

Justices Luck and Lagoa Elevated to the U.S. Court of Appeals for the Eleventh Circuit

By: Samantha Lowe

The Florida Supreme Court has endured more change in the last two years than it has in almost its entire history. After the mandatory retirement of Justices Barbara J. Pariente, R. Fred Lewis, and Peggy A. Quince in January 2019, three new members were quickly appointed in their place—Justices Barbara Lagoa, Robert J. Luck, and Carlos Muñiz. Little did the Court know, though, that it would bid two of those members adieu by the end of that same year. On October 15, 2019, former President Donald J. Trump nominated Justices Lagoa and Luck to serve on the U.S. Court of Appeals for the Eleventh Circuit, and they soon left the Court to take their places on the federal bench.¹

Their appointments to the Florida Supreme Court were historical on their own. This was the first time in the Court’s history that three Justices left the bench at the same time and the first time in 100 years that three Justices joined the Court all at once.² Justice Lagoa also became the first Hispanic female Justice to sit on the high court,³ while Justice Luck became the youngest sitting Justice.⁴

Justices Lagoa and Luck’s rapid ascension to the Eleventh Circuit proved the most remarkable. Having been on the Florida Supreme Court for just under a year, they served two of the shortest terms in the Court’s history.⁵

During Justice Luck’s joint investiture with Justice Muñiz, Judge Rodolfo Ruiz of the U.S. District Court for the Southern District of Florida humorously welcomed everyone to the “Annual Robert Luck Investiture”—acknowledging that

¹ See *PN1172 - Nomination of Robert J. Luck for The Judiciary, 116th Congress (2019-2020)*, CONGRESS, <https://www.congress.gov/nomination/116th-congress/1172>; see also *PN1171 - Nomination of Barbara Lagoa for The Judiciary, 116th Congress (2019-2020)*, CONGRESS, <https://www.congress.gov/nomination/116th-congress/1171>.

² *Florida State Courts Annual Reports*, FLA.’S SUPREME CT. JUSTICES (2017-2018), at 6, <https://www.flcourts.org/content/download/524088/file/florida-s-supreme-court-justices.pdf>.

³ *Id.*

⁴ Lloyd Dunkelberger, *Robert J. Luck Is New Justice on Florida Supreme Court*, GAINESVILLE SUN, (last updated Jan. 14, 2019, 5:55 PM), <https://www.gainesville.com/news/20190114/robert-j-luck-is-new-justice-on-florida-supreme-court>.

⁵ Michael Moline, *Barbara Lagoa’s Fast-Track Career Included One of the Shortest Stints on the FL Supreme Court in History*, FLA. PHOENIX (Sept. 22, 2020), <https://www.floridaphoenix.com/2020/09/22/barbara-lagoas-fast-track-career-included-one-of-the-shortest-stints-on-the-fl-supreme-court-in-history/>.

in the past six years, Justice Luck had been sworn in as an Eleventh Judicial Circuit judge, Third District Court of Appeal judge, and Justice on the Supreme Court of Florida. And he had just been nominated by President Trump to serve on the Eleventh Circuit Court of Appeals—before his own Investiture to the Florida Supreme Court could take place.⁶

Their legal careers began at different junctures. Justice Lagoa graduated from Columbia Law School and transitioned into private practice shortly thereafter. Justice Luck graduated from the University of Florida’s College of Law and then accepted a two-year clerkship with the Eleventh Circuit Court of Appeals.

Their paths ultimately crossed when they became colleagues on Florida’s Third District Court of Appeal, where Justice Lagoa served for thirteen years, including a term as Chief Judge. From that moment on, their paths to the federal bench were forged together.⁷ They were appointed to the Florida Supreme Court within five days of one another.⁸ Both were nominated to the Eleventh Circuit on the same day, and their Senate confirmations were only one day apart.⁹ During her investiture to the Florida Supreme Court, Justice Lagoa recognized her “new colleagues,” but made sure to pay tribute to her “old colleagues” as well, with a special nod to Justice Luck in particular.¹⁰

⁶ Florida Supreme Court, *Joint Investiture: Justice Robert J. Luck & Carlos G. Muniz*, YOUTUBE (Oct. 7, 2019), at 24:17, <https://www.youtube.com/watch?v=wi5PpvzWA1A>.

⁷ Former Justices, Profile, *Justice Barbara Lagoa*, FLA. SUPREME COURT, <https://www.floridasupremecourt.org/Justices/Former-Justices/Justice-Barbara-Lagoa> (last visited Apr. 16, 2021); Profile, *Hon. Robert J. Luck*, U.S. COURT OF APPEALS FOR THE 11TH CIR., <https://www.ca11.uscourts.gov/hon-robert-j-luck> (last visited Apr. 16, 2021) [hereinafter Luck Profile].

⁸ Staff, News Releases, *Governor Ron DeSantis Appoints Barbara Lagoa to the Florida Supreme Court*, FLGOV. (Jan. 9, 2019), <https://www.flgov.com/2019/01/09/governor-ron-desantis-appoints-barbara-lagoa-to-the-florida-supreme-court/> [hereinafter Lagoa News Release]; Staff, News Releases, *Governor Ron DeSantis Appoints Robert Luck to the Florida Supreme Court* FLGOV. (Jan. 14, 2019), <https://www.flgov.com/2019/01/14/governor-ron-desantis-appoints-robert-luck-to-the-florida-supreme-court/>.

⁹ *Date of Confirmation, PN1171 — Barbara Lagoa — The Judiciary, 116th Congress (2019-2020)*, CONGRESS, <https://www.congress.gov/nomination/116th-congress/1171>; *Date of Confirmation, PN1172 — Robert J. Luck — The Judiciary, 116th Congress (2019-2020)*, CONGRESS, <https://www.congress.gov/nomination/116th-congress/1172>.

¹⁰ Florida Supreme Court, *May 10, 2019 Investiture of Justice Barbara Lagoa*, YOUTUBE (May 14, 2019), at 1:08:38, <https://www.youtube.com/watch?v=Tn7emwdolaE>.

By the time of her appointment to Florida's highest court, Justice Lagoa had devoted thirteen years of service to the State's judiciary. She had presided over almost 11,000 cases and authored over 400 opinions.¹¹ Justice Luck had spent only six years on the bench but had experience as both a trial and appellate level judge and had served in all three branches of government.¹²

As Governor DeSantis explained shortly after receiving news of the pair's nomination to the federal bench:

President Trump has demonstrated great judgment in nominating Justices Barbara Lagoa and Robert Luck to the United States Court of Appeals for the Eleventh Circuit. I appointed these two Justices to the Florida Supreme Court for their demonstrated understanding of the Constitution and the appropriate role of the judiciary. We are proud of these two Floridians who have earned the respect of many for being great jurists and public servants. They will serve our nation well.¹³

¹¹ Lagoa News Release, *supra* note 8.

¹² Luck Profile, *supra* note 12.

¹³ Staff, News Releases, *WHAT THEY ARE SAYING: Governor Ron DeSantis and Florida Leaders Applaud President Donald Trump on His Nominations of Florida Supreme Court Justices Barbara Lagoa and Robert Luck to the United States Court of Appeals for the Eleventh Circuit*, FLGov. (Sept. 12, 2019), <https://www.flgov.com/2019/09/12/what-they-are-saying-governor-ron-desantis-and-florida-leaders-applaud-president-donald-trump-on-his-nominations-of-florida-supreme-court-justices-barbara-lagoa-and-robert-luck-to-the-united-states-c/>.