

## **CFACDL 2013-2014 JUDICIAL POLL RESULTS**

### **Poll Respondents**

|                           |     |
|---------------------------|-----|
| Private Defense Counsel   | 64  |
| Public Defender           | 104 |
| Regional Conflict Counsel | 2   |
| Prosecutor                | 45  |
| Total                     | 215 |

### **Orange County - Circuit Court Judges - Numerical Results**

|  | Legal<br>Knowledge | Impartiality | Freedom<br>from Bias | Demeanor | Diligence | Overall |
|--|--------------------|--------------|----------------------|----------|-----------|---------|
| Hon. Gail A. Adams                     | 4.21               | 4.35         | 4.45                 | 4.39     | 4.45      | 4.44    |
| Hon. Alan S. Apte                      | 3.81               | 3.53         | 3.81                 | 3.18     | 3.45      | 3.45    |
| Hon. C. Jeffery Arnold                 | 3.08               | 3.19         | 3.16                 | 3        | 2.74      | 2.88    |
| Hon. Jenifer M. Davis                  | 4.34               | 3.87         | 4.38                 | 3.74     | 4.3       | 4.04    |
| Hon. Daniel P. Dawson                  | 3.56               | 3            | 4.04                 | 4.13     | 3.35      | 3.24    |
| Hon. Anthony H. Johnson                | 3.31               | 2.8          | 3.36                 | 3.28     | 3.68      | 3.12    |
| Hon. John Marshall Kest                | 4.33               | 3.8          | 3.89                 | 4.02     | 4.05      | 3.96    |
| Hon. Walter Komanski                   | 4.18               | 4.08         | 4.33                 | 4.28     | 4.21      | 4.14    |
| Hon. Alicia L. Latimore                | 3.6                | 3.61         | 4.15                 | 3.57     | 3.96      | 3.58    |
| Hon. Frederick J. Lauten               | 4.41               | 4.21         | 4.54                 | 4.49     | 4.33      | 4.35    |
| Hon. Bob LeBlanc                       | 4.1                | 4.04         | 4.38                 | 4.54     | 4.19      | 4.26    |
| Hon. Marc L. Lubet                     | 4.42               | 4.15         | 4.29                 | 4.1      | 4.31      | 4.25    |
| Hon. Roger J. McDonald                 | 3.03               | 2.88         | 3.43                 | 3.52     | 2.87      | 2.91    |
| Hon. Mike Murphy                       | 4.7                | 4.56         | 4.69                 | 4.72     | 3.93      | 4.59    |
| Hon. Donald A. Myers, Jr.              | 4.18               | 4.14         | 4.3                  | 4.22     | 4.34      | 4.16    |
| Hon. Julie H. O'Kane                   | 3.85               | 3.44         | 3.79                 | 3.97     | 3.77      | 3.81    |
| Hon. Belvin Perry, Jr., Chief<br>Judge | 4.18               | 3.63         | 4                    | 3.98     | 4.22      | 3.89    |
| Hon. Heather Pinder<br>Rodriguez       | 2.92               | 3.05         | 3.17                 | 3.26     | 2.96      | 3.02    |
| Hon. Renee A. Roche                    | 3.66               | 3.51         | 3.8                  | 3.44     | 3.7       | 3.58    |
| Hon. Jose R. Rodriguez                 | 3.49               | 3.43         | 3.64                 | 3.41     | 2.76      | 3.43    |

|                            | Legal<br>Knowledge | Impartiality | Freedom<br>from Bias | Demeanor | Diligence | Overall |
|----------------------------|--------------------|--------------|----------------------|----------|-----------|---------|
| Hon. Margaret H. Schreiber | 3.12               | 3.38         | 3.82                 | 3.89     | 3.31      | 3.26    |
| Hon. Tim Shea              | 3.66               | 3.71         | 3.92                 | 3.26     | 3.85      | 3.44    |
| Hon. Emerson Thompson, Jr. | 3.86               | 3.68         | 3.82                 | 3.28     | 3.96      | 3.53    |
| Hon. Janet C. Thorpe       | 2.97               | 3.19         | 3.67                 | 2.89     | 3.28      | 3.02    |
| Hon. Thomas W. Turner      | 3.93               | 4.13         | 4.25                 | 4.12     | 4.1       | 3.89    |
| Hon. Christi L. Underwood  | 3.81               | 4.43         | 4.46                 | 4.58     | 4         | 4.09    |
| Hon. Reginald K. Whitehead | 4.49               | 4.62         | 4.74                 | 4.77     | 4.69      | 4.65    |
| Hon. Wayne C. Wooten       | 3.65               | 3.16         | 3.66                 | 3.66     | 3.6       | 3.48    |

### Orange County - Circuit Court Judges - Respondents' Comments

#### Hon. Gail A. Adams

“Judge Adams = Amazing Judge, Efficient, fair, takes the job seriously, no favoritism, strikes a balance.”

“Judge Gail Adams goes out of her way to make sure she never inconveniences counsel and the accused. She is a pleasure with which to practice.”

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#### Hon. Alan S. Apte

[comment deleted pursuant to Rule 4-8.2 of the Florida Rules of Professional Conduct]

“Judge Apte is always a pleasure to practice in front of.”

“Judge Apte treats everyone equally.”

“Judge Apte loves the law and helps young attorneys understand the law.”

“Judge Apte's knowledge and his preparation in the law are excellent. I hope he is placed back in criminal court soon.”

Hon. C. Jeffery Arnold

“Judge Arnold is notorious for his opinions related to crimes and race.”

Hon. Jenifer M. Davis

“Judge Davis's strongest point is courtroom efficiency. She gets you in and out in minutes.”

“Judge Jenifer Davis appears to be compulsively "efficient." She obviously does not want to waste time. However, often is impatient with a slower pace, as expressed by her facial expression, tone of voice, and statements made. Sometimes she tries to move things along TOO quickly - e.g., during voir dire, closing arguments, hearings, questioning witnesses, making arguments. Sometimes she limits jury selection to 30 minutes on very serious cases (such as PBLs) or may limit closing arguments to 30 minutes on serious cases that also have detailed facts.”

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“Judge Davis is very pro-defense in her pretrial rulings (especially when it pertains to her rulings regarding discovery).”

Hon. Daniel P. Dawson

“In my experience, Judge Dawson is extremely patient. Not everyone likes the outcomes of his decisions, but he appears to be courteous and willing to explain his rulings, the judicial process and provide helpful information to those before him in court. I have seen him, on several occasions, go out of his way to help out the families in juvenile court by pointing them in the right direction or linking them up with social programs that could help them.”

Hon. Anthony H. Johnson

“Judge Johnson might have retired but the 5th DCA will be working hard for years to come reviewing his rulings.”

[comment deleted pursuant to Rule 4-8.2 of the Florida Rules of Professional Conduct]

Hon. John Marshall Kest

“Judge Kest, while appearing somewhat State oriented, is an excellent example of a hard-working and efficient judge who treats everyone professionally.”

“Judge Kest can sometimes be impatient when cases are not proceeding to his timetable. While docket control is laudable, it cannot be at the expense of an attorney being prepared.”

[comment deleted pursuant to Rule 4-8.2 of the Florida Rules of Professional Conduct]

Hon. Walter Komanski

“More judges should have the compassion, knowledge, and awareness that Judge Komanski had while he was on the bench. He was tough, but he knew so much about substance abuse issues and how to handle them creatively to give someone an opportunity to change. I wish more judges took the interest Judge WK took in this issue that plagues our system. He familiarized himself with programs available and encouraged attorneys to visit these programs, so they could learn more about them and utilize the resources. You will be missed on the bench, Judge WK!”

Hon. Frederick J. Lauten

[comment deleted pursuant to Rule 4-8.2 of the Florida Rules of Professional Conduct]

“Judge Lauten is a solid all around judge, his major weakness appears to be a desire to have everyone just get along rather than being willing to make a decision.”

“Judge Frederick Lauten - attorneys are in and quickly out of the courtroom.”

“Judge Lauten is always impartial to either side.”

“Judge Lauten is no nonsense but extremely fair to all parties and defendants.”

“Judge Frederick Lauten - he listens to all positions expressed in his courtroom and carefully considers the weight of all the arguments in light of the law and legal issue in making a well-thought decision on every case.”

“Judge Lauten is very thoughtful in every decision he makes. If you make an argument, he will take time to consider your view.”

“Judge Frederick Lauten - his knowledge of the subtleties and intricacies of the law is unparalleled.”

“While Judge Lauten is fair and follows the law with most legal issues, he has his own opinions, apart from the case law, on voir dire which preclude defense counsel from asking the questions necessary to procure an impartial panel.”

#### Hon. Bob LeBlanc

“Judge LeBlanc, while not always perfect on the law, is a good human being who seeks to do what he believes is right.”

#### Hon. Mike Murphy

[comment deleted pursuant to Rule 4-8.2 of the Florida Rules of Professional Conduct]

“Judge Michael Murphy, courtroom sometimes moves a little slow, and I think it would help to put pressure on the attorneys to relay offers and negotiate before court.”

“Judge Murphy is always patient and conscientious of defendants who have disabilities or who require extra assistance and explanation.”

“Judge Murphy is pleasant, friendly, and always courteous.”

“Judge Murphy is brilliant.”

“Judge Murphy is incredibly knowledgeable. He is a scholar. What a great thing it is to do a

trial before him.”

Hon. Donald A. Myers, Jr.

“Judge Myers is one of the fairest, most knowledgeable judges I have ever been in front of. He does not favor either the State or the defense (what one would hope for in a judge), and follows the law to the letter. Hope he is re-assigned to the criminal bench in the future.”

Hon. Julie H. O’Kane

“Judge O’Kane appears to be extremely state oriented, often acts capriciously and seems out of touch with the common man.”

“Judge O’Kane strikes the perfect balance between efficiency and patience. She moves the proceedings along without rushing the litigants.”

“Judge O’Kane shows favoritism to the State as it relates to bond issues, sentencing, and even as to the admissibility of evidence.”

“Judge O’Kane is always prepared when Court opens. She thoroughly researches issues on her own and listens carefully to arguments before ruling.”

[comment deleted pursuant to Rule 4-8.2 of the Florida Rules of Professional Conduct]

Hon. Belvin Perry, Jr., Chief Judge

“Judge Belvin Perry--my opinion is that when I try to schedule or contact judge I do not get a returned phone call. Scheduling a hearing is very difficult.”

“As far as professionalism from our bench, Judge Perry’s behavior after the Casey Anthony trial left a lot to be desired in my opinion. As an attorney practicing criminal defense for approximately 15 years in this area, I have come to the conclusion that we have a good group of judges. I think Judge Perry’s behavior was out of sync with his peers.

Judge Perry went on television and characterized the defendant as ‘very manipulative,’ compared defense counsel to a used car salesman, expressed ‘shock’ over the verdict, and regarding the verdict and the defendant he said ‘justice will finally be served one day by the

judge of judges, and she's going to have to deal with this for the rest of her life.' All this while he had jurisdiction over the defendant who was serving out her probation.

It is difficult for me to imagine Judge O'Kane, Judge Latimore, Judge Kest, Judge Davis, or Judge Whitehead (or any of our judges) taking to the airwaves after a trial and speaking on television regarding the verdict or critiquing the attorneys. Our judges seem to work hard to maintain a level of professionalism commensurate to a metro area like ours--in my opinion Judge Perry failed his colleagues. As a member of our legal community, I was a little embarrassed by his behavior. I can't imagine what he was thinking."

Hon. Heather Pinder Rodriguez

[comment deleted pursuant to Rule 4-8.2 of the Florida Rules of Professional Conduct]

"Judge Heather Rodriguez seems be an excellent candidate for the civil bench. Judge Heather Rodriguez seems like she would excel in a county civil court setting."

"Overall it appears that Judge Pinder Rodriguez needs to spend time shadowing a more experienced in criminal court judge. It seems that she needs to manage her court time better. Causing attorneys to spend wasted time in court makes it hard to get offers, depositions, and other out of court items done. The Judge also appears to need to manage her dislike when speaking to certain attorneys from a specific ethnic background."

[comment deleted pursuant to Rule 4-8.2 of the Florida Rules of Professional Conduct]

"Time seems to stop when you walk into Judge Heather Pinder Rodriguez's courtroom. Be prepared to sit quietly all morning waiting."

"Judge Pinder Rodriguez appears to waste the time of counsel, accused, interpreters and witnesses in varying ways from her over detailed "civil contract" plea discussions, to her inquiries into irrelevant areas, repetitiveness on topics already addressed, etc. Judge Pinder Rodriguez seems to love to use case management as an exercise in punishment, or an attempt thereof, regardless of whether the case will benefit from such hearing. Judge Pinder Rodriguez seems to be afraid to offer plea offers from the court to efficiently dispose of matters where doing so would be helpful to all parties."

[comment deleted pursuant to Rule 4-8.2 of the Florida Rules of Professional Conduct]

"Judge Heather Rodriguez tends to emphasize technicalities at the expense of attorneys' time. Judge Heather Rodriguez seems to be on central time. Judge Heather Rodriguez seems to take the time to lecture attorneys from both bars and defendants even when running behind on her

docket. Judge Heather Rodriguez seems to like case management dates, but doesn't seem to know what they are for.”

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[comment deleted pursuant to Rule 4-8.2 of the Florida Rules of Professional Conduct]

“Judge Heather Pinder Rodriguez is a model for courtesy, patience and self-control.”

“Judge Heather Rodriguez needs to learn that she is no longer in civil court, where things move smoothly and on a schedule. The practice of criminal law requires that the Court be patient and understanding that deals are often reached last minute. Judge Rodriguez consistently resets cases and prolongs criminal matters (wasting the time and resources of the state as well as counsel) due to counsel ‘exceeding the five minute time allotment.’”

“Judge Heather Rodriguez appears condescending at times.”

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[comment deleted pursuant to Rule 4-8.2 of the Florida Rules of Professional Conduct]

“Judge Heather Pinder Rodriguez treats everyone the same, whether you are an inmate or an attorney. She is always kind, courteous and professional.”

“From time to time, Judge Heather Rodriguez appears to have difficulty understanding or considering the unique situations and life opportunities of minority defendants. Judge Heather Rodriguez seems to confuse minority attorneys with each other from time to time, but appears to do so without bias to that attorney's affiliation with the State or Defense. Judge Heather Rodriguez can sometimes appear to be more comfortable with and courteous to attorneys and clients of a similar racial and socioeconomic background as herself.”

“Judge Pinder Rodriguez appears to exhibit bias against counsel because of race. She seems to make disparaging remarks and speak disrespectfully to certain types of counsel. It appears that she has a fear or concern about certain litigants from a particular ethnic group or socio-economical group.”

“Judge Pinder Rodriguez seems to prefer the State, or defer to their position, on bond motions and motions to suppress.”

“On occasion, Judge Heather Rodriguez seemingly needs to express some distain [*sic*] for the defendant's [*sic*] in her courtroom. It can appear at times that Judge Heather Rodriguez may to [*sic*] apply a general presumption of a Defendant's guilt and a victim's innocence in the area of



pretrial release/detention as opposed to applying a more intensive case-by-case inquiry. Judge Heather Rodriguez seems, at times, to be more reluctant to impose meaningful sanctions against the State for being unprepared or for late discovery than towards the Defense. Judge Heather Rodriguez seems unwilling to become involved in plea negotiations even when it appears she finds the State's offer wholly unreasonable. Judge Heather Rodriguez seems to be reluctant to rule adversely to the State, except on trivial matters.”

“Judge Pinder Rodriguez seems to defer to the State Attorneys. It appears that she is extremely condescending when talking to certain types of defense attorneys.”

“It appears the Judge H. Rodriguez has a bias that is State-friendly. It seems as if she give deference to anything that the State says and fails to consider the argument from the Defense.”

[comment deleted pursuant to Rule 4-8.2 of the Florida Rules of Professional Conduct]

[comment deleted pursuant to Rule 4-8.2 of the Florida Rules of Professional Conduct]

“It appears that Judge Pinder Rodriguez could use a primer on criminal law and motions. Judge Pinder Rodriguez seems to bring what occurs in civil law into her criminal law reasoning and rulings. Expediently doing something or ruling on an issue does not seem to be the forte of Judge Pinder Rodriguez.”

[comment deleted pursuant to Rule 4-8.2 of the Florida Rules of Professional Conduct]

“Judge Heather Pinder Rodriguez writes excellent Orders that are well researched.”

“Judge Heather Rodriguez seems at times to be more interested in addressing clerical errors and typos in legal documents than on the substantive legal issues addressed in them.”

“It seems Judge Pinder Rodriguez just doesn't get it. Without a doubt, in my opinion, it appears that she is the worst or one of the worst judges in the Ninth Judicial Circuit.”

“It seems like Judge H. Rodriguez has difficulty in issuing rulings, especially when such ruling must be made on the spot. For motion, it can take weeks or sometimes even months before getting a ruling.”

[comment deleted pursuant to Rule 4-8.2 of the Florida Rules of Professional Conduct]

“It appears that Judge Pinder Rodriguez does not fully understand the procedural differences between the civil court system and the criminal system. She often refers to how cases are handled in civil court, while she is serving as a criminal judge.”

Hon. Renee A. Roche

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[comment deleted pursuant to Rule 4-8.2 of the Florida Rules of Professional Conduct]

Hon. Jose R. Rodriguez

“Jose Rodriguez = Great human being, fun to be around, seems to take his job seriously. But I do not believe this man should be a judge (especially in the juvenile justice system where everything is bench trials)- He has a very Poor understanding of the State's Burden of Proof in bench trials, misunderstands the purpose of juvenile justice, and tends to show favoritism toward the state.”

“Judge Jose Rodriguez indulges in interminable lectures and stories to many of the defendants before him, and while there is a certain amount of lecturing or "scaring straight" that is understandable in Juvenile Court, Judge Rodriguez indulges to an extreme in a manner that is often condescending or insulting and that is detrimental to the efficient and timely running of a docket. There is a reason he is colloquially known as ‘All Day Jose.’”

“Judge Jose Rodriguez seems to hold young, Hispanic males to a high standard and thus punishes those defendants before him who are not being a credit to their heritage/community. This places an unfair burden on young, Hispanic male defendants in comparison to other defendants.”

Hon. Margaret H. Schreiber

[comment deleted pursuant to Rule 4-8.2 of the Florida Rules of Professional Conduct]

“Judge Schreiber seems to take a long time to get through her docket.”

“Judge Schreiber's criminal law knowledge appears to be not up to par with that expected of a criminal law judge.”

Hon. Tim Shea

“Judge Shea makes practicing law fun in his courtroom.”

“Judge Shea is a pleasure to be in front of. I can see and feel that his courtroom is always pleasant and friendly.”

“Judge Shea's procedures vary greatly in achieving promptness, efficiency, and minimizing wastes of time. When they work, his courtroom appears to run flawlessly. When they don't work, his courtroom can appear to be massively inefficiently.”

[comment deleted pursuant to Rule 4-8.2 of the Florida Rules of Professional Conduct]

“Judge Shea is a pleasure to be in front of. I can see and feel that his courtroom is always pleasant and friendly.”

“Judge Shea sees through the legal shenanigans and keeps both sides accountable.”

“Judge Shea appears to lack a basic understanding of criminal procedure when it comes to timely hearing contested bond motions and suggestions of incompetency, frequently ignoring statutorily mandated deadlines, deferring instead, to prosecutors' and psychiatrists' schedules.”

Hon. Emerson Thompson, Jr.

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[comment deleted pursuant to Rule 4-8.2 of the Florida Rules of Professional Conduct]

“Judge Thompson seems or appears to exhibit none of the qualities this question inquires about.”

“If there was a negative score allowed, Judge Emerson Thompson, Jr. would receive one. It seems or appears that he is appalled by the very concept of a female attorney and seems to treat them with open contempt. The judge appears to treat Defendants of color with similar distaste.”

“Judge Thompson routinely uses the phrase "arbitrarily and capriciously" to describe his own contemplated actions. It seems or appears that Judge Thompson is always partial towards one side or the other, perhaps he chooses whom to favor arbitrarily and then capriciously swings from one side to the other.”

“Many more experienced judges think they know the law but they simply do not; it seems or appears that Emerson Thompson, Jr. is one of these judges. It seems or appears that Judge Thompson does not let the fact that he doesn't actually know the law stop him from acting arbitrarily and capriciously, to the detriment of all.”

Hon. Janet C. Thorpe

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[comment deleted pursuant to Rule 4-8.2 of the Florida Rules of Professional Conduct]

“Judge Thorpe's judicial demeanor can shift quickly and, often, without reasonable explanation.”

“Needs to work on rules of evidence - Judge Thorpe”

Hon. Christi L. Underwood

“I believe that Judge Underwood, given a little time to adjust to criminal law and to the bench, will make an excellent judge.”

“I believe that Judge Underwood is extremely courteous, respectful and gracious to all of those in front of her, including prosecutors, defense attorneys, defendants and witnesses.”

“Judge Underwood is pleasant to everyone, whether they are a seasoned attorney or a newly minted bumbling lawyer. Defendants are all treated with dignity and respect, irrespective of the crime with which they are accused.”

“Judge Underwood is a shining example of impartiality in the judiciary. Her background seems to lend her a unique perspective wherein all persons are treated fairly and with dignity and respect.”

[comment deleted pursuant to Rule 4-8.2 of the Florida Rules of Professional Conduct]

“Judge Underwood has been diligent in researching and learning [*sic*] criminal law.”

“Judge Underwood currently knows little about criminal law, but her willingness to acknowledge what she doesn't know and take the time to research and learn the law merits

high praise.”

“Judge Christi Underwood - Respectfully admits if she is uncertain about a legal issue. Willing to allow both sides to present case law and argument and then review the law before making a ruling.”

“Judge Christi Underwood - Very professional and courteous to both sides. Considers arguments from both sides before making any rulings.”

Hon. Reginald K. Whitehead

“Judge Whitehead is a pleasure to practice in front of.”

“Judge Whitehead is an excellent well-rounded judge.”

“Judge Reginald Whitehead - he treats everyone who enters his courtroom with respect.”

Hon. Wayne C. Wooten

[comment deleted pursuant to Rule 4-8.2 of the Florida Rules of Professional Conduct]

[comment deleted pursuant to Rule 4-8.2 of the Florida Rules of Professional Conduct]

“Judge Wooten is often irritable and sometimes lacks patience for defendants and defense counsel.”

“Sometimes Judge Wooten can almost be too patient and allow people to make arguments for an extremely long time, even after he has ruled. While I understand allowing them to make the record, which is appreciated, it can go on for a significant amount of time and make the rest of the court run late.”

[comment deleted pursuant to Rule 4-8.2 of the Florida Rules of Professional Conduct]

[comment deleted pursuant to Rule 4-8.2 of the Florida Rules of Professional Conduct]

[comment deleted pursuant to Rule 4-8.2 of the Florida Rules of Professional Conduct]

“Judge Wooten remains close to his prosecutorial ties and tends to favor the state and play

prosecutor from the bench.”

[comment deleted pursuant to Rule 4-8.2 of the Florida Rules of Professional Conduct]

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[comment deleted pursuant to Rule 4-8.2 of the Florida Rules of Professional Conduct]

“Judge Wayne Wooten - he often uses his knowledge of the law to know the limits of his power in order to effectuate an outcome that is unfailingly detrimental to the defendants in his courtroom.”

“There are times when Judge Wooten will be so efficient there are empty gaps in the courtroom and times that 8:30 cases are being called at 11.”

[comment deleted pursuant to Rule 4-8.2 of the Florida Rules of Professional Conduct]

“Judge Wayne Wooten - he is prompt in taking the bench and starting his docket; however his inefficiency in managing his daily docket results in attorneys and defendants frequently piddling their time waiting for their single case to be called (often for hours on quick, trivial matters).”

[comment deleted pursuant to Rule 4-8.2 of the Florida Rules of Professional Conduct]

#### Orange County - County Court Judges - Numerical Results

|                             | Legal Knowledge | Impartiality | Freedom from Bias | Demeanor | Diligence | Overall |
|-----------------------------|-----------------|--------------|-------------------|----------|-----------|---------|
| Hon. Martha Adams           | 3.84            | 3.83         | 4.14              | 4.47     | 3.76      | 3.98    |
| Hon. Deborah B. Ansbro      | 2.8             | 2.94         | 3.3               | 2.3      | 3.02      | 2.64    |
| Hon. Kenneth A. Barlow, Jr. | 3.1             | 2.81         | 3.23              | 3.07     | 3.02      | 2.92    |
| Hon. Maureen A. Bell        | 3.34            | 3.7          | 3.96              | 3.25     | 3.55      | 3.48    |
| Hon. Jeanette D. Bigney     | 3.27            | 3.18         | 3.52              | 3.36     | 3.51      | 3.22    |
| Hon. Deb S. Blechman        | 2.83            | 3.23         | 3.27              | 3.16     | 2.73      | 2.95    |
| Hon. Jerry L. Brewer        | 4.42            | 4.36         | 4.56              | 4.57     | 4.48      | 4.49    |
| Hon. Nancy L. Clark         | 4.35            | 4.39         | 4.51              | 4.67     | 4.46      | 4.58    |
| Hon. A. James Craner        | 3.26            | 3.18         | 3.63              | 3.5      | 3.74      | 3.35    |
| Hon. Carolyn B. Freeman     | 4.44            | 4.47         | 4.61              | 4.63     | 4.53      | 4.54    |

|                         | Legal<br>Knowledge | Impartiality | Freedom<br>from Bias | Demeanor | Diligence | Overall |
|-------------------------|--------------------|--------------|----------------------|----------|-----------|---------|
| Hon. Steve Jewett       | 4.54               | 4.46         | 4.72                 | 4.62     | 4.61      | 4.61    |
| Hon. W. Michael Miller  | 4.2                | 3.67         | 4.05                 | 3.56     | 4.14      | 3.89    |
| Hon. Wayne J. Shoemaker | 4.4                | 4.25         | 4.46                 | 4.53     | 4.38      | 4.46    |
| Hon. Greg Allen Tynan   | 3.91               | 3.5          | 3.83                 | 3.89     | 4.05      | 3.74    |

### Orange County - County Court Judges - Respondents' Comments

#### Hon. Martha Adams

[comment deleted pursuant to Rule 4-8.2 of the Florida Rules of Professional Conduct]

“It has been my experience that Judge Adams is extremely courteous and respectful of all those in front of her.”

“Judge Adams and Judge Barlow: It seems as though private defense attorneys are given a greater amount of deference than assistant state attorneys and public defenders.”

[comment deleted pursuant to Rule 4-8.2 of the Florida Rules of Professional Conduct]

“For as young as she is and was when she became a judge, Judge Adams (Martha not Gail) is a great Judge. She's fair, she knows the law and she is not in the least bit mean. We'll be lucky to have her around for many years.”

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[comment deleted pursuant to Rule 4-8.2 of the Florida Rules of Professional Conduct]

“Judge Adams is always courteous and professional, but friendly and welcoming at the same time.”

“Judge Martha Adams is exemplary in this area. It is a pleasure to practice law before her. Even if you disagree with her rulings, she is never sarcastic or disrespectful. She is not afraid of making a ruling. She's does her best make the right decision.”

“Judge Adams, while extremely friendly and respectful, gives the impression that she cares more about substantive justice, rather than procedural justice.”

Hon. Kenneth A. Barlow, Jr.

[comment deleted pursuant to Rule 4-8.2 of the Florida Rules of Professional Conduct]

“Judge Adams and Judge Barlow: It seems as though private defense attorneys are given a greater amount of deference than assistant state attorneys and public defenders.”

[comment deleted pursuant to Rule 4-8.2 of the Florida Rules of Professional Conduct]

[comment deleted pursuant to Rule 4-8.2 of the Florida Rules of Professional Conduct]

“Judge Barlow is a very fair and impartial judge that shows no favoritism as I am concerned.”

[comment deleted pursuant to Rule 4-8.2 of the Florida Rules of Professional Conduct]

[comment deleted pursuant to Rule 4-8.2 of the Florida Rules of Professional Conduct]

“Judge Barlow appears to harbor a deep resentment for all Defendants, regardless of their race; but he appears to despise black Defendants a little more.”

“Judge Barlow appears to think he knows what the law is. Judge Barlow seems not to have the foggiest idea what the law actually is.”

“Judge Barlow does seem to have a bias towards certain types of crimes. All judges have certain crimes that bother them, but clients can definitely see when he is upset about certain crimes that individuals are accused of. This will sometimes make clients feel like they are not going to get a fair chance in that courtroom.”

Hon. Maureen A. Bell

“Judge Bell: It seems as though Judge Bell is quick to scold parties with a loud voice and hostile demeanor.”

Hon. Jeanette D. Bigney

“It seems as if Judge Bigney renders more severe sanctions against minorities.”

“It appears that Judge Bigney favors [sic] the State's position over the accused's presumption



of innocence.”

[comment deleted pursuant to Rule 4-8.2 of the Florida Rules of Professional Conduct]

“Judge Bigney does not appear to have a sound understanding of Criminal Law & Procedure. She is the poster child for Elected vs. Appointed Judges. Sometimes it appears that Governor Scott picks Judges for Political Expediency instead of Legal Experience and Merit.”

“Judge Bigney seems to have problems with courtesy, in that she does not let lawyers expeditiously get out of her courtroom. The Judge does not follow the Administrative Order in regards to appearances-Circuit Criminal Trial first. She often does not let you leave her Courtroom for other Courtrooms even if she will not be addressing your case for a period of time.”

[comment deleted pursuant to Rule 4-8.2 of the Florida Rules of Professional Conduct]

[comment deleted pursuant to Rule 4-8.2 of the Florida Rules of Professional Conduct]

“Judge Bigney seems to have difficulty grasping complex legal issues. Judge Bigney also appears to have difficulty applying Criminal Procedure to a real situation! I have seen her take the right action but for the wrong legal reason. There is a set CRP for issuing warrants, not taking negotiated pleas, but she does not appear to have a legal grasp of the Rules of Criminal Procedure.”

#### Hon. Deb S. Blechman

“How fortunate are the new public defenders and state attorneys who start their careers before Judge Woodard in Seminole County. Reminds me of the invaluable constructive criticism provided to me years ago by Judge Blechman in county court in Orange County. Let's hear it for judges like these, who work patiently to better our profession.”

“Judge Blechman seems to be late for court most days. Judge Blechman often spends a very long time on short matters in court and keeps court staff in the courtroom through lunch and after 5:00.”

“Judge Blechman seems to have no issue publicly espousing offensive stereotypes of criminal defendants.”

[comment deleted pursuant to Rule 4-8.2 of the Florida Rules of Professional Conduct]

[comment deleted pursuant to Rule 4-8.2 of the Florida Rules of Professional Conduct]

“Judge Blechman seems to not understand basic rules of evidence and often does not make rulings on objections.”

Hon. Jerry L. Brewer

“Judge Brewer is a treat to practice in front. He knows the law but always treats with you respect.”

Hon. Nancy L. Clark

“Judges Clark and Miller and [*sic*] extremely well versed in legal procedure.”

Hon. A. James Craner

“Judge Craner, perhaps unintentionally, can sometimes be a bit patronizing to some of the newer attorneys assigned to his courtroom.”

[comment deleted pursuant to Rule 4-8.2 of the Florida Rules of Professional Conduct]

Hon. Carolyn B. Freeman

[comment deleted pursuant to Rule 4-8.2 of the Florida Rules of Professional Conduct]

“I wish I could give Judge Freeman a 6!”

Hon. Steve Jewett

“It does not matter if one is a prosecutor or a defense attorney, it is an honor and privilege to practice in front of Judge Jewett.”

“Judge Jewett certainly gives the impression that he knows how to handle his docket with efficiency and acumen.”

“Judge Jewett is thorough and detail oriented, but he treats everyone fairly and with kindness.”

“From my personal experience, I believe that Judge Jewett has a deft intellect and thorough command of the caselaw. He gives the appearance that he thoroughly researches novel issues, intellectually challenges litigants and has the ability to comprehend complex legal issues.”

Hon. W. Michael Miller

“I have the belief that Judge Miller is a paragon of judicial restraint and has an excellent demeanor.”

[comment deleted pursuant to Rule 4-8.2 of the Florida Rules of Professional Conduct]

“Judge Miller's commanding judicial presence is not supported by an equally commanding knowledge of the law.”

“Judges Clark and Miller and [sic] extremely well versed in legal procedure.”

“My impression of Judge Miller is that he has a keen legal mind.”

Osceola County - Circuit Court Judges - Numerical Results

|                       | Legal<br>Knowledge | Impartiality | Freedom<br>from Bias | Demeanor | Diligence | Overall |
|-----------------------|--------------------|--------------|----------------------|----------|-----------|---------|
| Hon. Mark S. Blechman | 4.63               | 4.44         | 4.6                  | 4.72     | 4.61      | 4.6     |
| Hon. Keith A. Carsten | 4.17               | 4.25         | 4.52                 | 4.74     | 4.57      | 4.31    |
| Hon. Leticia Marques  | 4.11               | 4.18         | 4.29                 | 4.44     | 4.24      | 4.24    |
| Hon. Jon B. Morgan    | 4.6                | 4.16         | 4.52                 | 4.69     | 4.37      | 4.41    |
| Hon. Keith F. White   | 2.53               | 2.97         | 3.42                 | 3.78     | 2.86      | 2.69    |

## Osceola County - Circuit Court Judges - Respondents' Comments

### Hon. Mark S. Blechman

“Judge Blechman - He has only been a judge for a year, but there is little question that he is the best judge in Osceola right now.”

“While Judge Mark Blechman makes sure that jurors' time is not wasted, he could use his discretion and not let juries continue trials until all hours of the night.”

“Judge Blechman - Though he is a new judge, he runs a very efficient courtroom.”

“Even with a strong foundation of both procedural and substantive law, Judge Mark Blechman will research and ask for current case law before making decisions.”

“Judge Mark Blechman is extremely patient and even tempered.”

### Hon. Keith A. Carsten

[comment deleted pursuant to Rule 4-8.2 of the Florida Rules of Professional Conduct]

“Judge Carsten seems to use a preponderance standard in his bench trials.”

“Judge Carsten is kind, patient, organized and respectful of all parties in the courtroom. He has grasped juvenile law quickly in his tenure. His evidentiary rulings need improvement.”

“It is very apparent Judge Carsten views cases from the perspective of the State. While acknowledging he was an Assistant State Attorney previously, he should be able to put this bias aside yet fails to do so. It is an incredibly rare occasion where he takes a stance in favor of the Accused or believes anything they say.”

“Judge Keith Carsten does exhibit a lack of legal knowledge that is not commensurate with how long he has been practicing law.”

### Hon. Jon B. Morgan

“Judge Morgan - Simple matters take much longer than they should in this courtroom.”

“Judge Jon Morgan has perfected the art of running a efficient courtroom that does not compromise fairness.”

“Judge Jon Morgan's many years of service both as a prosecutor and judge are evident in his well-above competent grasp of the law and performance of his duties.”

“Judge Jon Morgan always keeps his frustration in check. He is not great at hiding it as his trademark of rubbing his temples telegraphs his feelings to the entire courtroom, but he does not let it get in the way of his job.”

Hon. Keith F. White

“Judge White's skills and talents make him an excellent candidate for the civil bench.”

[comment deleted pursuant to Rule 4-8.2 of the Florida Rules of Professional Conduct]

“Judge White - A simple negotiated plea can take an hour in this courtroom. This courtroom is the very model of inefficiency.”

[comment deleted pursuant to Rule 4-8.2 of the Florida Rules of Professional Conduct]

[comment deleted pursuant to Rule 4-8.2 of the Florida Rules of Professional Conduct]

[comment deleted pursuant to Rule 4-8.2 of the Florida Rules of Professional Conduct]

“Keith White - His lack of criminal law experience shows, and it causes problems on a daily basis.”

[comment deleted pursuant to Rule 4-8.2 of the Florida Rules of Professional Conduct]

[comment deleted pursuant to Rule 4-8.2 of the Florida Rules of Professional Conduct]

“Judge Keith White exhibits an unfamiliarity with criminal law and procedure, but he does make an earnest effort to familiarize himself with any applicable decisions and secondary sources on every new issue that comes before him. However, he readings of such material exhibit a form of tunnel vision that results in interpretations that are completely unworkable and irreconcilable with established law and procedure often causing defense attorneys, prosecutors, clerks, deputies, appellate lawyers and appellate court to expend enormous amounts of time and effort to ameliorate the deleterious effects.”

“Judge Keith White's courtroom is a model of inefficiency.”

Osceola County - County Court Judges - Numerical Results

|                           | Legal<br>Knowledge | Impartiality | Freedom<br>from Bias | Demeanor | Diligence | Overall |
|---------------------------|--------------------|--------------|----------------------|----------|-----------|---------|
| Hon. Carol Engel Draper   | 2.72               | 2.2          | 2.54                 | 1.77     | 2.83      | 2.22    |
| Hon. Hal C. Epperson, Jr. | 2.8                | 2.08         | 2.67                 | 2.79     | 2.8       | 2.48    |
| Hon. Stefania Jancewicz   | 3.38               | 3.48         | 3.75                 | 3.96     | 3.47      | 3.61    |
| Hon. Heather K. O'Brien   | 4.1                | 3.94         | 4.14                 | 4        | 4         | 4.08    |

Osceola County - County Court Judges - Respondents' Comments

Hon. Carol Engel Draper

“Judge Draper may not be the most patient Judge in the world, but that doesn't make her a bad Judge. She's actually a good Judge and she really is kindhearted. She just expects that things will be done a certain way and she doesn't particularly like it when things aren't done that way. A lot of us, myself included, think very well of Judge Draper.”

[comment deleted pursuant to Rule 4-8.2 of the Florida Rules of Professional Conduct]

“Judge Draper shows the same amount of harsh disdain equally to both sides of the aisle.”

[comment deleted pursuant to Rule 4-8.2 of the Florida Rules of Professional Conduct]

[comment deleted pursuant to Rule 4-8.2 of the Florida Rules of Professional Conduct]

[comment deleted pursuant to Rule 4-8.2 of the Florida Rules of Professional Conduct]

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[comment deleted pursuant to Rule 4-8.2 of the Florida Rules of Professional Conduct]

[comment deleted pursuant to Rule 4-8.2 of the Florida Rules of Professional Conduct]

“Putting Judge Draper in Judge Jancewicz's criminal spot on the criminal bench will negatively impact all sides of the criminal bar and most of all the defendants in front of her.”

Hon. Hal C. Epperson, Jr.

[comment deleted pursuant to Rule 4-8.2 of the Florida Rules of Professional Conduct]

“Judge Hal Epperson courtroom is very helpful to new lawyers who wish to develop their record preservation skills and practice writing appellate brief and habeas petitions.”

[comment deleted pursuant to Rule 4-8.2 of the Florida Rules of Professional Conduct]

[comment deleted pursuant to Rule 4-8.2 of the Florida Rules of Professional Conduct]

[comment deleted pursuant to Rule 4-8.2 of the Florida Rules of Professional Conduct]

[comment deleted pursuant to Rule 4-8.2 of the Florida Rules of Professional Conduct]

“Judge Epperson's practice of having a stack of Christian Bibles in his courtroom that he verbally offers to criminal defendants is very troubling. A judge, like all people, is free to believe or not believe in any god they wish. Swearing to take the oath of a judge does not mean that one must renounce their beliefs and accept Lady Justice as their savior. However, it does mean that a judge must not only be impartial, fair and even-handed with all who may appear before them, but they must also give the appearance of such. To, in open court, offer criminal defendants who, at his will, could serve years in jail any endorsement of any religion gives the appearance of the government-forced religious conversion that our forefathers sought to end when they founded this nation and erodes the trust of the justice system that those of differing faiths have.”

[comment deleted pursuant to Rule 4-8.2 of the Florida Rules of Professional Conduct]

“Judge Epperson is absolutely more state friendly. That being said, he will put the state in their place too on occasion.”

[comment deleted pursuant to Rule 4-8.2 of the Florida Rules of Professional Conduct]

Hon. Stefania Jancewicz

“Putting Judge Draper in Judge Jancewicz's criminal spot on the criminal bench will negatively impact all sides of the criminal bar and most of all the defendants in front of her.”

“You can see that Judge Jancewicz is truly concerned about the administration of justice in her courtroom.”

“Judge Jancewicz is very good at playing "devils advocate" when hearing argument. She is very fair to both sides.”

“Judge Jancewicz is an absolute joy. She is wonderful to work with.”

“Judge Jancewicz is by far the most respectful and patient judge to anyone who enters her courtroom than any other judge I have ever been in front of.”

Hon. Heather K. O'Brien

“Judge O'Brien is a model judge who brings a legal sophistication to county court that is all too lacking.”

[comment deleted pursuant to Rule 4-8.2 of the Florida Rules of Professional Conduct]

“Judge O'Brien, unlike a lot of Judges, is very mindful of people's time. I've never been in her courtroom where I had to wait very long to have my matter brought to the court's attention. I think very well of Judge O'Brien.”

“I am impressed by the job Judge O'Brien is doing on the bench.”

“Judge O'Brien is very kind, patient and enjoys teaching without sucker punching your ego or humiliating you.”

“Judge O'Brien's lack of patience often escalates to the level of unprofessional. She is not only impatient with lawyers, but also shows a lack of respect for court staff and deputies. Although her desire to have a courtroom that runs efficiently is admirable, that does not justify a lack of professional behavior. Her understanding of the law and diligence in making sound legal decisions is unmatched.”

“Needs help tolerating the issues that come up with in-jail arraignments. Sometimes she needs to give the APD's an extra five minutes.”



“Judge O'Brien has the nicest demeanor of any judge in Osceola County.”

“She does make newer APD's and ASA's "prove" themselves in court.”

“Judge O'Brien gives the State more of a difficult time in regards to their offers if she believes they are unreasonable.”

Seminole County - Circuit Court Judges - Numerical Results

|                             | Legal<br>Knowledge | Impartiality | Freedom<br>from Bias | Demeanor | Diligence | Overall |
|-----------------------------|--------------------|--------------|----------------------|----------|-----------|---------|
| Hon. Nancy F. Alley         | 3.42               | 3.46         | 3.5                  | 3.08     | 3.25      | 3.08    |
| Hon. Marlene M. Alva        | 4.26               | 3.9          | 3.9                  | 3.71     | 3.9       | 3.75    |
| Hon. John D. Galluzzo       | 4.18               | 4.22         | 4.23                 | 4.27     | 4.29      | 4.14    |
| Hon. Kenneth R. Lester, Jr. | 4.55               | 4.33         | 4.43                 | 4.52     | 4.59      | 4.48    |
| Hon. Donna McIntosh         | 4                  | 3.71         | 4.29                 | 4.22     | 4.13      | 3.94    |
| Hon. Jessica Recksiedler    | 3.89               | 3.84         | 4                    | 3.89     | 4         | 3.78    |

Seminole County - Circuit Court Judges - Respondents' Comments

Please note: CFACDL did not receive any comments from respondents for this division.

Seminole County - County Court Judges

|                           | Legal<br>Knowledge | Impartiality | Freedom<br>from Bias | Demeanor | Diligence | Overall |
|---------------------------|--------------------|--------------|----------------------|----------|-----------|---------|
| Hon. James J. Dekleva     | 4.6                | 4.63         | 4.74                 | 4.74     | 4.74      | 4.68    |
| Hon. Mark E. Herr         | 4.19               | 4.18         | 4.64                 | 4.09     | 4.27      | 4.19    |
| Hon. Debra L. Krause      | 3.44               | 3.88         | 4.12                 | 4.12     | 4.06      | 3.75    |
| Hon. Fred Schott          | 3.75               | 4.31         | 4.44                 | 4.06     | 4.38      | 4.06    |
| Hon. John L. Woodard, III | 4.69               | 4.68         | 4.8                  | 4.83     | 4.88      | 4.83    |

Seminole County - County Court Judges - Respondents' Comments

Hon. John L. Woodard, III

“How fortunate are the new public defenders and state attorneys who start their careers before Judge Woodard in Seminole County. Reminds me of the invaluable constructive criticism provided to me years ago by Judge Blechman in county court in Orange County. Let's hear it for judges like these, who work patiently to better our profession.”

Federal Court - United States District Court for the Middle District of Florida

Please note: CFACDL did not receive enough data or comments from respondents for this division.