



# The Docket Call

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## 2008 Interest Rate on Judgments or Decrees

Pursuant to §55.03 (1), Florida Statutes, the Chief Financial Officer of the State of Florida sets the rate of interest payable on judgments or decrees, effective January 1 of each year.

Please be advised that the interest rate for calendar year 2008 has been set at 11 percent per annum or .0003014 per day. This rate took effect Jan. 1, 2008.

If you have any questions, please contact the Vendor Ombudsman Section at (850) 413-5561.

## Report focuses on mental health issues, the courts

No single branch of government can treat the state's mentally ill. Active involvement from all three branches will be key in the successful diagnosis and treatment of persons suffering from mental illness, according to a report released in November.

Chief Justice R. Fred Lewis, Gov. Charlie Crist and Department of Children and Families Secretary Bob Butterworth were among the state leaders calling for change in the state's mental health system during a press conference at the Florida Supreme Court Nov. 14.

A report, "Transforming Florida's Mental Health System," was released the same day. The 200-page document recommends that leaders rethink issues like funding sources, training and education and preventive programs for youth and adults for all agencies that touch the mentally ill.

"None of the substance of this report can be implemented by any single branch of state government," Chief Justice Lewis said. "We need all three branches involved, and I am so proud to see how the leadership has responded."

Gov. Crist echoed Chief Justice Lewis' sentiment.

"Addressing the needs of individuals with mental illness requires that every branch of government come together to create solutions, while always keeping our focus on the people whose lives will be touched by those solutions," Crist said.

Judges often find themselves seeing mentally ill people who end up in jail for

"On any given day in Florida, there are approximately 16,000 prison inmates, 15,000 local jail detainees, and 40,000 individuals under correctional supervision in the community who experience serious mental illness. Annually, as many as 125,000 people with mental illnesses requiring immediate treatments are arrested and booked into Florida jails."

*From Transforming Florida's Mental Health System*

committing relatively minor offenses directly related to their illnesses or addictions. Many jails in the state have become the largest mental health care providers in their communities.

"I think we all recognized that Florida now is stuck in a vicious cycle of inappropriate behavior leading to inappropriate incarceration, again and again," Chief Justice Lewis said. "At root, this is an issue about using the wrong tools and the more expensive tools to address human problems and human suffering arising from a treatable disease."

Chief Judge J. David Walsh was one of the judges who attended the November mental health summit and was impressed with the level of involvement from all three branches of government. If approved, he said the plan will bring together statewide resources while giving local officials the flexibility to formulate plans that are best suited for their individual jurisdictions.

"It's going to be a long process," he said. "I would think we're going to see some local impact—hopefully this year."

## Updated division assignments

The following county court division assignments took effect Jan. 2, 2008

Division 60	Judge Sharon B. Atack
Division 62	Judge Peter T. Miller
Division 63	Judge Elizabeth A. Morris
Division 65	Judge Patti Christensen
Division 66	Judge Charles J. Tinlin
Division 70	Judge Peter F. Marshall
Division 71	Judge John R. Smith
Division 72	Judge Shirley A. Green
Division 78	Judge Mary Jane Henderson
Division 80	Judge David B. Beck
Division 81	Judge Peter A.D. McGlashan
Division 82	Judge David H. Foxman
Division 83	Judge Belle B. Schumann
Division 84	Judge Stasia Warren
Division 85	Judge Dawn P. Fields

The following circuit division assignments took effect Dec. 3, 2007

Division 01	Judge Randell H. Rowe, III
Division 02	Judge Robert K. Rouse Jr.
Division 04	Judge John V. Doyle
Division 05	Judge Hubert L. Grimes
Division 07	Judge James R. Clayton
Division 08	Judge Frank Marriott
Division 10	Judge C. McFerrin Smith III
Division 15 (W. Volusia Unified Family Court)	Judge Hubert L. Grimes
Division 22 (E. Volusia Juv. Del. Drug Court)	Judge John W. Watson III
Division 23 (W. Volusia Juv. Del. Drug Court)	Judge Joseph G. Will
Division 24 (Flagler Adult Drug Court)	Judge Kim C. Hammond
Division 25 (Putnam Adult Drug Court)	Judge A.W. Nichols III
Division 26 (St. Johns Adult Drug Court)	Judge Wendy W. Berger
Division 27 (E. Volusia Juv. Dep. Drug Court)	Judge Margaret W. Hudson
Division 28 (W. Volusia Juv. Dep. Drug Court)	Judge Hubert L. Grimes
Division 30	Judge Shawn L. Briese
Division 31	Judge Richard S. Graham
Division 32	Judge William A. Parsons
Division 35	Judge S. James Foxman
Division 36	Judge Julianne Piggotte
Division 37	Judge John W. Watson III
Division 38	Judge Margaret W. Hudson
Division 40	Judge Joseph G. Will
Division 41	Judge R. Michael Hutcheson
Division 42	Judge Patrick G. Kennedy
Division 43	Judge J. David Walsh
Division 45 (Volusia Adult Drug Court)	Judge Joseph G. Will
Division 49	Judge Raul A. Zambrano
Division 50	Judge Kim C. Hammond
Division 52	Judge Terrill J. LaRue
Division 53	Judge Edward E. Hedstrom
Division 54	Judge A.W. Nichols III
Division 55	Judge J. Michael Traynor
Division 56	Judge Wendy W. Berger
Division 57	Judge John M. Alexander
Division 58	Judge Clyde E. Wolfe

## Judges practice Justice Teaching

Increased civic education in Florida schools has been a top priority during Chief Justice R. Fred Lewis' term. Through the statewide Justice Teaching program, Chief Justice Lewis challenged judges and attorneys to volunteer their time and talents to educate youth about the American justice system.



Special recognition goes to Volusia County Court Judge Belle B. Schumann for her monthly contributions at Creekside Middle School in Port Orange and Volusia County Court Judge Dawn Fields for her visit to Campbell Middle School in Daytona Beach.

All judges, general magistrates, hearing officers and law clerks are encouraged to forward information about their Justice Teaching school visits to Molly Justice at [mjustice@circuit7.org](mailto:mjustice@circuit7.org) to be included in future issues of The Docket Call.

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## Congratulations / Items of Interest

Molly Justice, Court Communications Officer, was elected President-Elect of the Florida Court Public Information Officers.

Katie Barnard, Court Program Specialist, Family Court Services, obtained a Bachelor of Arts degree from the University of Central Florida.

The 2007 hurricane season ended Nov. 30. The season experienced near-average activity and was characterized by 14 named storms, six hurricanes and two intense hurricanes.

The Volusia County Courthouse Annex in New Smyrna Beach is featured in a 2008 calendar of Florida courthouses published by Magna Research Consultants. It is the featured courthouse for the month of May.

The 2007-08 Florida State Employees' Charitable Campaign and corresponding county United Way campaigns concluded. Thanks to all who participated and to those who coordinated our efforts.

The Circuit has received Jury Service DVDs from the National Constitution Center in Philadelphia. Copies will be distributed to all court locations.

Thanks to the efforts of Judges, the State Attorney, the Public Defender, Pretrial Services and many others, the average daily population of the Volusia County Branch Jail dipped below 1,400 during the month of December 2007, a level not seen since April 2003.

*(continued on Pg. 11)*

## Speaking Engagements of the Seventh Judicial Circuit Racial and Ethnic Fairness Workgroup Community Outreach Subcommittee

As part of the Seventh Judicial Circuit's diversity efforts, the Community Outreach Subcommittee keeps track of the speaking engagements by judicial and Court Administration personnel. The listings below are an example of how judges and employees work in the community to create a heightened awareness of the court system through informative talks and tours.

If you are interested in volunteering for the Community Outreach Speakers' Bureau, have information regarding a past speaking engagement, or know of a community group that would be interested in hearing about the Court, please contact Molly Justice at (386) 239-7837 or [mjustice@circuit7.org](mailto:mjustice@circuit7.org).

### Youth and Schools

10/15—Court Communications Officer Molly Justice spoke to students at the PACE Center for Girls.

10/17—Volusia County Court Judges David Beck and Peter A.D. McGlashan and Assistant State Attorney Ryan Will participated in a job shadow with a senior at New Smyrna Beach High School at the City Island Annex.

10/23 and 11/6 —Students from Calvary Christian Academy observed juvenile delinquency court before Circuit Judge Hubert L. Grimes at the Volusia County Courthouse in DeLand. The students also met with Circuit Judge James R. Clayton, Volusia County Court Judge Peter Marshall, Assistant State Attorney Jeanne Stratis and Teen Court officers Israel Gonzalez and Jimmy Hernandez.

10/27—Volusia County Court Judge Peter A.D. McGlashan participated in a panel discussion at Bethune-Cookman University in Daytona Beach.

10/31—St. Johns County Court Judge Patti Christensen spoke about the courts system to students from the ABLE Charter School at the St. Johns County Courthouse.

11/10—Volusia County Court Judge Peter A.D. McGlashan participated in a legal forum at the University of Central Florida in Orlando.

11/15 — Students from the Open Bible Christian Academy observed juvenile delinquency proceedings before Circuit Judge John W. Watson III at the Volusia County Courthouse Annex at City Island in Daytona Beach.

11/15 — A class from Interlachen High School observed adult drug court before Circuit Judge Wendy W. Berger at the St. Johns County Courthouse in St. Augustine.

11/29—Volusia County Court Judge Shirley Green spoke to eighth graders at Manatee Cove Elementary School in Orange City.

12/5—Court Communications Officer Molly Justice participated in career day at Silver Sands Middle School in Port Orange.

## Judicial Profile: County Judge Peter T. Miller

*Part of a series of judicial profiles from around the Circuit.*

**Q:** *How did you get into the legal profession?*

**A:** I was born and raised in Putnam County. I got my associate's degree at St. Johns River Community College and a bachelor's degree in business and personnel management from Florida State. When I graduated, there was only one company in town to work for and I really didn't want to work there. My cousin, Joe Miller, was an attorney and told me he would give me a job if I went back to law school. I graduated from law school in 1969 and worked as an administrative aide for state Rep. Jim Glisson that summer. Then I went to work for my cousin. I was in private practice for about 14 years before becoming a judge. I spent most of that time with my cousin but was on my own the last five or six years. Working in a small town, we had a general practice. My cousin is still in practice in St. Augustine.

**Q:** *Why did you want to become a judge?*

**A:** County Judge William Warren was retiring, so I

thought, "Why not jump in and try?" The appointment ended up going to someone else, but there was an election for the seat shortly after the appointment. I decided to run and won. I became a judge in 1985, and there was only one county judge at the time. Since then, we've gained a county judge and a circuit judge—giving us three circuit and two county judges in Putnam County.

**Q:** *What division do you enjoy presiding over the most?*

**A:** Right now I hear criminal cases. I probably enjoy criminal the most because it's more interesting. It's amazing the situations people get themselves into. I also hear juvenile delinquency cases.

**Q:** *Your name has come up in the news lately for something that some say is an "untraditional" sentence imposed in retail theft cases. Can you explain?*

**A:** I've gotten calls from all over on this — BBC, Court TV, a law professor from

California. First-time retail theft offenders are given the option of serving 30 days in the county jail or spending two hours walking around with a sign that says they stole from a local store - in addition to paying a fine, performing 25 hours of community service and serving six months probation. I can't even remember how I got the idea—I think from a judge up North. I thought this measure might get some people to stop committing the crime or at least get people's attention. Shoplifting is a problem everywhere, and we all pay for it. They gripe. They hate it, but I haven't had anyone refuse the option yet. The probation office tells me that of the 600 to 800 offenders sentenced this way, only six or so have re-offended.

**Q:** *Do you have a family?*

**A:** Yes, my wife, Linda, and I have a grown son, Drew, and two grown daughters—Christi and Ginger. I also have two grandchildren—Jenna and Gavin. My son lives in Palatka, and my daughters live in Jacksonville.



Judge Peter T. Miller



Circuit Judge Margaret W. Hudson visits with Summer Rae O'Brien following the adoption ceremony.

## Judges create new families on Adoption Day

Courts around the country celebrated Nov. 17 as National Adoption Day. Judges in the Seventh Circuit recognized the day by finalizing seven adoptions during an adoption seminar at the Hilton Daytona Beach Ocean Walk Village.

Before the court proceedings began, Volusia County Chair Frank Bruno presented a proclamation recognizing November as National Adoption Month. Circuit judges Margaret W. Hudson and Hubert L. Grimes finalized the adoptions, which created four

new families. Circuit Judge Raul A. Zambrano spoke to the importance of adoption and encouraged attendees to consider becoming adoptive parents.

The event was presented in partnership with Community Partnership for Children and Embraced by Grace Adoption Agency.

Special thanks to the Volusia County Clerk of Court and Volusia County Sheriff's Office for helping the Court make these proceedings possible.

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## Justice Cantero to speak at May 1 event

The Seventh Judicial Circuit and Volusia County Bar Association will be hosting Florida Supreme Court Justice Raoul G. Cantero May 1 in Daytona Beach in conjunction with Law Week 2008.

Remarks from Justice Cantero and The Florida Bar President Francisco Angones will kick off the Circuit's Bench and Bar Professionalism Symposium at Embry-Riddle Aeronautical University.

This afternoon continuing legal education opportunity will also feature roundtable discussions with trial and appellate judges and attorneys. All area judges, attorneys and students are invited to attend.

Additional information will be forthcoming.



### *New Arrivals*

*Judge John M. Alexander and his wife Pat are proud grandparents. Mary Olivia Elekes was born Nov. 8.*

## Around the Courthouse: Volusia County UA Lab

Part of the "Around the Courthouse" series of departmental profiles from around the Circuit.

**D**efendants released on pretrial release are ordered to stay drug-free while their case is pending. But how do judges know if defendants are obeying court orders?

With assistance from staff at Volusia County's two urinalysis labs, court officers monitor a defendant's compliance with random – and often frequent – drug testing.

The five-person staff services both sides of Volusia County with a Daytona Beach location at 250 N. Beach St. and a DeLand office on the first floor of the Volusia County Courthouse.

In addition to pretrial release, the lab provides services to other programs and organizations including Drug Court, Teen Court and Community Partnership for Children.

During the 2006-07 fiscal year, the lab served 15,854 individuals and ran 281,607 tests.

Staff handle intake, collection, testing and reporting. To ensure the authenticity of the tests, officers observe clients while they provide the sample.

Samples are then run through an Olympus AU640 analyzer and tested for substances such as opiates, cocaine, amphetamines, THC, alcohol, methadone and benzodiazepines. To ensure the proper use of the analyzer, staff complete a one-week training for certification.

The lab then provides results to court officials and judges. Officers also testify in court on an as-needed basis.

Circuit Judge Joseph G. Will is assigned to a criminal division and also presides over the Volusia County Adult Drug Court and West Volusia Juvenile Delinquency Drug Court.

"This lab delivers a timely, consistent report with a professional luster – so reliably that our defendants in Drug Court don't even ask for hearings on the integrity of the test results any more," he said. "We simply wouldn't be able to operate our Drug Court without the folks at the lab."

Doing work that contributes to the success of programs like Drug Court is rewarding to officers like Tracey Wrenn.

"The best part of my job is being able to play a part in changing people's lives for the better," she said. "I see people struggle with addiction and the loss of their children when they first come in. Although it may take a long time and a few missteps along the way, I love to see them get their lives together to become better and more productive citizens. That is also how I know that our program works."



Court Services Officer Eugene Neal prepares samples for testing in the Olympus AU640 analyzer at the urinalysis lab at 250 N. Beach St. in Daytona Beach.

## Personnel Notes

### New Hires

Eva Rulapaugh  
Court Reporter  
Flagler County  
11/19/07

### Transfers/Promotions

Brian Brittain  
Court Services Officer II / UA Lab  
Volusia County  
10/6/07

Carly Fishpaugh  
Law Clerk  
Volusia County  
12/27/07

Mary Essue Khan  
Senior Law Clerk  
Volusia County  
12/15/07

### Separations/Retirements

Kathleen Cartwright  
Office Assistant III / Teen Court  
Volusia County  
10/5/07

Robert Sharpe  
Senior Court Services Officer / UA  
Lab  
Volusia County  
10/5/07

Shirley Santillana  
Administrative Coordinator II / Teen  
Court  
Volusia County  
11/2/07

## Facilities Update

ADA accessibility surveys of all court facilities have been completed.

New directories and signage were installed at the Volusia County Courthouse Annex, City Island.

The project to replace the fire sprinkler system at the Volusia County Courthouse in DeLand was completed.

Thanks to County Facilities Services staffs for assisting with these improvements.





## Employee of the Quarter: Liroy Gonzalez

Court Administration is pleased to name Liroy Gonzalez as the Employee of the Quarter for the fourth quarter of 2007.

He was acknowledged for his timely assistance with various computer “glitches,” willingness to assist Spanish speaking customers and volunteering to help Teen Court due to a staffing shortage. He was also recognized for being extremely helpful and exhibiting an exemplary attitude.

Only nominations that describe how your nominee has demonstrated exceptional performance and/or how they have gone above and beyond the call of duty will be considered for this award.

First quarter 2008 nominations must be received by March 14. Please send nominations to the attention of Anne Landolfa, Personnel, Courthouse Annex, 125 E. Orange Ave., Suite 300, Daytona Beach 32114. You may also E-mail your nominations to [alandolfa@circuit7.org](mailto:alandolfa@circuit7.org). Eligible employees include staff Court Reporters, Judicial Staff Attorneys and other Court Administration Staff. Judges, Judicial Assistants and Managers are not eligible.



Liroy Gonzalez

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### One-on-One with Liroy Gonzalez

**Title:** Information Service Analyst II

**Location:** Volusia County Justice Center, Daytona Beach

**Years with Court Administration:** Six years with Court Administration this May, total of eight years with Volusia County.

**Duties:** Deliver information technology support to judges, judicial assistants and Court Administration staff; provide NOMAD training for court personnel, attorneys and other interested parties; assist in the development and maintenance of the Circuit Web site; install new computers.

**Best part of job:** Being in IT allows me to work with everyone in the organization—from judges and JAs to staff in various Court Administration offices. Something new is always going on.

**Prior work experience:** Other Court Administration departments—Volusia County Teen Court, Finance; Volusia County Fire Services, Personnel; and a private computer company.

**Personal:** Married for six years in March. Have a Maltese named Twinkie. Enjoy playing basketball, watching movies and going on cruises.

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## Calendar of Events

**January 1** - New Year's Day (Holiday)

**January 2-4** - Florida County Court Judges Conference (Amelia Island)

**January 4** - Circuit Judges Meeting (Volusia County) (Daytona Beach)

**January 6-11** - Florida Judicial College (Phase I) (Orlando)

**January 21** - Dr. Martin Luther King Jr. Day (Holiday)

**January 25** - New Employee Orientation (Courthouse Annex, Daytona Beach)

**February 1** - Circuit Judges Meeting (Shad Dinner)

**February 22** - Volusia County Court Judges Meeting (Daytona Beach)

**February 29** - Guardianship Examining Committee Training (DeLand)

**March 2-7** - Florida Judicial College (Phase II) (Orlando)

**March 4** - Florida Legislature convenes

**March 7** - Circuit Judges Meeting (Volusia County) (DeLand)

**March 21** - Good Friday (Holiday)

### Speaking Engagements (from Pg. 4)

12/7—Students from Keiser University observed court before circuit judges J. David Walsh and Joseph G. Will and Volusia County Court Judge Belle B. Schumann in Daytona Beach.

12/14—Court Communications Officer Molly Justice and Volusia County Teen Court officers Israel Gonzalez and Jimmy Hernandez participated in DeLand Middle School's career day.

12/20 — Students from Crescent City High School observed adult drug court before Circuit Judge Wendy W. Berger at the St. Johns County Courthouse in St. Augustine.

### Community Associations/Professional Engagements

9/26— Volusia County Court Judge Belle B. Schumann, circuit judges Margaret W. Hudson, J. David Walsh and Robert K. Rouse Jr. presented awards at the annual Pro Bono Awards reception at the Riverside Pavilion in Port Orange.

10/30—Chief Judge J. David Walsh and Circuit Judge Robert K. Rouse Jr. spoke with participants of the Volusia County Citizens Academy at the Volusia County Courthouse in DeLand. Court Administrator Mark Weinberg and court managers discussed the courts system.

11/2—Circuit Judge Margaret W. Hudson welcomed new Guardian Ad Litem volunteers at the Volusia County Courthouse Annex at City Island in Daytona Beach.

### Judge Watson honored for children's work



Circuit Judge John W. Watson III (center) was honored Oct. 24 by the East Central Florida Chapter of Phi Delta Kappa as "Lay Person of the Year" for his contributions to the school system and local students. Joining Judge Watson are (from left) Chapter President Dr. Karen Beattie and Volusia County Schools Superintendent Dr. Margaret Smith. *Photo courtesy of Phi Delta Kappa.*

### Items of Interest—from Pg. 3

Circuit judges Frank Marriott and Margaret W. Hudson appeared on "At Issue—Foster Care Crisis," which aired on WEDU Oct. 3. The show discussed the dependency system and also featured Calvin Martin, Guardian Ad Litem circuit director; Ron Zychowski, CEO of Community Partnership for Children; and Reggie Williams, local administrator for the Department of Children and Families.

Volusia County Court Judge David H. Foxman administered the oath of office to Daytona Beach Mayor Glenn Ritchey Nov. 21. Volusia County Court Judge Mary Jane Henderson swore in New Smyrna Beach Mayor Sally Mackay and other commissioners Nov. 13.

Circuit judges Margaret W. Hudson and Joseph G. Will presided over dependency and adult drug court graduations Nov. 7 at the Ocean Center in Daytona Beach.

The Court Interpreters Unit hosted a pre-orientation for individuals interested in court interpreting on Nov. 2 at the Volusia County Courthouse in DeLand. The 21 participants included speakers of Spanish, Russian, Lithuanian, French, German and Farsi.

A group of DeLand judicial assistants shared some cheer with the Guardian Ad Litem program by donating stuffed toys as part of their annual holiday celebration.

Shirts bearing the Seventh Judicial Circuit Court's logo are available for purchase. Order forms can be obtained from Human Resources.



## Security Notes



Security screening stations are located in the Kim C. Hammond Justice Center, Putnam County Courthouse, St. Johns County Judicial Center, Volusia County Courthouse, Volusia County Justice Center, Volusia County Courthouse Annex (City Island) and Volusia County Courthouse Annex (New Smyrna Beach). During the fourth quarter of 2007 (October to December) the following weapons were detected :

Location	Firearms	Knives	Scissors	Other	Total
Kim C. Hammond Justice Center	0	255	76	462	793
Putnam County Courthouse	0	156	30	256	442
St. Johns County Judicial Center	0	316	42	121	479
Volusia County Courthouse	0	416	94	236	746
Volusia County Justice Center	0	106	15	52	173
Volusia County Courthouse Annex (City Island)	0	464	90	185	739
Volusia County Courthouse Annex (New Smyrna Beach)	0	189	16	46	251
<b>TOTALS</b>	<b>0</b>	<b>1,902</b>	<b>363</b>	<b>1,358</b>	<b>3,623</b>

During calendar year 2007, the following weapons were detected at each location:

Location	Firearms	Knives	Scissors	Other	Total
Kim C. Hammond Justice Center	2	944	248	1,822	3,016
Putnam County Courthouse	0	993	141	570	1,704
St. Johns County Judicial Center	1	1,269	180	483	1,933
Volusia County Courthouse	1	1,576	395	916	2,888
Volusia County Justice Center	0	444	117	226	787
Volusia County Courthouse Annex (City Island)	1	1,885	374	722	2,982
Volusia County Courthouse Annex (New Smyrna Beach)	0	935	67	170	1,172
<b>TOTALS</b>	<b>5</b>	<b>8,046</b>	<b>1,522</b>	<b>4,909</b>	<b>14,482</b>



THE OFFICIAL NEWSLETTER OF  
THE SEVENTH JUDICIAL CIRCUIT  
COURT OF FLORIDA

**J. David Walsh**  
Chief Judge

**Mark A. Weinberg**  
Court Administrator

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