to the Florida Aquarium sometimes during lunchtime. She finds it relaxing to

walk around observing the fish, otters, birds, turtles, and alligators. She's partial to the otters.

**Judge Dan Sleet**, when he has the time, enjoys going to the gym and lifting weights or getting some cardio exercise in "while classic rock and roll tunes play on the sound system."

And from **Maritza Lopez**: "I have the ability to have lunch with my kids. We walk to the park, get ice cream and spend quality time together. I get to spend that quality time that sometimes we are not able to because of our crazy schedules. Sharing with them and some of their classmates guarantees a good laugh!"

Here's another vote for our downtown parks. **Susan Anders** enjoys Joe Chillura and Gaslight Parks and says they are "nice places to relax and read".

**Yolanda Caballero** sometimes plays Bejeweled on her own laptop. She's also been know to go for a skinny latte at Starbucks.

**Bernadette Morgan** says she spends her lunch break in prayer.

**Diana Browning** has decorated her office with her favorite places in England and says "When I am stressed, I focus on my pictures and remember the fun times I had

in my wild youth on vacation in England!"

She sometimes will meet one of her friends for lunch, but otherwise, **Lorraine Lundy** closes her office door for some quiet time to eat her lunch. Sometimes she gets in a 15 - 20 minute power nap too.

**Mary Fish** enjoys "walking downtown, grabbing a bite and sitting in the park with friends, enjoying the sights and sounds of our city."

**Tonya Muhammad** has two lunchtime getaways, her office (door closed) and her car. In either place, she reads or listens to music and sometimes takes a power nap. On occasion, she breaks up the routine by taking a walk.

**Yvonne Romero** has a variety of ways to help her relax: reading scripture verses to nurture the soul when the stresses in life are overwhelming; a nice brief walk around downtown when the weather is good; climbing the stairs with a friend and/or co-worker on a rainy day- "closing the door of my office and doing some stretch exercises."

**Simone Fallon** enjoys her lunch break with a little photography and a little Photoshop work. She's always looking for an opportunity to improve her portfolio.



## PDF - Portable Document Format

written by | David Kirby



Why in the world would anyone want to convert a perfectly good Microsoft document into an Adobe Acrobat (PDF) file? It just sounds like an unnecessary, time-wasting step, right? Well, according to Jim Demel, of Xerox and the Helpdesk, there are very good reasons to convert documents to Adobe Acrobat (PDF.)

Adobe Acrobat is a universal reader, which means that anyone who has Adobe's free software installed would have access to any file created in or converted to PDF - and practically any document can be converted.

Security - e-mailed Adobe documents cannot be altered by the receiving party unless that party has the full-blown, and expensive, version of Adobe.

Security - many types of software, including Microsoft products, store what is called metadata. Metadata is defined as "data about data." This metadata is a complete history of the document. If a document is saved and later opened to make changes, or if it is sent to someone else who then makes changes, all of the alterations are saved in the metadata, along with the identity of the person making the changes. From that point on, anyone who accesses that file would be able to access the metadata. Imagine that you have written a letter for you boss and, as it goes back and forth between you and her, some potentially embarrassing or sensitive data is edited out. Well, all of that data is still part of the document and can be read by anyone who has electronic access to the file. The simple solution is to convert the document to Adobe which "scrubs" the metadata from the file.

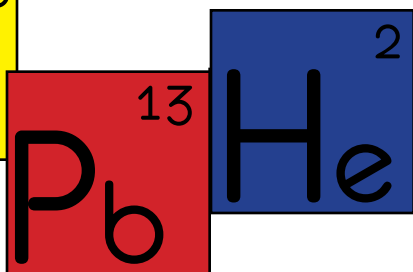
Documents converted to the PDF format from their original digital file are text-searchable. For instance, if a document had been created in *Word (the original digital file)* and then converted to a PDF via Genifax, the converted document would be text searchable.

Saving a file to PDF can result in a smaller file size. This is especially useful when e-mailing larger files.

Everyone in the Administrative Office of the Courts, as well as the judiciary, has Genifax installed on their computer. This is the program that is used to send faxes from the desktop. The process of sending the fax creates a PDF document. Instead of sending the fax, the user can save the PDF to the desired destination.



- Create a Document (text, spreadsheet, PowerPoint, etc.)
- Click File
- Click Print
- Select Genifax from the drop-down printer list
- Click OK or Click the 'Send a Genifax' button
- This opens the Omtool Genifax Send Form window. The attachment you see is your document converted to a PDF.
- Right click the document and select "Save As"
- Choose where the document is to be saved and give it a name.
- Done - close the Genifax window



program.briefs



L - R Family Law Magistrates : Martin Proctor, Richard Weis, Vicki Reeves, Mary Lou Cuellar-Stilo

# FAMILY LAW MAGISTRATES

written by | David Kirby

In this circuit, we have four Family Law Magistrates; Mary Lou Cuellar-Stilo, Martin Proctor, Vicki Reeves and Richard Weis. Due to Mr. Weis' recent deployment to Afghanistan, (He is an officer in the U.S. Army Reserve.) he was not available for interview for this article.

These Family Law Magistrates are empowered by Administrative Order S-2007-116. According to the AO, they "hear and make judgments on...all pre-judgment family law matters, including trials, in cases in which both parties are proceeding pro se or in cases in which both parties have ever proceeded pro se". The AO also permits the magistrates to handle "all post-judgment family law matters" as well as "all pre-judgment temporary relief family law matters".

Pre-judgment cases consist mainly of dissolution of marriage filings but also include paternity and adoption. Magistrate Vicki Reeves estimates that 90% of the pre-judgment cases she hears are divorces.

Post-judgment family law matters include child custody, visitation, child support and/or alimony filings. Again, these matters must be referred to a magistrate by a judge. Magistrate Martin Proctor said that judges routinely refer these cases to the magistrates.

Pre-judgment temporary relief family law matters consist of requests for award of custody, visitation, child support, alimony or attorney's fees and costs.

The following is meant to demonstrate how cases flow from judges to magistrates and then finally, back to the judge: When a petition for dissolution of marriage is filed, if neither party has an attorney, the judge to whom the case is assigned often chooses to send the case to one of the Family Law Magistrates. The cases are assigned, alphabetically, to the magistrates according to the first letter of the last name of the petitioner. Once the case has been referred to the magistrate and the parties have been noticed, there is a ten day period during which either party may file an objection requesting

# BETWEEN JULY OF 2007 AND JUNE OF 2008, THESE FOUR MAGISTRATES SPENT 2,323 HOURS IN HEARINGS

that the case be handled by the judge to whom the case was assigned. According to Magistrate Proctor, if one of the parties objects at this stage, the case will always be referred back to the judge. However, if there is no objection, the magistrate will then conduct proceedings as called for.

According to the Florida Rules of Court (Rule 12.490), once the proceedings have ended, "the general magistrate shall file a report that includes findings of fact and conclusions of law, together with recommendations". These reports constitute the heaviest part of the magistrates' workload. Magistrate Reeves estimates that she spends four times as much time in research and report writing as she does in hearings.

Once the copies of the report and recommendations have been served on all parties, they have ten days in which to file exceptions to the report. If an exception is filed, Ms. Cuellar-Stilo explained, the judge usually sets a hearing in his or her court. However, the judge may choose to sign the proposed order as it was submitted by the magistrate. Or, the judge may send the case back to the magistrate. Finally, the judge could make changes to the magistrate's recommendations and incorporate those changes into the final order.

Please remember that the example above describes one hypothetical case, a new dissolution filing, but, as the AO says, our magistrates may hear all pro se family law matters, all post-judgment family law cases and all pre-judgment temporary relief matters. That may seem broad enough, but the AO also appoints these magistrates as child support hearing officers. And, they do hear these cases.

Obviously, these magistrates stay very busy, and family law is said to be the most emotionally fatiguing area of the law. So, if the workload is heavy and the nature of the work takes its emotional toll, what is there to like about the job? Ms. Cuellar-Stilo finds the variety of the types of cases stimulating. She said that "seeing cases settle amicably during a hearing" is very satisfying to her. She also delights in the fact that her job is quasi-judicial; and she especially appreciates "the experience of looking at both sides of a case, stepping back to take a look at the bigger picture and then making recommendations to the court."

Mr. Proctor, on the other hand, enjoys the research and report writing. The one difficulty for him is the lack of finality in most cases. After the hearings are finished and his research and report completed, the case goes back to the referring judge, and Mr. Proctor often never knows how the matter was ultimately concluded.

As far as Magistrate Reeves is concerned, this is the best job she has ever had. She likes the variety and that "things are constantly new and different". But she does notice the mental and emotional toll that family law cases often generate. She is glad, at times, that her commute home takes a while so she can use the time to process the day's events and wind down from being at close quarters with the feelings of negativity and hostility that family law matters sometimes generate.

Between July of 2007 and June of 2008, these four magistrates spent 2,323 hours in hearings, but they spent many times that amount of hours writing reports. These thousands of hours are hours that judges do not have to spend on cases. The net result is that, by utilizing magistrates in this circuit, the number of family law cases is spread over a wider base, and that translates to a more timely and efficient system for the citizens of this circuit. 🙌

**IF MY  
FRIENDS  
COULD SEE  
ME NOW  
ANSWER**



Meet your co-worker, Lorraine Lundy, Court Program Manager, in Mediation and Diversion Services. Lorraine came to work in the courts on January 20, 1986. She worked in several capacities in the AOC before coming to her present position in 2001. If you happen to see her around the courthouse, tell her hello, and if you want to see a beautiful and proud smile, ask her about her children.



# Community Bench

## GET YOUR MOTOR **R U N N I N G**

*with Judge Tracy Sheehan*



written by | David Kirby  
photography by | Simone Fallon

Judge Tracy Sheehan was raised in Alaska, and it shows. She personifies the qualities shared by people who survive in harsh environments. Courageous and resourceful, she has the ability to adapt to changing circumstances, and she has the strength to confront dangerous situations and prevail.

Judge Sheehan has some experience facing obstacles. She was diagnosed with breast cancer in November of 2002 and then again in December of 2005. Obviously, in each instance, the shock of the news was overwhelming. But, soon she saw that she had to come up with a way to live with the cancer. However, living with the disease was not her ultimate goal. Her plan was to be cancer-free. So, she took stock of her resources; overall good health, people who cared about her, good doctors, but, she thought "There must be something else." And, she was; there was something missing: prayer. She made a

promise to God that, if he would just let her live, she would use her life to help others. She made a vow to herself: "I'm going to use my law ticket to do good."

By all accounts, she has lived up to that pledge. Judge Tracy Sheehan has been cancer-free for over two years. To keep up her end of the bargain, Judge Sheehan has divided her talents and energy among numerous causes.

Tampa Crossroads, a residential substance abuse treatment center for female offenders, caught her attention seven years ago. She volunteered there until she took office in 2007. While there, she participated in group sessions with the clients, provided legal advice and served on the board of directors.

Since 2004, the kids at West Tampa Elementary School have been fortunate to have Judge Sheehan in their

school as a tutor and classroom mentor. During the holiday season, she also helps the children make presents to take home to their families. During her time at the school, she has seen the school rise from a D rating to a B rating.

According to their website, Connected by 25 (Cby25) "is a community initiative that engages youth, public/private partners and policy makers to improve outcomes for foster youth through investments in services and programs." Briefly, Cby25 assists young adults who are aging out of the foster care system. Judge Sheehan serves on the Board of Directors and seems to have a particular passion for the mission of this organization, and according to her, so does Judge Herbert Baumann who also volunteers time and energy. You can check out Cby25 at their website: <http://cby25.org/index.htm>.

Additionally, she and Judge Baumann are founding members of Kids Charity (<http://www.kidscharitytb.com>) and they both serve on its Board of Directors. The mission of Kids Charity is "to improve the quality of life for foster children by providing advocacy, opportunities, support and resources."

One focus of Kids Charity is to identify underfunded areas of services to foster children.

Immediate shelter for children entering the system has been identified as one such unmet need. So, on June 13<sup>th</sup> of 2008, the organization broke ground on a five million dollar residential assessment center for foster kids. This kid-friendly center will provide thirty days of shelter and will perform in-depth assessments, the aim of which is to minimize repeated relocations of children already traumatized by the circumstances which led them into the juvenile dependency system.

Lending a hand at Tampa Crossroads, West Tampa Elementary School, Connected by 25 and Kids Charity is not enough for Judge Sheehan though. So she also volunteers at Joshua House which is an emergency, residential shelter that houses up to sixty children between the ages of six and twelve.

But, there is more; Judge Sheehan serves as the Chairperson of the Community Alliance of Hillsborough County which has been working on issues related to providing oversight as Medicaid services are privatized. The Alliance is made up of local and state organizations, community activists and concerned citizens and addresses a wide range of issues affecting access to services for children in the foster care system. She has been working closely with Magistrate Joan Montagno. Ms. Montagno said that Judge Sheehan was "instrumental in getting legislation passed to ensure children in the child welfare system get appropriate and timely access to mental health care." The next issue for this duo will be working with the Agency for Health Care Administration and the Department of Children and Families to figure out how to ensure that the foster child's Medicaid is portable, so that Medicaid stays with the child, rather than with the guardian in

the event of a change in placement. This would help ensure continuity of services for the child. Presently, if the child's placement changes, Medicaid coverage stops, and a new application must be submitted. This results in a lapse in services to the child.

Now you know some of

what Judge Sheehan does to express her gratitude for having survived breast cancer. And, remember that the list above is what she volunteers to do – she also has a pretty difficult day-job, and she has a social life, and she spends hours each week at her gym making sure that her body remains healthy and strong. And, as you may have already guessed from the pictures, she is an avid motorcycle rider. Her current bike is a Harley Road King Custom. This is her third Harley. She has been riding for eleven years.

Judge Tracy Sheehan is working tirelessly to repay a debt, and we, the Tampa Bay Community, live in a better place because she is here among us, making a difference and using her allotted time as an example to remind us all of how fragile and precious life is. 🙏



# TELECOMMUTING



## FACE 2 FACE 2 CYBERSPACE

written by | David Kirby

One way to increase the value of income is to reduce costs. That is the strategy behind the Court Administrator's push to increase telecommuting as part of the office's work/life initiatives.

With the rising price of gas, along with the shortage of time to complete family and work commitments, telecommuting stands out as a real advantage.

Sharon Noll, Angie Smith and Jill Ibell are the court employees who started the pilot project. They began meeting formally in November of 2007 when they met to discuss the technological side of the project.

An agreement between each employee and the court sets forth a requirement for the employee to maintain a log of accomplishments during the telecommuting period. The employees have also been asked to record observations to inform the court about ways to improve their success, such as evaluating technical support needed to access records and other office resources.

Mrs. Noll, Court Technology Project Coordinator, indicated, "We have all the tools in technology to make telecommuting a reality; access will definitely not be an issue." As for Sharon's own experience telecommuting, she lives in Spring Hill so she probably saves more in commuting costs than many others. She works from home only one day a week but estimates that she saves two – three hours in travel time weekly. While saving time and travel costs are the big advantages, Sharon noted that working from home also saves on her dry cleaning bill.

Regarding technology, Sharon's phone connection is direct; no passwords, codes or long distance prefixes or charges. According to her, both the phone and the computer function as if she were actually sitting at her own desk in the courthouse.



Since the pilot program began, additional employees have been authorized to telecommute. Elvira Pisacane, of Fiscal Affairs, sees advantages both for her and for Court Administration. Elvira has her elderly father at home. She is the primary caregiver for her dad, and she says that he is more comfortable when she's there, and she is relieved that she does not have to be concerned about how he is doing. Other advantages she sees are, of course, gas savings, but she also observed that being able to set and stay focused on her priorities, with no interruptions, increases her productivity. She also said that she sees telecommuting as a perk and "feels responsible to give her utmost in return."

Heather Thullbery, Personnel Director, is not telecommuting at this time, but several of her staff members are, and they have reported that, along with the cost savings, they have noticed that workplace stress has been reduced while personal productivity has increased. Heather observed, "You can't underestimate the health benefits and quality of life issues involved in decreasing stress in any position." She commented further that she has been doing some reading on the subject and has learned that telecommuting reduces absenteeism and is good for employee morale.

The three telecommuters in Court Personnel Resources are Yasmin Arguelles, Tonya Larry and Deborah Melms. They work at home on different days of the week. Heather commented that, even though the department has weekly staff meetings, the fact that one member is not in the office is not a problem because they utilize technology (teleconference and webinar) for the telecommuting person to join in from home.

One of the original telecommuters, Angie Smith, is working from home twice weekly. She sees many upsides to telecommuting. She is convinced that it has made her more productive. Her output has increased for a number of reasons: she gets up in the morning, takes a shower, puts on shorts or sweats and a t-shirt, sits down at her computer and is immediately at work. Much of Angie's work is related to writing or developing content for various multimedia projects so she has learned to save those tasks for days that she is working at home. She already knows what she wants to accomplish, so she dives in and does not surface until she is finished. Oh, this is important, before her sweats hit the chair; she dons one of her baseball caps. According to her, "I've always concentrated better when I have a cap on my head, hearkening back to college days." Angie did mention that judges, her staff and co-workers are adjusting to this schedule as she is still readily accessible by e-mail and telephone.

Before the pilot program was in place, Angie worked from home on specific projects with the court administrator's approval. She was able to access her e-mails from home but now that the pilot program is in place the technology landscape has changed vastly. The "icing on the cake" (of telecommuting), for Angie, is that the technology with which she has been provided makes her electronic communication with the courthouse virtually seamless.

Monthly savings of \$80.00 worth of gas and sixteen hours of drive time is what Jill Ibell has realized by telecommuting twice weekly. From her "home office", Jill has been working on drafting workflows and coordinating the AOC's Performance Management Report.

And, Jill observed, since working from home saves costs, rather than increasing income, there is no deduction (such as income tax) in the benefits received.

The Court Administrator, Mike Bridenback, plans to increase telecommuting opportunities saying, "We will use information from the first group of employees to find ways to offer the option to others. We expect to gain information about their experiences that will open the door for additional employees to participate."

Mr. Bridenback also noted that offering telecommuting to employees "is one way to work around the budget problems we are experiencing which prohibit increasing salaries this year."

Telecommuters use court owned laptops, and to get to work, all that is needed is to click on a desktop icon that routes them, through a secure connection, to their own desktop in the courthouse. The user signs in, just as if he or she was in the office, and from that point on, they have access to everything, exactly as they have in the courthouse. They can even print to whatever printers they usually have access to.

Additionally, telecommuters can log in from anywhere that offers broadband access. This increases, to an even greater extent, the flexibility that makes telecommuting attractive to many workers.

Of course, there is a lot of technical wizardry that makes effective telecommuting possible, and that is the job of The Presidio Corporation. They are the company with which the courts have contracted to provide these services. Julie Roberts is the Presidio Project Manager for this contract, and she commented on the security aspect of telecommuting. According to Ms. Roberts, the Office of the State Courts Administrator and the Florida Department of Law Enforcement have security policies that must be satisfied before employees can work from remote locations. There are also industry best practice standards in place. Ms. Roberts said that the technology the Thirteenth Judicial Circuit is using meets industry standards and complies with O.S.C.A. and F.D.L.E. policies.

Phones have been a different matter according to Ms. Roberts. She said that most home broadband connections are not of high enough quality to support the available phone software. Julie explained further that when the Internet connection is insufficient, phone conversations can be very choppy and difficult to follow. So, most telecommuters use cell phones.

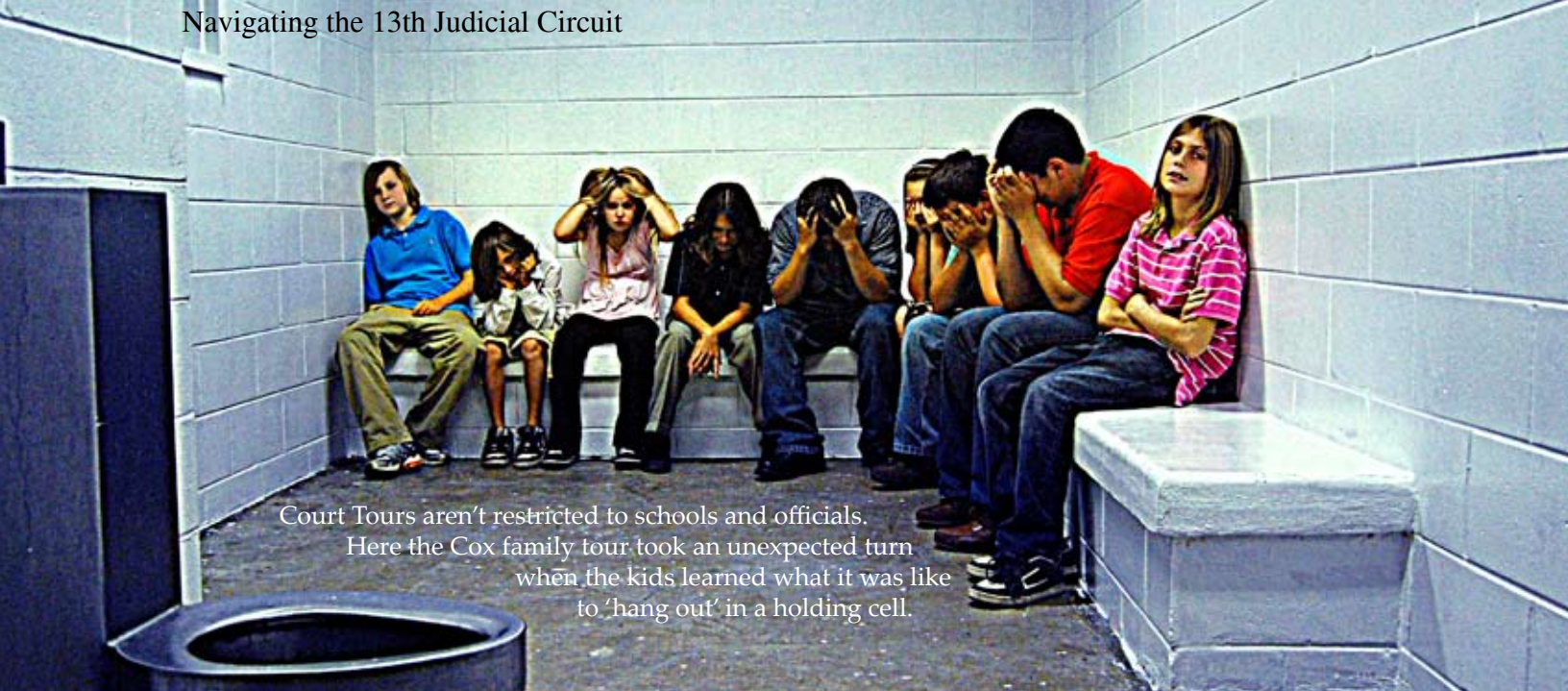
The technology is in place, and the pilot program is being evaluated. To date, no decision has been made as to whether or not to expand the telecommuting opportunity further. But it is still being considered as a way to help AOC staff to reduce work-related costs, improve employee morale and reduce workplace stress.

Telecommuting may not be taken to the bank, like a cost of living increase, but the fact that a more flexible work arrangement is being considered indicates some creative thinking is going into finding ways to indirectly compensate court staff in these difficult financial times. 🐼

# COURTTOURS

Navigating the 13th Judicial Circuit

CONTACT BAILIFF IF YOU  
NEED MEDICAL CARE  
PARA CUIDADO MEDICO  
PREGUNTE POR LA ESCOLTA



Court Tours aren't restricted to schools and officials.  
Here the Cox family tour took an unexpected turn  
when the kids learned what it was like  
to 'hang out' in a holding cell.

Date	Group	Tour Guide
02.21.08	Albuquerque New Mexico officials	C. Green & D. Kirby
03.05.08	Roche Surety Bail Bonds Class	David Kirby
03.12.08	Erwin Technical School	David Kirby
04.01.08	Saint Mary's School	D. Kirby & B. Potts
04.02.08	Lewis Elementary School	Blanca Potts
04.02.08	Visiting Russian Judges	C. Green & D. Kirby
04.09.08	Girl Scout Troup 508	Blanca Potts
04.24.08	Leto HS Law Studies	D. Kirby & B. Potts
04.30.08	Cambridge Christian Academy	D. Kirby & B. Potts
05.12.08	HCC International Studies	David Kirby
05.20.08	Jefferson HS Law Academy	D. Kirby & B. Potts
05.21.08	Carrollwood Elementary School	E. Lopez, D. Kirby, B. Potts
06.10.08	Everest University Paralegal Class	David Kirby
06.16.08	Stetson University Trial Advocacy Class	David Kirby
06.17.08	Keiser University Criminal Justice Class	David Kirby
06.25.08	Everest University Criminal Justice Class	David Kirby
06.26.08	Erwin Technical Center	David Kirby
07.14.08	Independent Living Program	Christine Shields, D. Kirby
07.15.08	Progress Village Academy	David Kirby
07.16.08	Cox Family Tour	David Kirby
07.23.08	UF & Miami Law School Students	Blanca Potts
08.05.08	Cub Scout Troop	David Kirby
09.09.08	HCSO Detention Deputies	David Kirby
09.12.08	American Home Schooling	David Kirby
09.16.08	Individual Student & Parent	Blanca Potts
09.16.08	Keiser University	David Kirby
09.17.08	Everest University	David Kirby
09.18.08	Erwin Technical Center	David Kirby





## *of* The Justice Files FLA "Violation of Probation"



Judge Daniel Perry



Judge Lamar Battles




Tonya Muhammad acts as a Judge during a dramatization



Pilar Ortiz, Host of Justice Files FLA



With more than 700 such cases a month being filed in the Thirteenth Judicial Circuit, it's easy to see how violation of probation cases could crowd a regular criminal docket so the issue required some efficiency measures be put in place. Whether the defendant is placed back on probation, sentenced to county jail or sentenced to

Florida State Prison, Judge Dan Perry explains how a specialized division allows the court to make that determination closer to 10 days after a defendant's arrest (instead of 35 days) for a technical violation or a violation resulting from a misdemeanor charge. You'll also hear from those who handle these cases everyday so you get an idea of what to expect before entering the courtroom. And step "behind the bench" and learn what life is like for someone who spent over 22 years on active duty in the army before becoming a judge – Judge Lamar Battles. Join Host Pilar Ortiz for this edition of *Justice Files FLA* if you want access to justice because she will introduce you to those who will share their knowledge about violation of probation. 

## *Credits*

**Executive Producer**  
K. Angela Smith

**Producer**  
Carlos Nieves

**Segment Producer**  
Henry Ajo

**Consultant**  
Brenda Harlan

**Studio Host**  
Pilar Ortiz

**Writers**  
K. Angela Smith  
Marcia Larkin

**Cast & Special Guests**

Leah Ajo  
Vivian Arinas-Battles  
HON. Emmet Lamar Battles  
Dpty. Chris Brown  
Christine Brown  
Marcie Campbell  
Joanne Croll  
Wesley Cull  
Dpty. Jeff Gibson  
Juan Gonzalez  
Brenda Harlan  
Peter Hugues  
Patrick Leduc  
Nickolle Lindo  
Edwin Lopez  
Larry Lucas Jr.  
Tonya Muhammad  
Mrs. Beatrice (BEE) Parrish  
Hon. Daniel Perry  
Kathy Regan  
Caryn Schiro  
Steven Tabano  
Adri Tasanaprasert  
Christopher Watson  
Peggy Wojcik



# LOUIS DE LA PARTE FLORIDA MENTAL HEALTH INSTITUTE

written by | David Kirby

One of this circuit's connections to the larger community is with the Department of Mental Health Law and Policy (MHLP) at the Florida Mental Health Institute (FMHI) on the campus of the University of South Florida. Felony and dependency divisions are currently benefiting from our collaboration.

Annette Christy, Ph.D., of FMHI, and Dan Ringhoff, M.S.W. of Northside Mental Health Center, are working on a project that someday could streamline the criminal courts' handling of forensic examinations of felony defendants whose competence to stand trial is in question. Mr. Ringhoff is working in the Administrative Office of the Courts (AOC) as part of a grant from the Florida Department of Children and Families to Northside Mental Health Center.

Dr. Christy brings her experience in academic research and the considerable resources of FMHI to the table. When FMHI was engaged to perform an evaluation of the Broward County Mental Health Court, Dr. Christy was named Project Director. Mr. Ringhoff contributes his extensive knowledge of forensic mental health systems. He has worked at Northside Mental Health Center in Tampa as a forensic specialist and, he also has worked as a forensic therapist at the Hillsborough County Jail.

Concerns about a criminal defendant's competence to stand trial may arise in a variety of ways, but often the suggestion of incompetence is raised by the defense attorney. In most instances, if the judge is persuaded that an evaluation is in order, he or she will order that the defendant be examined by a licensed psychologist or psychiatrist who has completed forensic evaluator training. Such evaluations typically take place in the local community or in the county jail. If the defendant is found to be competent to proceed, the case returns to the courtroom. However, if the examiner concludes that the defendant is not competent, the judge will adjudicate him or her incompetent to proceed and either have the defendant receive competency training in the community – typically on a conditional release order – or at a forensic treatment facility (state hospital).

Dr. Christy and Mr. Ringhoff also have been examining the quality of competency reports and the ratio between the number of court ordered forensic evaluations and the number of reports that find the client to be incompetent to proceed. The results of their study should assist the court in finding ways to improve the evaluation process and to find ways to target those defendants who truly have competency issues. Any improvements could lead to increased efficiencies and more manageable dockets.

Another connection between our courts and FMHI can be found in the drug courts. Kathleen Moore, Ph.D., like Dr. Christy, works in the Department of Mental Health and Law Policy. Dr. Moore has been involved with the Juvenile Drug Court (JDC) since the early days of that court. In January of 2001, Dr. Moore was instrumental in securing a \$20,000.00 grant from the Hillsborough County Children's Board. These funds were used to conduct in-home pre and post-treatment assessments of children, fifteen years and younger, who were involved in the JDC.

Then in 2004, Dr. Moore led a project involving FMHI, the Robert Wood Johnson Foundation, JDC and associated treatment providers. This undertaking, named *Reclaiming Futures*, ([www.reclaimingfutures.org](http://www.reclaimingfutures.org)) is a non-funded collaboration headed by the Foundation, and its goal, according to the FMHI website, is "to improve outcomes for substance-

involved youth in the juvenile justice system. In the participating communities, *Reclaiming Futures* brings together the courts, community organizations, service providers and volunteers to provide a full continuum of services to help substance abusing youth in the juvenile justice system. Our Juvenile Drug Court is no longer participating directly with *Reclaiming Futures*, but enduring lessons were learned during the collaboration.

The most recent collaboration involves, FMHI, Department of Mental Health and Law Policy, the Family Dependency Treatment Court and Goodwill Industries. This initiative is federally funded through the Substance Abuse and Mental Health Services Administration (SAMHSA). In April of 2005 Dr. Moore was instrumental in developing a grant proposal that was submitted to SAMHSA. In October of 2006, the grant was awarded to this circuit. The amount awarded

was approximately 1.2 million dollars. The funds are being used to "provide enhanced services to parents alleged to have neglected their children as a result of alcohol or drug use". Dr. Moore is

the principal investigator, and Goodwill Industries is the primary treatment provider for the Family Dependency Treatment Court.

The "enhanced services" include reliance upon evidenced-based practices in the treatment modalities. According to Dr. Moore, part of her job is to "hold the treatment providers' feet to the fire" to ensure that proven therapy techniques are routinely used.

The foregoing examples are but a few of the many relationships existing between our courts and the Florida Mental Health Institute. There are many others. Hopefully this sample demonstrates how beneficial the interrelationships between FMHI and courts programs are to both institutions. The researchers at FMHI are able to carry out their primary mission: research. And, the courts and associated agencies have benefitted by FMHI's provision of cutting-edge technical expertise, project development, training opportunities, grant writing and funding, and ongoing monitoring of projects over the lifetime of grants. 🐦

“ENHANCED SERVICES INCLUDE RELIANCE UPON EVIDENCED-BASED PRACTICES IN THE TREATMENT MODALITIES.”

# MARYLEE'S HOUSE GRAND OPENING



Mary Lee Farrior

## the house that Mary Lee built



written by | Simone Fallon

photos by | Simone Fallon, Calvin Green, David Kirby

Mary Lee Farrior had a dream to provide a safe, child-friendly place for children dealing with abuse. With countless hours of work and fundraising, Mary Lee's dream became reality.

Mary Lee led the capital effort with a contribution of \$1,000,000. Both Mary Lee and her son, Rex Farrior were the central presence in the organization. Early in the development phase, the Administrative Office of the Courts contributed \$500,000. As of November 1, 2007 a total of \$3.9 million was raised towards the \$6 million goal. Funding has come from individual donors, corporations, foundations and the public sector. October 29, 2008 was the grand opening for the 30,000 square foot facility. Many public officials and dignitaries, including Chief Judge Manuel Menendez and Court Administrator Mike Bridenback along with Mary Lee Farrior were on hand for the ribbon cutting ceremony.

Mary Lee's house is a community collaboration committed to protecting, respecting and healing children dealing with

Mary Lee's House





Trish Waterman of the CAC/CJC




CAC/CJC Staff Members at Mary Lee's House  
Top: Lisa Davis, Jennifer Miller, Amanda Hevia  
Bottom: Jose Robles, Trish Waterman,  
Michelle Sainsbury, Lisette Owen

physical or sexual abuse. The Children's Justice Center of the Thirteenth Judicial Circuit has relocated services such as Forensic Interviewing, Closed Circuit Depositions and Testimonies – those services that were associated with the Children's Advocacy Center - to Mary Lee's House. Currently, Supervised Visitations are still conducted at CJC's East Twiggs Street location. This partnership is a unique opportunity for the Children's Justice Center as it forges stronger collaboration and improved communication among legal, medical and law enforcement entities. Additionally, Mary Lee's House provides a single location for a child dealing with abuse. This reduces the trauma and stress of traveling to various locations; which can be intimidating for a child.

The Children's Justice Center's offices at Mary Lee's House are now steps away from USF's Department of Pediatrics Child Protection Team, the Healthy Start Coalition, Healthy Families, the Crisis Center of Tampa Bay APPLE Trauma Response Center, the Child Abuse Council and St. Joseph's Children's Hospital's Advocacy Center. "I knew the community would respond. They are very, very caring for our children and once the idea was presented that you can actually gain efficiencies and you can save the taxpayers money by building a system like this and building a building like this that they would understand," said J. Rex Farris, son of Mary Lee and Chairman of the Board.

The Thirteenth Judicial Circuit has an Administrative Order which specifically identifies the number of interviews for a young victim and the manner in which these interviews are conducted. It is imperative that a forensic interviewer have a specific set of skills which in turn are strengthened as they are developed over time and in a consistent manner. Now, the Children's Justice Center employs a staff forensic interviewer at Mary Lee's House. This is just one benefit of co-locating services at Mary Lee's House.

The creation of Mary Lee's House with its focus of collocation of services provides benefits to abused children, their families and to the entire community. 



Chief Judge Manuel Menendez



Court Administrator Mike Bridenback



Court Administrator Mike Bridenback at the entrance of the 'Michael L. Bridenback Conference Room' at the new CJC



CAC/CJC Control Room



Child Friendly Waiting Area at Mary Lee's House



## In Honor and Memory of Mario Dominguez 11.01.87 - 07.19.08

On October 7 the CAC/CJC dedicated the new control room and a tree at Mary Lee's House in honor and memory of Mario Dominguez. Mario worked in CJC's control room and had a great passion for his work. He will be missed.

In Memory of  
**Mario Dominguez**

*"We thank the Lord everyday for the joy of having him in our lives."*



Mike Bridenback (center) with Mario's parents; Zonia & Jose Dominguez





## MAGISTRATE COORDINATES STATEWIDE TRAINING EVENT

written by | David Kirby

**M**agistrate Sean Cadigan, acting in his capacity as Director of the Elder Justice Center, and working in conjunction with representatives of the Sixth Judicial Circuit, coordinated a four-hour statewide training event on February 29, 2008.

The event, titled Initial Guardianship Examining Committee Training, was offered to all of Florida's twenty judicial circuits and was available via video teleconference. Eight circuits participated, some of them with multiple counties in attendance.

The curriculum was designed to meet the statutorily mandated educational requirements of individuals seeking qualification as an Examining Committee member. But, just what is an Examining Committee, and what do their members do? Very briefly, when a petition for determination of incapacity is filed, the court appoints a committee of three, the members of which are charged with performing individual examinations of the alleged incapacitated person and reporting their findings to the court. Of course there are certain educational and professional requirements that must be met for a person to be eligible for appointment to a committee, but no matter what the individual's academic and career experiences might be, they are required to take the Initial Guardianship Examining Committee Training.

Mr. Cadigan recruited two distinguished educators to provide instruction. First up was Randy Otto, Ph.D., an Associate Professor in the Department of Mental

Health and Law Policy at the University of South Florida. He is a licensed psychologist and Diplomate in Forensic Psychology. He is also a faculty member at the Stetson University College of Law. Dr. Otto shared his expertise in the area of incapacity evaluations.

Next up was Edwin M. Boyer, Esq., an elder law attorney whose practice is in Sarasota. He received his Juris Doctor degree in 1978 from Stetson University of Law and is presently a member of the Board of Directors of the National Academy of Elder Law Attorneys. Mr. Boyer covered many of the legal aspects related to incapacity and guardianship proceedings.

Mr. Cadigan arranged for the Statewide Public Guardianship Office to certify that the February 29<sup>th</sup> training met all the legal requirements for the initial Guardianship Examining Committee Training. Also, professional guardians in attendance received continuing education credits.

Judge Patricia Thomas of the Fifth Circuit sent her thanks after the event, saying that she thought that it went very well and noting that she was especially impressed with how well the video conferencing worked. Indeed, the conference was well planned, well executed, and highlighted the resourcefulness and talent in the Thirteenth and Sixth Judicial Circuits. Its success serves as an example of how future statewide court efforts can benefit by maximizing the use of existing technology. 🙏

Holiday Gift Drive

# E lives for Elders

## 2008

Dec 1st - Dec 19th



### Ways You Can Help



#### Be an Elf

(Shop for items on a ward's "wish list")

- ✳️ **Come to the Elder Justice Center**, located in the Main Courthouse in downtown Tampa, 800 E. Twiggs St., Room 481, where a holiday tree will be decorated with individual nametags and "wish lists" from December 1st through December 19th - or
- ✳️ **Call Aging Solutions** at (813) 949-1888 for assistance in choosing an individual to sponsor.



Carol, age 79  
Sweat shirt, toiletries,  
slippers...



#### Other Ways to Contribute

- ✳️ **Gift Cards** to stores such as Wal-Mart, Target and K-Mart
- ✳️ **Donations to the Wards' Gift Fund**, for uncovered costs such as dental work, hearing aids, adult/senior day care programs, and even transportation to medical appointments.
- ✳️ **Help Aging Solutions staff deliver presents**, call (813) 949-1888 to coordinate a time

### Drop-off Locations\* (3 locations)

- ✳️ **Aging Solutions** 312 W. Lutz Lake Fern Rd., Lutz
- ✳️ **Elder Justice Center** 800 E. Twiggs St., Ste. 481
- ✳️ **Bay Area Legal Services** 829 W. Dr. M. L. King Jr. Blvd., 2nd Flr.

\*All gifts must be received by Friday, December 19th, to ensure delivery by December 25th!  
Late deliveries can not be accepted at the Courthouse location. Any special arrangements for a late delivery must be made with Aging Solutions.



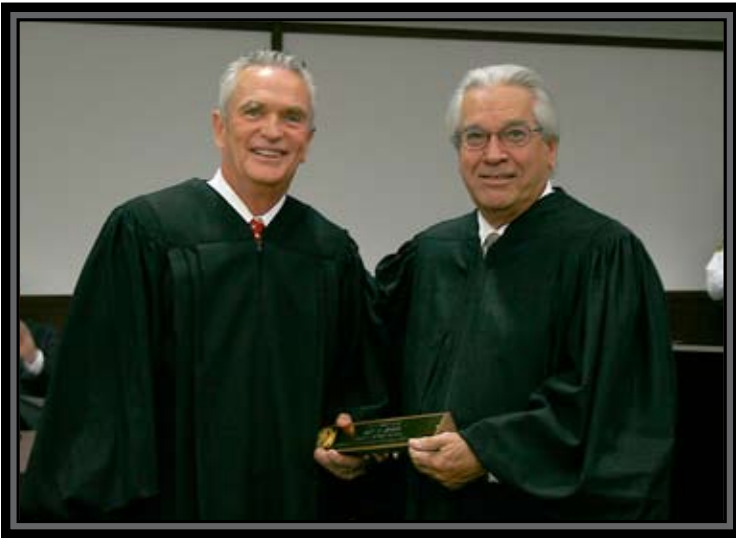
Fernando, age 62  
Jacket, polo shirt,  
Holiday goodies...



For more info visit  
[www.fljud13.org/ejcPage.asp](http://www.fljud13.org/ejcPage.asp)



# INVESTITURE OF THE HON. PAUL T. JESKE



Judge Jeske & Judge Palomino



Chief Judge Manuel Menendez, Jr. & Judge Paul Jeske



Judges Fernandez, Evans, Ober, Conrad & Jeske



Judge Jeske & Thomas R. Bopp, Hillsborough County Bar Association

On October 30, 2008, Paul T. Jeske, private attorney, became Judge Paul T. Jeske when he was administered the Oath of Office by Chief Judge Manuel Menendez.

Before his appointment to the bench by Governor Charlie Crist, Mr. Jeske was in private practice in the firm of Sprague and Jeske, P.A. He had been there since founding the firm, with partner Patrick Sprague, in 1978.

Judge Jeske received his undergraduate degree from the University of South Florida and is a graduate of the Stetson University College of Law. He has been assigned to County Civil Division K and to Unified Family Court: Domestic Violence, Division H. His judicial assistant is Laurie Scollin. 🌿

# FAMILY DEPENDENCY



# TREATMENT COURT



Justice Files FLA  
Airing Now

“Family Dependency Treatment Court”

**FOR AIR TIMES & CHANNELS PLEASE GO TO  
[WWW.FLJUD13.ORG/MEDIACENTERVIDEOPAGE.HTML](http://WWW.FLJUD13.ORG/MEDIACENTERVIDEOPAGE.HTML)**