

BENCHMARKS

APRIL 2007

PASSING THOUGHTS

Chief Judge William L. Wright

It is with deep regret that I submit my last column as Chief Judge. It has been a terrific experience, and I wish our new Chief Judge, Hentz McClellan, all the best.

We have over 50 employees, 20 judges, 20 judicial assistants, 2 magistrates and 2 hearing officers. We also have 7 courthouses and several annexes. The job of keeping this running smooth is not an easy one, and without the help of a great staff and administrative judges, it could not be done.

I want to thank all of our staff—they do an excellent job making all of us judges look good. Our circuit has grown in staff and judges over the last few years. We are “too small” to be big, and “too big” to be small. The new Chief Judge is going to need all of our support to manage this circuit. I have already met with Judge McClellan to help ease the transition.

We’ve made strides in the organization recently. We have placed technology in almost every courtroom and hearing room in the circuit. Judges in every county can conduct proceedings in any other county. We have a mediation program that has recently expanded to our outer counties. We now have a video weekend first appearance program in Calhoun, Gulf, Holmes, Jackson, and Washington Counties. Judge Colby Peel and Court Operations Consultant Robyn Hatcher did an excellent job in setting up this program.

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NEW CHIEF JUDGE ELECTED



Circuit Judge Hentz McClellan has been elected Chief Judge of the Fourteenth Judicial Circuit. Judge McClellan is the first resident judge of Calhoun County to be elected Chief Judge. Having been elected to the Circuit Bench in 2002, McClellan has presided over cases in all six counties in the 14th Judicial Circuit.

Prior to being elected judge in the Fourteenth Judicial Circuit, McClellan was in private practice in Blountstown, Florida and served as a part-time Assistant State Attorney, handling felony criminal and juvenile cases.

Judge McClellan is a 1968 graduate of Blountstown High School. Following a tour of duty in Vietnam, he returned to complete his education by receiving a Bachelor of Science Degree in Geology from Florida State University, and then graduated with honors from the Florida State University College of Law in 1976.

He’s been married for 32 years to Barbara Paulk McClellan, and they have three daughters-

Angie, Missy, Laurie, and a special grandson, Will. Judge McClellan is an active member of his community. He and his family are members of the Blountstown United Methodist Church, where Judge McClellan serves as the chairman of the administrative council. When not working or attending church, Chief Judge-elect McClellan enjoys fishing, hunting, flying helicopters and fixed-wing aircraft.

Asked about his new duties, Judge McClellan states, “I look forward to working with all of our judges, court officials, and court administration staff to continue to improve the services we provide to the people of the 14th Judicial Circuit.” He further stated that he and his Judicial Assistant, Brenda Johnson, are looking forward to the challenges of this new position.

July 1st marks the beginning of Judge McClellan’s two year term as Chief Judge for the Fourteenth Judicial Circuit. The citizens and the staff of the 14th Judicial Circuit look forward to having Judge Hentz McClellan represent the counties of Bay, Calhoun, Gulf, Holmes, Jackson, and Washington as the Circuit’s Chief Judge.

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FACTS ON THE FOURTEENTH CIRCUIT

- One of the largest geographic circuits in the state of Florida.
- Circuit stretches from the Emerald Coast of the Gulf of Mexico to the Alabama and Georgia state lines.
- 14th Circuit has county seats in the Central time zone as well as the Eastern time zone.

SPOTLIGHT ON THE CIRCUIT

OUTSTANDING EMPLOYEE RECOGNIZED WITH
DAVIS PRODUCTIVITY AWARD

Congratulations to Wendy Schlesinger for receiving a 2007 Prudential Financial Davis Productivity Award. This year's competition attracted over 500 nominations for innovations and productivity improvements which resulted in cost savings, cost avoidances, and increased revenue for Florida state government. Wendy was selected for her work in designing and developing a case management database for misdemeanor probation and pre-trial release programs saving the 14th Judicial Circuit over \$60,000.

The Davis Productivity Awards recognizes and awards individuals and work units of Florida state government for their innovation, creativity, and smart work that measurably increase performance and productivity in the delivery of state service and products. This program is a major government improvement initiative sponsored by Florida Tax Watch, the Florida Council

of 100, and the State of Florida. Nominees are those individuals, teams, or work units who exceed their job descriptions and performance expectations in ways that improve service delivery and added value for Florida taxpayers.

Knowing that the small, rural counties of the 14th Judicial Circuit did not have the financial resources to purchase case management programs, Wendy was asked to develop a custom program that could be used with software already purchased by the courts. She worked with judges and probation officers to get input as to what should be included in the case management system.

The database enables misdemeanor and pre-trial release programs to track case information electronically. As a result, probation officers can provide up-to-date reports and information to judges and law enforcement on individual cases or an entire caseload.

For approximately a year, Wendy worked on the project while still performing her regular job duties. After finishing the project, she compiled a user manual and trained personnel on the use

of the database. Currently, the case management system is being used by two county misdemeanor probation programs within the circuit. For her efforts, Wendy will be receiving a notable \$250 cash award.

Chief Judge William L. Wright, who suggested the nomination, stated that all the court staff in the 14th Judicial Circuit work diligently to provide the best possible service, and he is glad Wendy has been recognized statewide for her accomplishment.

Wendy has been an employee with Court Administration in the 14th Judicial Circuit for two and a half years. She is based in the Marianna office. Previously she had been employed with the State Attorney's Office, the University of Florida Graduate Engineering & Research Center, and with NASA's Stennis Space Center in Mississippi.

When asked about winning the award, Wendy stated, "I feel so honored that Judge Wright suggested nominating me for my efforts in this project. When you work with a fantastic group of people like I do, they make your job a pleasure. Of course, I can't

take all of the credit. The database was inspired by the Hon. Colby Peel, Washington County Judge. Robyn Hatcher, our Court Operations Consultant, and Hayes Baggett, Jackson County Probation Officer, assisted in the project. Philip Wynn in Tech Support was crucial in finalizing and networking the database. I am very proud to be a part of and represent the 14th Judicial Circuit in accepting this Davis Productivity Award."

For a full list of Davis Productivity Award winners, please go to:

[http://
www.floridatxwatch.
org/dpa/index.php](http://www.floridatxwatch.org/dpa/index.php)

TECHNOLOGY UPDATES

CONTRIBUTED BY GARY HAGAN
COURT TECHNOLOGY OFFICER

From the white sand beaches, to the Alabama state line, our circuit covers approximately 4,400 square miles. I think the person who designated our circuit as small has never driven through it. Providing service and support to this large geographic area is always a challenging task. We must monitor and maintain not only everyone's computer, but also our network resources, our digital court recording systems, our courtroom technology, our video conferencing systems, and many other technology systems throughout our circuit. While we enjoy visiting each and every one of our users, we haven't yet mastered time travel, and therefore, must use other service and support techniques. We accomplish the

task of providing fast, efficient, and almost

instantaneous service, by using various remote management tools. We are able to provide this service not only from our office but from any computer in the world that has internet access. From the comfort of our home or the small confines of a hotel room, there have been numerous times we have remotely resolved issues without the user ever knowing we were miles away. While visiting California last year, I received a call from a user for support. While driving down the 405 Freeway (I

was a passenger-not the driver!), I was able to remotely access our network and resolve the issue within minutes. With the exception of the rare catastrophic hardware failure, most issues can be resolved quickly using these remote tools. These tools allow us to save you valuable time and the Circuit travel expenses with instantaneous results.



A Few Technology Tips, to Remember...

- our website address is <http://www.jud14.flcourts.org/>
- lock your computer when you're away: Ctrl-Alt-Del then K
- use the training websites available to our circuit
- schedule all out of county video conferences through the Technology Office
- do not forward emails about scams or viruses
- you are eligible to purchase a variety of some of Microsoft's most popular consumer software and hardware at discounted prices.

For more information regarding the technology of the Fourteenth Judicial Circuit, please contact:

Gary Hagan
Technology Officer
850-747-5410
hagang@jud14.flcourts.org

LOCAL MEDIATION TRAINING HELD IN BAY COUNTY



On Wednesday, February 28, 2007, the staff of the Fourteenth Judicial Circuit Mediation Program held a

training for local mediators. The training was held at the Panama City Campus of FSU with Kimberly Kosh, Court Operations

Consultant, presenting materials to the group. Opening remarks were given by Carol Dunaway, Alternative Dispute Resolution Director for the Fourteenth Judicial Circuit.

In attendance were 47 local mediators who, by attending, earned 6 hours of Continuing Mediation Education credits. The training made available 4.0 hours ethics credit, 1.0 hour domestic violence credit, and 1.0 hour diversity credit.

The training was a great success with all benefiting from attendance.



Participants enjoying the scenery of the Panama City Campus of FSU.

FROM THE PERSONNEL DESK

CONTRIBUTED BY
LARRY LYONS
COURT OPERATIONS MANAGER



As the Courts System continues to explore more efficient ways of conducting the Court's business, the role of technology that lends itself to automation becomes more significant in support programs. This month we are about ready to adopt a new automated system; the Florida State Courts System Attendance Reporting System. This is a web-based application developed for use in reporting State Court employees' monthly attendance and leave. The reporting

program is hosted and maintained by the Information System Services team at OSCA, and all circuits are encouraged to adopt the system during 2007.

In preparation for a smooth transition and our desire to successfully implement the program, we have offered training to all our staff members and judicial assistants on how to use the new program; we have also completed the tedious task of compiling and providing leave data for upload to the new database. Please contact me should you have questions, were unable to attend any of the scheduled training sessions, or you find yourself requiring assistance during the implementation phase.

The program is designed for individuals to submit an electronic timesheet monthly to their supervisor. Supervisors are notified by email that a timesheet has been submitted for approval. The supervisor accesses the program from a link within the email using an assigned password, reviews the timesheet, then clicks the approval button to submit or clicks the return button to return for correction. Clicking the approval button transmits the timesheet to Personnel for final action; on completion it's then transmitted to the database at OSCA.

As with any new system, it will take time for this to become routine. Anticipate e-mails outlining access procedures and other tidbits about the system. Again, please contact me or your supervisor should you require assistance.

For questions regarding the new electronic timesheets, please contact Larry Lyons at 850-747-5338.

FIRST APPEARANCE ROTATION ON "THE RIDGE"

For years, the local county judges on the Ridge (the term often used referring to the five rural counties of the circuit - Calhoun, Gulf, Holmes, Jackson, & Washington Counties) have been responsible for conducting first appearances in their respective counties every day of the week throughout the year, including weekends and holidays. However, recently a new first appearance rotation was implemented.

At the direction of the Hon. Colby Peel, Washington County Judge, the county and circuit judges serving in the five counties on the Ridge came up with a plan where one judge would conduct first appearances for all five counties on weekends and holidays. This way, each judge (both county and circuit) would do first appearances once every nine weeks. Since these five counties are so spread out

geographically, this is accomplished through the use of videoconferencing.

The new rotation, which started in February, has been very successful, and the county jails on the Ridge have been most cooperative and performed very well. Our judges have done their part, too, becoming "well versed" in the use of technology.

A comprehensive bench book, which serves as a resource for the judges, was compiled by Robyn Hatcher, Court Operations Consultant. For more information, please contact Judge Peel at (850) 638-6268.

KEY ELEMENTS OF THE COURT SYSTEM

EXPERT WITNESSES



Expert Witnesses – An Important Element of a Case

In criminal cases in which the defendant is considered indigent and represented by the Office of the Public Defender or a court-appointed counsel, expert witnesses may be needed to help the defense prove various points of the case.

However, an expert witness can be a very expensive consultant – one which an indigent client cannot afford. Therefore, how can such a defendant get a fair trial when such experts and their expenses be seemingly out of the reach of the poor?

In many cases, the Court orders experts to answer questions that loom before both the prosecution and the defense.

Was the defendant in his/her “right” frame of mind when the crime was committed?

Did he/she know right from wrong?

In these cases, the Court will order an expert to determine the competency of the defendant. Moreover, the Court may request an Examining Committee, or a group of three experts to determine the developmental capability of the defendant (i.e., the defendant’s intellectual ability or Intellectual Quotient). Such determination becomes an important mitigating factor in many felony cases.

Psychiatrists and psychologists are called upon to conduct such

psychological tests on defendants. These tests, the experts’ reports, and their subsequent testimony in court become important factors in many high profile felony cases.

Additionally, such experts may be called on to prove an insanity defense or to disprove such defense. In all cases, the State covers the cost of the expert for these evaluations and their testimony before the court.

Other experts and expert testimony which may come before the court and have been coming in increasing numbers include DNA testing and analyses; accident reconstruction; and network, security, technology security, and technology experts.

The experts become an important component to the case for the Public Defender, the State Attorney, and the Court. Ultimately, the Court, through State funding, strives to ensure that the case is handled in an unbiased manner by providing the necessary experts for the proper disposal of the case.

For more information on Court System Funding, please see Chapter 29 of the Florida Statutes.



PASSING THOUGHTS

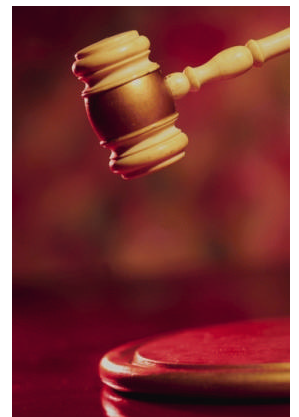
BY CHIEF JUDGE

WILLIAM L. WRIGHT *CONTINUED*

Again, I would like to commend all of the staff who do such a great job and receive little recognition.

Finally, I must thank my Judicial Assistant, Debbie Burch. She went above and beyond the call of duty in handling all the extra duties associated with being the Chief Judge’s Judicial Assistant.

In closing I want to say that I have sincerely appreciated the opportunity I have had to serve as your Chief Judge.



Birthdays

APRIL

- 1 Stacy Pippin
- 7 Jennifer Wells
- 11 Suzanne Cox
- 17 Julie Armstrong
- 19 Stephanie Gordon
- 23 Marilyn Nelson



MAY

- 11 Sue Ann Murray
- 17 Myra Paxton
- 31 Larry Lyons



JUNE

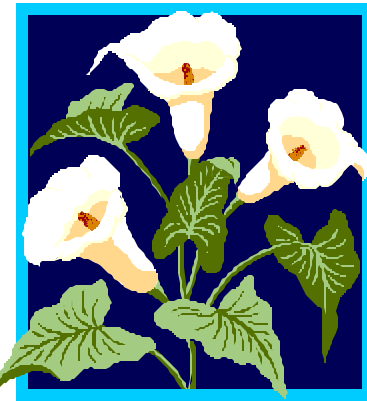
- 2 Gary Hagan
- 2 Diane Crawford
- 2 Terry Thompson
- 22 Laura Romans
- 23 Gene Morris



Holidays for the Quarter

Good Friday

Friday, April 06, 2007



Memorial Day (Observed)

Monday, May 28, 2007

CHIEF JUDGE: HONORABLE WILLIAM L. WRIGHT

COURT ADMINISTRATOR: JENNIFER DYER WELLS

Editor: Amber Baggett, Senior Court Program Specialist

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