

# Historical Review

WINTER 2023

A Publication of THE FLORIDA SUPREME COURT HISTORICAL SOCIETY



**BUILDING  
THE COURT**  
PAGE 8

**FLORIDA'S ONLY  
GUASTAVINO  
DOME**  
PAGE 18



**IT ALL  
STARTED WITH  
A LEAKY ROOF**  
PAGE 20

**THE INVESTITURE  
OF JUSTICE  
RENATHA FRANCIS**  
PAGE 31



# Contents

**6**

MESSAGE FROM  
THE CHIEF JUSTICE

## Under the Dome: Chief's Message

*Chief Justice Carlos G. Muñoz*

**8**

FLORIDA LEGAL HISTORY

## The Supreme Court of Florida's New Building in 1948

*Joseph H. Lang, Jr.*

**12**

FLORIDA LEGAL HISTORY

## Making History in Oral Arguments and Proceedings Before The Supreme Court of Florida

*Jerry M. Gewirtz*

**15**

ASK THE ARCHIVIST

## Ask The Archivist: Elevator Trouble and the First Case

*Erik Robinson*

**18**

FLORIDA LEGAL HISTORY

## The Guastavino Dome: The Florida Supreme Court Building's Crown Jewel

*Jess Wash*

**20**

FLORIDA LEGAL HISTORY

## It All Started With a Leaky Roof

*Rosanne Dunkelberger*

**22**

FLORIDA LEGAL HISTORY

## Old House Moves to a New Home at FSU

*Patsy Palmer*

**24**

HISTORICAL SOCIETY EVENTS

## A Supreme Evening 2024

**26**

FLORIDA LEGAL HISTORY

## Restoring the Colorful History of the Florida Supreme Court

**28**

FLORIDA LEGAL HISTORY

## A Supreme Evening 2023 Recap

**31**

FLORIDA SUPREME COURT NEWS

## Investiture of Justice Renatha Francis as the 92nd Justice

*Bailey Howard*

**32**

FLORIDA SUPREME COURT NEWS

## Getting to Know Justice Meredith Sasso

*Gary Lesser*

**34**

FLORIDA SUPREME COURT NEWS

## Justice Ricky Polston Departs the Court

*Dean Erin O'Hara O'Connor*

**36**

FLORIDA SUPREME COURT NEWS

## Historical Society Director Honored for Service to the Legal Profession

**37**

FLORIDA LEGAL NEWS

## Federal Court Named for Judge Hatchett

**38**

FLORIDA SUPREME COURT NEWS

## Ceremonial Chief Justice Office Celebrates the Supreme Court and its Justices

### ON THE COVER

A bird's-eye view of the Supreme Court shows two features that are standouts in the building's 75-year history: the outer dome using a construction technique that requires no external support and the 1990 additions that added sorely needed space to the facility.

# Celebrating the Old, Welcoming the New



**W**e are pleased to present our Winter 2023 issue of the Historical Review. In this issue, we celebrate the 75th anniversary of the Supreme Court of Florida's building on December 29, 2023. This issue includes a multitude of articles and historical photographs commemorating this special occasion. In addition, this issue includes articles on Justice Ricky Polston's recent retirement from the Court and Justice Meredith Sasso's subsequent appointment to the Court.

Since our last issue, the Historical Review has experienced notable changes. Our Editor for many years, Melanie Kalmanson, has passed the torch to a new team. In her time as Editor, Melanie modernized the look and content of our magazine. We are extremely grateful for her profound and selfless contributions over the years to the Historical Review and to the Society. We have big shoes to fill.

In that regard, we express our gratitude to the Society's Publications Subcommittee, our Executive Director Mark Miller, and our new professional publication consultant, Rosanne Dunkelberger, for coming together to make this issue a reality. As with anything worth preserving and protecting, it takes the dedication of individuals to do the Society's important work. In his book, "The Lost Lawyer," Dean Anthony Kronman quotes the philosopher Michael Oakeshott's observation that:

*"[t]here is nothing to encourage us to believe that what has captured current fancy is the most valuable part of our inheritance, or that the better survives more readily than the worse. And nothing survives in this world which is not cared for by human beings."*

Thanks to all who have cared for, and continue to care for, the Court and the Society.

**Joseph H. Lang, Jr., Editor**  
**THE FLORIDA SUPREME COURT**  
**HISTORICAL REVIEW**



## Florida Supreme Court Historical Society WINTER 2023

**EDITOR**  
Joseph H. Lang, Jr.

**EDITORIAL ASSISTANCE**  
Holly Brooks, Tim Chinaris,  
Mark Miller, Francine Walker

### DESIGN & LAYOUT

**LEACK**  
DESIGN CO

**PUBLISHED BY THE**  
**FLORIDA SUPREME COURT**  
**HISTORICAL SOCIETY**

**Mark A. Miller, Executive Director**

1947 Greenwood Drive, Tallahassee, Florida 32303  
www.flcourthistory.org • admin@flcourthistory.org

The Florida Supreme Court Historical Society works to save and maintain for future generations the records of the people and events that have shaped the evolution of Florida's court system from the early 1800s, through the 21st Century, and beyond. The Society is committed to making sure people understand the importance of a strong, independent judiciary in our governmental balance of power. The Society's twofold mission is to (1) educate the public about the critically important work of the courts in protecting personal rights and freedoms, as well as in resolving the myriad of disputes that arise within the state, and (2) preserve the rich history of Florida's judicial system.

*This publication has been sponsored by the members  
of the Florida Supreme Court Historical Society.*

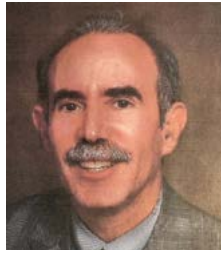
# CONTRIBUTORS

## Rosanne Dunkelberger



**Rosanne Dunkelberger** is a Tallahassee-based writer and editor. In addition to her work for the Historical Review magazine, she also contributes to the Florida Politics website and magazine, INFLUENCE. She recently completed a book celebrating another Tallahassee 75th anniversary, this one for Tallahassee Memorial HealthCare.

## Jerry M. Gewirtz



**Historical Society Trustee**  
**Jerry M. Gewirtz** is a member of the Florida Supreme Court Historical Society Board of Trustees and a member of the Florida Supreme Court Committee on Standard Jury Instructions in Contract and Business Cases. His practice has focused on complex civil litigation at the trial and appellate levels in state and federal court.

## Bailey Howard



**Historical Society Trustee**  
**D. Bailey Howard** Bailey Howard is an appellate attorney with Clark Partington in Tallahassee and a Florida Supreme Court Historical Society Board of Trustees member.

## Patsy Palmer



**Historical Society Trustee**  
**Patsy Palmer** Patsy Palmer is a lawyer in Tallahassee and a member of the Florida Supreme Court Historical Society Board of Trustees.

## Paul Flemming



**Paul Flemming** joined the Florida courts in 2016 as the public information officer for the Office of the State Courts Administrator. He succeeded Craig Waters as director of the Florida Supreme Court public information office in March 2022. He previously worked for over 10 years as a reporter and editor in Tallahassee covering state government for newspapers and television stations around Florida.

## Joseph H. Lang, Jr.



**Historical Society Trustee**  
**Joseph H. Lang, Jr.** is a shareholder with Carlton Fields, P.A. in Tampa. He is board certified by The Florida Bar in appellate practice and a member of the American Law Institute. He received his J.D. degree from the University of Florida College of Law and his LL.M. degree from the Georgetown University Law Center. He served as a law clerk at the Florida Supreme Court for Justice Ben F. Overton from 1995 until 1997.

## Gary S. Lesser



**Historical Society Trustee**  
**Gary S. Lesser** serves on the Board of Trustees of the Florida Supreme Court Historical Society and is Immediate Past President of The Florida Bar.

## Erik Robinson



**Erik Robinson** received his M.A. in Historical Administration (Museum and Archive Studies) from Eastern Illinois University. He directed two historic Illinois courthouses where Abraham Lincoln practiced law in the 1840s. In 1984, he became curator at the Museum of Florida History, where he directed restoration of the Supreme Court chamber in the Old Capitol. In 2005, he became Archivist for the Florida Supreme Court Library.

## Erin O'Hara O'Connor



**Historical Society Trustee**  
**Erin O'Hara O'Connor** is the Dean and McKenzie Professor at Florida State University College of Law and a member of the Florida Supreme Court Historical Society Board of Trustees. She is a noted scholar in several areas, including conflict of laws, arbitration, and the law market. Dean O'Connor taught at several prestigious universities before joining FSU in 2016.

## Jess Wash



**Jess Wash** is executive director of z, a group whose mission is to tell the story of the life of the Guastavinos, father and son, and maximize public interest in the history and preservation of their 600 projects, which can be found in 30 states and six countries.

# From the President

**H**istory comes down to us in many ways. We learn about influential *people* who left a mark on their corner of the world, whether it was in our hometown or on the international stage. We look back on significant *events* that shaped the experience of those who lived at that time. We parse *writings* that have been preserved over years or centuries, seeking to get a sense of what was in the minds or hearts of people who lived long ago. We study *artifacts* from the past to help understand those times and what they can teach us today.

But a sense of *place* is also vitally important to our understanding of history. How many of us have felt like we were a little part of history when we stood at the exact same spot on which a momentous event occurred? Standing in the house where a great inventor was born, or in the same room where a destructive war was ended, helps us appreciate the past. That sense of place as a part of history is why we preserve buildings and battlefields and bridges.

This issue of Historical Review magazine focuses on the history of a place that is very significant in the life of every Floridian — the Florida Supreme Court building. History has been made in that building in many ways, and with each court session new history continues to be made. The interesting

articles in this issue capture some of that historical record. Patsy Palmer sets the stage by looking at what was on the property before the Court building. Joe Lang tells us about the construction of the building. We get a sense of the times by looking at what is in the building's cornerstone. Even a

building that is “state of the art” when constructed needs to be modernized as time passes, and Rosanne Dunkelberger highlights significant renovations to the building. Articles on restoration of en banc photos of former justices and features on current justices give us insight into people who have carried out their important work in the *place* we call the Florida Supreme Court.

The Florida Supreme Court Historical Society exists to help preserve the important legacy of the Florida Supreme Court and to promote the value of a strong, independent judicial branch of government to our state and its people. We

hope you enjoy this issue of Historical Review magazine. We also cordially invite you to partner with us in this worthwhile endeavor by becoming a member of the Society today.

Tim Chinaris, *President*

FLORIDA SUPREME COURT HISTORICAL SOCIETY



## Florida Supreme Court Historical Society 2023-2024 Officers & Trustees

### EXECUTIVE COMMITTEE

**President:** Timothy Chinaris

**1st Vice President:**

Fred E. Karlinsky

**2nd Vice President:**

Kara Rockenbach Link

**Treasurer:**

William J. Schifino, Jr.

**Secretary:**

Kimberly Kanoff Berman

**Past President:**

Scott R. Rost

Mary Adkins

\*Howard C. Coker

\*Henry M. Cox, III

Judge Gary P. Flower

Leonard H. Gilbert

\*Edward G. Guedes

\*Alan G. Greer

\*Edith G. Osman

Daryl D. Parks

### BOARD OF TRUSTEES

Mary Barzee Flores

Justice Kenneth Bell

Stacy D. Blank

Hon. Kimberly C. Bonner

Steven L. Brannock

Hon. Robert A. Butterworth

Justice Raoul G. Cantero

Christine D. Davis

Thomas S. Edward

Stephen H. Echsner

Amy S. Farrior

Jerry M. Gewirtz

Merrick L. Gross

Caryn M. Green

Thomas D. Hall

Justice Major B. Harding

John F. Harkness

Scott G. Hawkins

Gregory A. Hearing

D. Bailey Howard

Celene H. Humphries

Irene Kogan

Hon. Jeffrey D. Kottkamp

Elliot B. Kula

Joseph H. Lang, Jr.

Justice Alan Lawson

Gary S. Lesser

Walter W. Manley, II

Stuart C. Markman

Dr. Steven R. Maxwell

Jon L. Mills

Judge Stefanie C. Moon

Dean Erin O'Hara O'Connor

Michael F. Orr

Patsy Palmer

Jesse M. Panuccio

Justice James E.C. Perry

Gary Lee Printy

Judge Mary Rudd Robinson

Stanley M. Rosenblatt

Hala Sandridge

Neal R. Sonnett

Renee E. Thompson

Christopher A. Vallandigham

Linda F. Wells

Hon. Joseph M. Williams

Stephen N. Zack

### EX OFFICIO TRUSTEES

\*Bruce Blackwell

\*Jonathan F. Claussen

\*John A. DeVault, III

\*Benjamin H. Hill, III

\*Rutledge R. Liles

\*Miles A. McGrane, III

\*Kelly A. O'Keefe

\*Herman J. Russomanno

\*Christian D. Searcy

\*Sylvia H. Walbolt

### EXECUTIVE DIRECTOR

Mark A. Miller

*\*Past Society Presidents*



# *Under the Dome:* Chief's Message

By **Chief Justice Carlos G. Muñoz**



**A**t the end of this year, we will mark the 75th anniversary of the dedication ceremony for the building the Supreme Court now occupies, its fourth home since statehood. At the same time, we have undertaken a project to complement our educational and outreach programs with a cohesive, contextual story about the Court, its justices, and the branch of government it leads and supports. This effort serves to celebrate the milestone for the building three-quarters of a century old by telling a compelling, consistent message in a contemporary way to engage the people the Supreme Court exists to serve.

I think the experience of everyone who visits the Supreme Court will benefit from the ideas and stories this project tells. The Court's purposes will be served as well, providing a better understanding of the importance of an independent judiciary.

The project will produce educational material about the history of the Florida Supreme Court, the state's

constitution, and the structure of the judicial branch. We also will include panels for display in the Lawyer's Lounge about The Florida Bar and the oath of admission taken by every single one of the more than 110,000 attorneys who are members. These presentations will include a score of panels, with more anticipated in a second phase. We have mined our rich archive to provide visual material. Members of the Supreme Court — particularly Justice Jamie Grosshans, who is heading the project — and our staff are excited about the prospect of this engaging, dynamic material and how vital it will be in telling the story of the rule of law, the Supreme Court itself, and the judiciary in our state.

We know the necessity and value of providing a foundation of education about our form of government and the judicial branch's role in it to the students and citizens of Florida. This is one of the most effective ways we aid public trust and confidence in our branch and this Court's history.

In 2022, more than 11,300 people took scheduled tours. There were an additional 4,300-plus people who enjoyed self-guided tours. Though students are an important part of those tours, there were also 22 tours for adult leadership groups and 400 teachers in statewide training who benefited.

Emilie Rietow, the education and information administrator for the Supreme Court Public Information Office, coordinates and leads these tours. The project will support the civic education elements of her school tours and provide valuable context to our adult groups.

As part of that overall effort, we have moved the historic justice portraits into the courtroom, relocated portraits of former justices who are still active members of The Florida Bar into the hallway outside the Lawyer's Lounge, and are in the process of updating and refreshing the content and displays within the Lawyer's Lounge. The portraits are commissioned by the Florida Supreme Court Historical Society and all of them are featured on the Supreme Court's website.

We welcome everyone to the Florida Supreme Court building in January, when the project is set to be installed, and encourage you to visit — or visit again — to take advantage of the new educational material and engaging historical information about the Court and the branch.



YEARS

OF

Florida's Supreme  
Court Building

1948-2023

# The Supreme Court of Florida's New Building in 1948 'Our supreme tribunal fittingly housed.'

Compiled by **Joseph H. Lang, Jr.**

**O**n December 29, 1948, the Supreme Court of Florida's new — but not quite finished — building was dedicated. Associate Justice Stanley Reed of the Supreme Court of the United States provided remarks to those gathered at the dedication: "May this building stand for decades as a symbol of justice to the rich and to the poor" and "[m]ay the people of the state look upon their Supreme Court as a tribunal for the adjustment of differences, a refuge for the persecuted, a haven for the oppressed,

a citadel for the weak." With the celebration of the Court's beautiful new home the point of the occasion, it struck Justice Reed to also remark that it was "beyond imagination that there could be any serious impairment of the supremacy of the states."

The design of the Court's new building is simple yet elegant, incorporating Jeffersonian Greek Revival elements. Wide steps lead up to the Court's entrance with its imposing six pillars and three silver double doors. Through those doors is the impressive rotunda, surrounded by eight marble columns. A replica of the Court's seal is embedded in the rotunda's floor. Portions of the walls were cast in monolithic concrete and, at many points throughout the building, the walls are nearly two feet thick. The foundation rests on piles driven deep into the clay hill shared with the Capitol building.

Two design elements are particularly notable. The outer dome over the building's rotunda was designed and constructed by the Guastavino Company, a renowned architectural firm famous for its self-supporting vaults and arches made from thin interlocking tiles and fast-drying mortar, requiring no external supports.

The outer dome's underside is constructed using concentric rings. The concentric ascending and narrowing circles of ceramic tiles had to be shaped in all three dimensions (height, width, and depth) to create the shape of the dome.

The company was named for father and son architects, both named Rafael Guastavino, who brought old-world building techniques and fashions from Spain and adapted them for use in the United States.



The Supreme Court building begins to take shape in August 1948, including the skeleton of the Guastavino dome.





Many important historical buildings in the United States, including the Registry Hall at Ellis Island, the Smithsonian in Washington, Grand Central Terminal in Manhattan, and Biltmore House in North Carolina, have Guastavino designs. The Florida Supreme Court building is the only Guastavino project in Florida.

The green marble columns in the Court's rotunda are remarkable. The marble in the column shafts is Maryland Verde Antique, quarried near Cardiff, Maryland, and the white caps and bases of the columns came from a quarry near Carrara, Italy. The carving was done by craftsmen of the Candora Marble Company in Knoxville, Tennessee. It is doubtful whether the marble columns alone could be commissioned today for the total amount of the building project in 1948.

The architects for the Supreme Court Building were James Gamble Rogers II of Winter Park and Yonge & Hart of Pensacola. The J.A. Jones Construction Company constructed the new building.

Getting to the December 29, 1948, dedication ceremony, however, was not an easy or straight path. Originally, the plan in the early 1940s had been to modernize the Court's existing facilities, a 1913 building the Court shared with the state railroad commission. That plan stalled in wartime, but was revived in late 1944. When cost estimates for the modernization effort came in around \$400,000, though, some thought was given to constructing an entirely new building instead.

The Florida Legislature approved the idea of a new building and authorized the project — subject to funding. When the original estimate amounted to \$1.2 million, the Governor put the project on hold pending acquisition of the land for the building. That





Gov. Millard Caldwell and Chief Justice Elwyn Thomas (right) place a box containing historical documents and photos into the cornerstone of the new Florida Supreme Court building at dedication ceremonies on Dec. 28, 1948.



# What's in the Cornerstone?

If you're curious about what's in Florida's Supreme Court cornerstone, laid during dedication ceremonies in December 1948, here's a list:

- ▶ Photo of Prince and Princess Charles Murat at the tomb of Prince and Princess Achille Murat, Tallahassee, 1932
- ▶ Photo of the Supreme Court of Florida, 1936
- ▶ Photo of Governor E. A. Perry and Cabinet on Capitol steps circa 1885
- ▶ Photo of Seminole Chief playing golf at Fort Myers and photo of Henry Ford, Thomas Edison, and Major Wong at Fort Myers
- ▶ Photo of Chief Justice Whitfield administering oath of Governor N. B. Broward, January 3, 1905
- ▶ Photo of Florida's Capitol Building, 1824-1923
- ▶ Photostat of General Jackson's Commission as Governor of the Territories of East and West Florida
- ▶ Chief Justice Whitfield administering the oath to Governor F. P. Cone, January 5, 1937
- ▶ Photo of a painting of Marquis de Lafayette
- ▶ Photostat of sheet from "Dixie" containing a panel of photos and a list of the members of Florida's Secession Convention
- ▶ Page from Miami Herald of January 11, 1925, with photos of Inauguration of Governor John W. Martin
- ▶ Page from Florida Times-Union dated January 4, 1905, with photos of inauguration of Governor Napoleon B. Broward
- ▶ Page from the Floridian containing photos of the inauguration of Governor Millard F. Caldwell
- ▶ Page from Tallahassee Democrat dated March 18, 1945, devoted to the State Centennial
- ▶ Directory of the Confederate States, 1861-1865
- ▶ Photo of Monument marking intersection of Guide Meridian and Base Parallel of Florida

## CONTINUED FROM PAGE 9

effort eventually required condemnation proceedings resulting in awards of nearly \$300,000 for the condemnees, as prior negotiations with the property owners failed due to high compensation demands.

After the land for the project was secured and after much political back and forth, a total of \$1,305,000 was allotted for the project. Notwithstanding, the relevant bid was \$400,000 higher than that. Initially, Gov. Caldwell and certain cabinet members opposed that higher expenditure. Other legislative leaders attempted to put an end to the building project altogether at that point. Yet, the Governor changed his mind and the project survived and advanced. Construction started in mid-1947.

Ultimately, the price of the building in 1948 was \$1.7 million. Though there were some grumblings at the time that the cost was too high, the new building proved well worth the public investment and history shows the ultimate price was not out of line. By way of general comparison (using widely

reported cost estimates and a simple inflation calculator), the new First District Court of Appeal building in Tallahassee that opened in 2010 would have cost \$3.85 million in 1948 and the new Duval County Courthouse that opened in 2012 would have cost \$27.5 million in 1948. Indeed, one of the factors that broke the stalemate and allowed the construction of the Court's new building to proceed in 1947 was the proponents' argument that the Dade County Courthouse lot alone had cost more than the entire proposed project for the Court's new building.

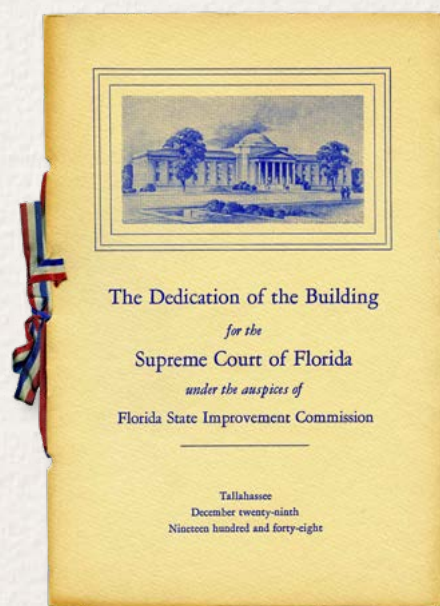
At the dedication ceremony, Gov. Millard Caldwell commented "[w]e are happy to have our supreme tribunal fittingly housed." And Governor-elect Fuller Warren stated that the judiciary is "the most indispensable branch of government" and observed that the Court's new building was "expensive but worth every dollar."

*This article was directly excerpted and compiled from various Florida Supreme Court and Florida Supreme Court Historical Society archives and is not original work.*

- ▶ Copy of "Political and Legal History of Florida" by James B. Whitfield
- ▶ Official Program of the Inauguration of Governor Spessard L. Holland
- ▶ Official Program of the Inauguration of Governor Millard F. Caldwell
- ▶ Card for the Inaugural Ball of Governor William D. Bloxham
- ▶ Pamphlet containing pictures of State Flag, Flower, Bird, etc.
- ▶ Photo of Governor Caldwell with former Governors Holland and Carlton
- ▶ Print of early Capitol at Tallahassee
- ▶ Print of State Capitol, Tallahassee, 1845 to 1902
- ▶ Photo of Supreme Court of Florida, 1905
- ▶ Enlarged photo of Supreme Court of Florida, 1905
- ▶ Panel of pictures of the Supreme Court Justices of the United States, 1790-1940

- ▶ Page from Florida Highways relating to the Centennial celebration
- ▶ Photograph of President McKinley and party on visit to Tallahassee, 1899
- ▶ Photostat of Confederate Cabinet
- ▶ Page from the Floridian of January 6, 1945, with a photo of Chief Justice Buford administering oath to Governor Caldwell
- ▶ Newspaper clipping regarding inauguration of Governor Caldwell and containing photos of six former governors
- ▶ Photostat of Times-Union the January 6, 1909 inauguration of Governor Albert W. Gilchrist
- ▶ Florida Supreme Court Report, Vol. 158
- ▶ Picture of Supreme Court, January 1948
- ▶ Issues April, May, June, and July of Florida Law Journal
- ▶ Florida Hand Book, 1947-48

- ▶ The Program at Dedication of the 1948 Supreme Court Building
- ▶ Picture of Stanley Forman Reed, Associate Justice United States Supreme Court





# Making History in Oral Arguments and Proceedings Before The Supreme Court of Florida

By **Jerry M. Gewirtz**

**T**he Supreme Court of Florida has a rich and colorful history dating back to 1845, the year Florida became a State. In its more than 177 years of existence, the Court has occupied three homes in Tallahassee. The Court's first headquarters was located in the old State Capitol Building, which housed the judicial, legislative, and executive branches of the state government. The Court held its first session at the old Capitol Building in January 1846, and continued to operate from that location through September 1912. In October 1912, the Court moved into a new facility on Jackson Square, one block away from the old State Capitol building, sharing that building with the Florida Railroad Commission. By the early 1940s, it became apparent the Court needed additional space, and a decision was made to build a new structure. In 1948, the new building was completed, and the Court relocated to its present location at 500 South Duval Street.

During the history of the Court at its current location, there have been significant developments in the oral arguments and proceedings before the Court. This article

will briefly address five of the more notable and historic events including: the dedication ceremony for the new Court building; the advent of the Justices wearing robes on the Bench; the broadcasting of live oral arguments and ceremonial sessions; the authorization by the Court to conduct oral arguments remotely using communication technology during the COVID-19 pandemic; and the ceremonial session before the Court highlighting the amendment to the Oath of Admission for attorneys requiring counsel to conduct themselves with fairness, integrity, and civility

## The Dedication Ceremony for the New Court Building

The new Court building was officially dedicated with an elaborate ceremony on December 29, 1948. At that time, the Gov. Millard Caldwell and Chief Justice Elwyn Thomas placed a box containing historical documents and photographs in the building's cornerstone. Other dignitaries participating in the dedication ceremony included United States Associate Justice Stanley Forman Reed, who delivered the dedication address, and Charles Overman, at the time director and secretary of the Florida State Improvement Commission.

The cost of the new Court building was \$1.7 million, approximately 17 times the price of the facility the Court previously occupied. One of the many attributes of the new Court building was the palatial and dignified courtroom for oral arguments and ceremonial proceedings. The distinctive architectural style of the building includes Jeffersonian Greek Revival elements. A replica of the Court's seal, embedded into the rotunda floor, is also noteworthy and of historical significance. The central figure in the Court seal is the Greek Goddess of Justice, Themis. She is blindfolded to symbolize the impartiality of the law, and carries the scales of justice in one hand and an avenging sword in the other. The Court's seal additionally includes an eagle, which has been interpreted as "the power of justice ruling the world." The official motto in the Court seal is the Latin phrase *Sat Cito Si Recte* which means "Soon enough if done rightly."



Participants gather in front of the not-quite-completed Florida Supreme Court building before the dedication ceremony on Dec. 29, 1948.

The phrase connotes the importance of “taking the time necessary to achieve true justice.”

## **The Advent of the Justices Wearing Robes on the Bench**

The Justices began hearing oral arguments in the courtroom of the new Court building on June 7, 1949. On that date, the Justices wore robes on the Bench for the first time in the Court’s history. This new protocol was in line with the desire of several of the Justices to elevate and formalize proceedings before the Court. Justices participating in this historic event were the Honorable Alto Adams, then Chief Justice, the Honorable Glenn Terrell, the Honorable Roy Chapman, the Honorable Elwyn Thomas, the Honorable Harold Sebring, and the Honorable Paul Barns. In the audience were Florida Gov. Millard Caldwell and Attorney General Richard Ervin.

## **The Broadcasting of Live Oral Arguments and Ceremonial Sessions**

Oral arguments and ceremonial sessions before the Court have been broadcast live since September 1997. The genesis of the live broadcasts was a cooperative agreement between the Court and Florida State University. Oral arguments and ceremonial sessions are broadcast live on (1) cable television through the Florida Channel, (2) the internet in video and audio formats from a website jointly maintained with WFSU-TV at [wfsu.org/gavel2gavel/](http://wfsu.org/gavel2gavel/), (3) Facebook Live, and (4) YouTube. In addition, an archive in video and audio formats from previous oral arguments and ceremonial sessions is available, dating back to September 1997. The Court calendar, briefs, press summaries and other information about cases are posted on the Court’s Public Information page of the Court’s website located at <https://supremecourt.flcourts.gov/Oral-Arguments>.

## **Remote Oral Arguments Using Communication Technology**

The COVID-19 pandemic created enormous and unprecedented challenges for all state and federal courts throughout the United States. As a result of the emergence

of the pandemic, on March 17, 2020, and in subsequent administrative orders, then Chief Justice Charles T. Canady directed that court proceedings be conducted remotely, through the use of technology, when possible. The overarching intent of the administrative orders issued by Justice Canady was to mitigate the impact of COVID-19, while keeping the courts operating to the fullest extent consistent with public safety.

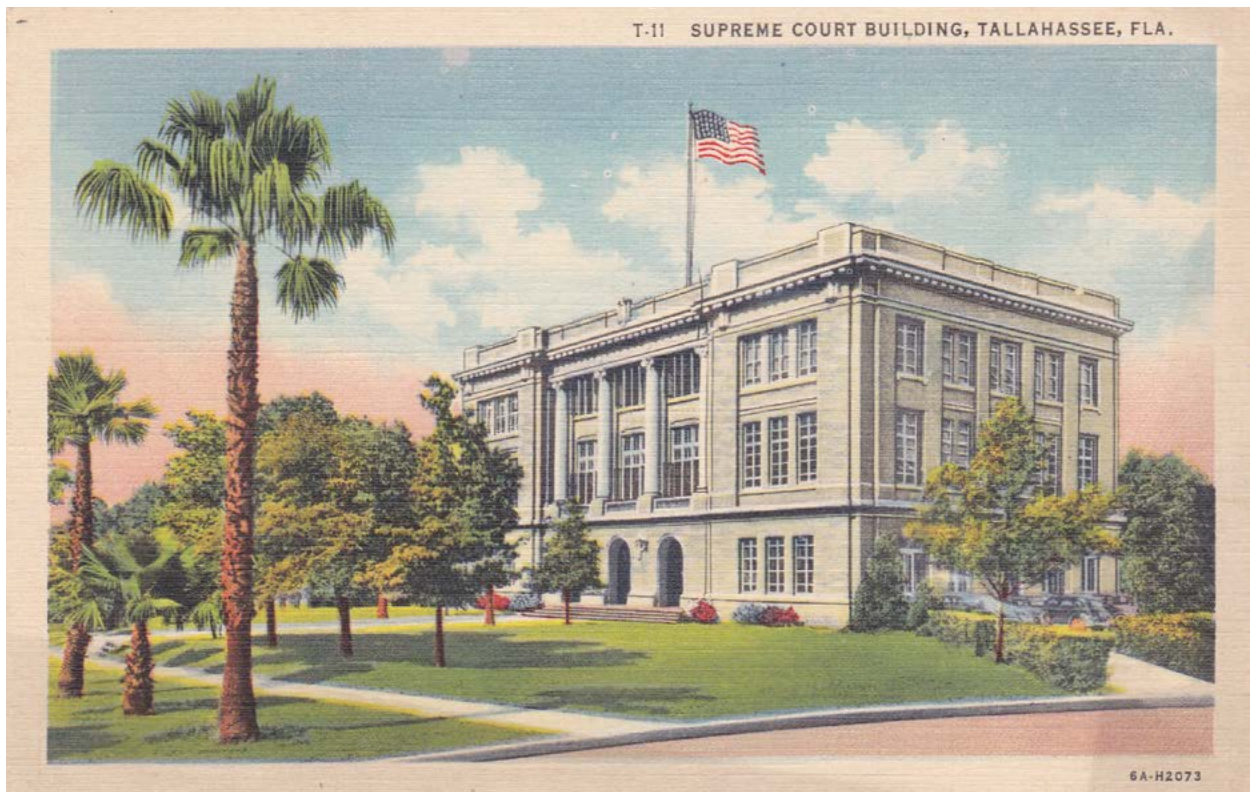
Following the administrative orders, 1,200 video conference licenses were promptly secured and implemented throughout the State of Florida, and the Court Clerk and the Public Information Office assisted the Court in preparing for the remote oral arguments. The Court held its first set of virtual arguments on May 6, 2020. The remote oral arguments worked remarkably well. The Justices and the counsel arguing the cases were able to appear remotely and the cases proceeded as scheduled. The public was also able to view the oral arguments live on cable television, the internet, and social media.

As an outgrowth of the successful use of technology to conduct court proceedings remotely during the pandemic, and the determination made by the Court’s Workgroup on the Continuity of Court Operations and Proceedings During and After COVID-19 that “permanent, broader authorization for remote proceedings was warranted based on the positive outcomes and efficiencies observed during the pandemic,” the Court adopted comprehensive rules governing remote court proceedings. Specifically, on July 14, 2022, the Court amended multiple rules of procedure, including Florida Appellate Rule of Procedure 9.320. New Florida Rule of Appellate Procedure 9.320, which addresses remote oral argument through the use of communication technology, authorizes the court, in the exercise of its discretion, at the request of a party, or on its own motion, to “order participation in oral argument through the use of communication technology.” Fla. R. App. P. 9.320(e)(3).

## **Fairness, Integrity, and Civility Required by the Court**

On September 12, 2011, in response to increasing concerns about acts of incivility among members of the legal profession, the Court revised the Oath of Admission administered to new members of The Florida Bar. “Recognizing the importance of respectful and civil conduct in the practice of law” and the “necessity for civility in the inherently contentious setting of the adversary process,” the Court modified the Oath of Admission to The Florida Bar by adding the following

Before moving into its new building in 1949, the Supreme Court had been housed in the Whitfield Building since 1912.



language to the Oath: “To opposing parties and their counsel, I pledge fairness, integrity, and civility, not only in court, but also in all written and oral communications.” This significant amendment to the Oath of Admission was highlighted by then Chief Justice Canady in his remarks at the Ceremony for Induction of Candidates for Admission to The Florida Bar held before the Court on October 3, 2011.

## Words of Encouragement and Wisdom for Practitioners Appearing Before the Court

Justice Canady, elected by his colleagues to serve as the Chief Justice of the Court for three terms, has offered the following words of encouragement and wisdom to appellate practitioners:

Appellate advocacy is an essential part of our legal system. It plays a critical role in giving life to the rule of law in our society. As you work to develop your skills as an appellate practitioner, I hope you will find inspiration and encouragement in the reality that the appellate process is a fundamental element of the rule of law.

Justice Canady concluded his third term as the Chief Justice of the Court on June 30, 2022. In recognition of his outstanding service in leading Florida’s judicial system, Justice Canady received a well-deserved standing ovation from the more than 325 attendees at the Florida Supreme Court Historical Society’s annual *A Supreme Evening* event held April 7, 2022, in Tallahassee.

## Conclusion

Now that the Court has reached the 75th anniversary of the dedication of its majestic and storied home, it is appropriate to celebrate the significant and transformative accomplishments of the Court. The dignity of the Court has been enhanced, oral arguments and ceremonial sessions have become more accessible to the public, communication technology has been successfully utilized to safely conduct remote oral arguments during the COVID-19 pandemic, and civility, integrity, and professionalism have been promoted by the Court. The Justices are to be commended for their dedication, professionalism, resiliency, and commitment to justice, particularly during the challenging and stressful events the Court has experienced. We owe a deep debt of gratitude to the current and former Justices who have faithfully and tirelessly served on the Court and helped to provide justice for the people of Florida.

For ease of publication and reading, footnotes have been removed from this article. The full version, with footnotes, may be viewed on the Historical Society’s website at [www.flcourthistory.org/HistoricalReview/ExtendedArticles](http://www.flcourthistory.org/HistoricalReview/ExtendedArticles)



# Ask *the* Archivist

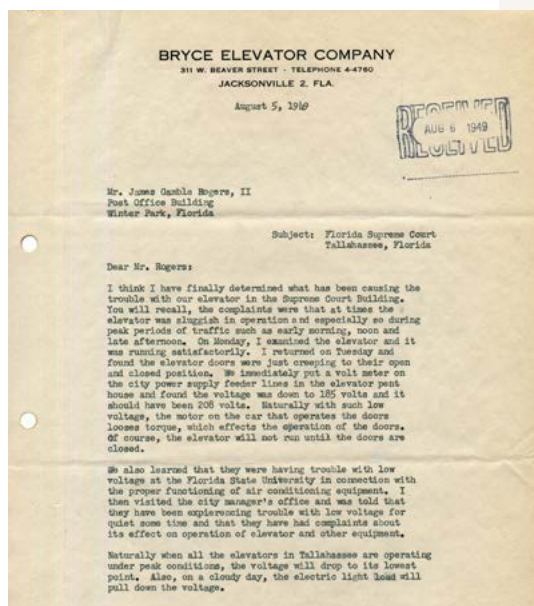
By Erik Robinson

## Q: Why didn't the elevator in the new 1949 Supreme Court Building work properly?

**A:** In addition to stains on the limestone walls of the rotunda, blocked drains, and several other problems, the elevator in the brand-new building was not working properly. Senior Justice Armstead Brown even had a diary entry about the problems, specifically criticizing the one elevator originally installed in the new building.

Three elevators were specified in the building plan, but the legislative appropriation for construction did not match the

cost. The architect, James Gamble Rogers II, got around the problem by constructing all three elevator shafts, but installing only one until a future legislative session approved the extra spending. Use of the elevator was especially heavy at the opening and closing of business and during lunch hour. The elevator manufacturer, J. W. Bryce of Jacksonville, went to investigate at the urging of Rogers. The typed letter from Mr. Bryce of August 5, 1949 tells the story of what he found.



### TRANSCRIPTION

August 5, 1949

Mr. James Gamble Rogers, II  
Post Office Building  
Winter Park, Florida

Subject: Florida Supreme Court  
Tallahassee, Florida

Dear Mr. Rogers:

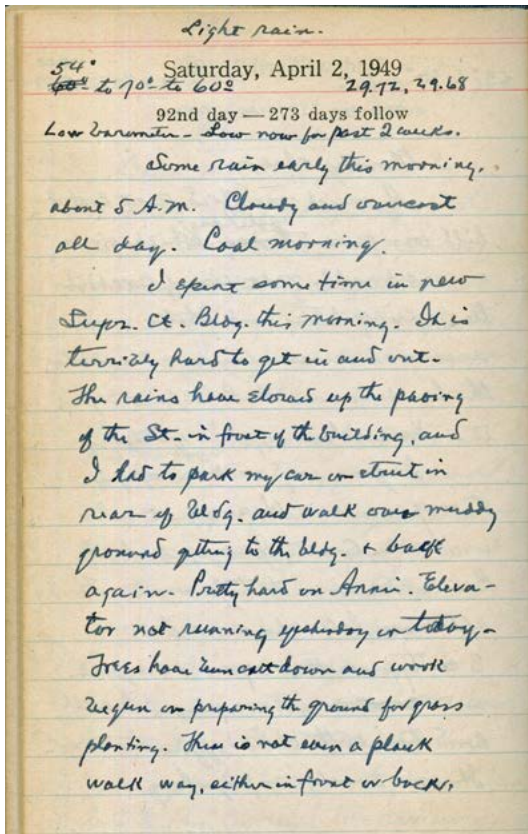
I think I have finally determined what has been causing the trouble with our elevator in the Supreme Court Building. You will recall, the complaints were that at times the elevator was sluggish in operation and especially so during peak periods of traffic such as early morning, noon and late afternoon. On Monday, I examined the elevator and it was running satisfactorily. I returned on Tuesday and found the elevator doors were just creeping to their open and closed position. We immediately put a volt meter on the city power supply feeder lines in the elevator pent house and found the voltage was down to 185 volts and it should have been 208 volts. Naturally with such low voltage, the motor on the car that operates the doors loses torque, which effects the operation of the doors. Of course, the elevator will not run until the doors are closed.

We also learned that they were having trouble with low voltage at the Florida State University in connection with the proper functioning of air conditioning equipment. I then visited the city manager's office and was told that they have been experiencing trouble with low voltage for quiet some time and that they have had complaints about its effect on operation of elevator and other equipment. Naturally when all the elevators in Tallahassee are operating under peak conditions, the voltage will drop to its lowest point. Also, on a cloudy day, the electric light load will pull down the voltage.

Of course, the proper solution falls on the city's electrical distributive system and undoubtedly they are doing all they can to have it corrected by the company from whom they buy their power. We are going to try to find out what we can regarding the relief of this power situation.

Yours very truly,  
BRYCE ELEVATOR COMPANY  
J. W. Bryce

JWB:je  
CC: Yonge & Hart, Tallahassee, Florida



Senior Justice Armstead Brown's original diary entry

## TRANSCRIPTION

*Light rain.*

**Saturday, April 2, 1949**

54° to 70° to 60° 29.72, 29.68

**92nd day—273 days follow**

Low barometer - low now for past 2 weeks

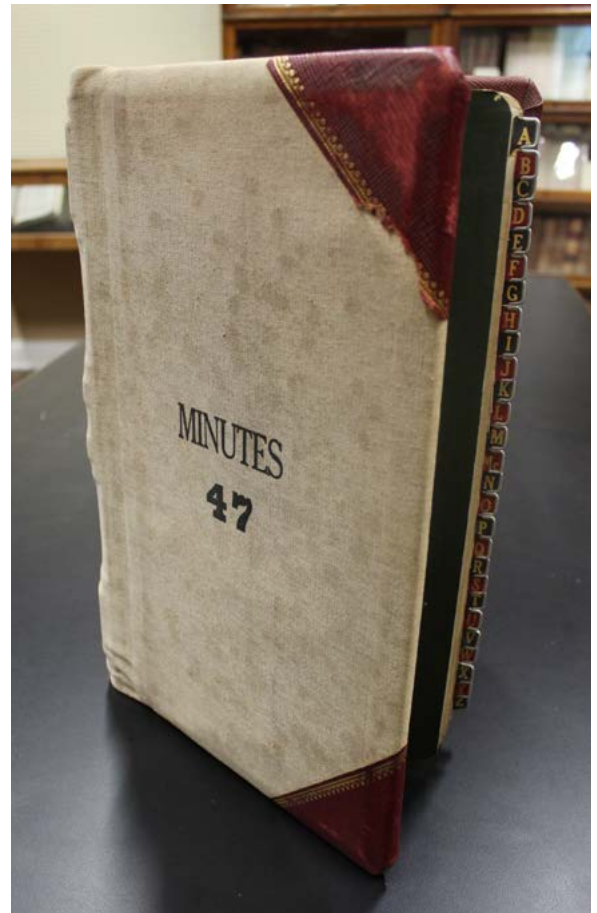
Some rain early this morning. About 5 A.M. Cloudy and overcast all day. Cool morning.

I spent some time in new Supr. St. Bldg. this morning. It is terribly hard to get in and out. The rains have slowed up the passing of the St. in front of the building, and I had to park my car on street in rear of bldg. and walk over muddy ground getting to the bldg. + back again. Pretty hard on Annie. Elevator not running yesterday or today. Trees have been cut down and work began on preparing the ground for grass planting. There is not even a plank walk way, either in front or back.

## Q: What was the first case heard in the new 1949 courtroom?

**A:** The Florida Supreme Court Building was dedicated on Dec. 28, 1948. However, it was not finished on the inside and work carried on. According to the entry in the official Minute Book, by April 4, 1949 the justices occupied the Motion Room and began hearing both motions and cases. That room, behind the courtroom, is currently the space where the justices meet to consider, debate, and vote on cases they have heard after oral argument and read in their chambers.

After the dedication, books from the Supreme Court Library were carried over from the first Supreme Court Building and installed on the library shelves. Finally, on June 7, they heard their first case in the almost-but-not-quite furnished courtroom. The Minute Book itself narrates the account of the events leading up to that day and sets the scene for the justices, in their black robes, to consider that first case, now over 75 years ago.



The Minutes Book that summarized the first oral argument held in the newly constructed Supreme Court building on June 7, 1949.



## TRANSCRIPTION

Florida Supreme Court Minute Book, Volume 47, pages 513-514.

Tallahassee, Florida, June 7, A.D.1949

Tuesday 9:30 o'clock A.M.

Court met pursuant to adjournment.

PRESENT:

HON. ALTO ADAMS, CHIEF  
JUSTICE

HON. GLENN TERRELL

HON. ROY H. CHAPMAN

HON. ELWYN THOMAS

HON. HAROLD L. SEBRING

HON. PAUL D. BARNES, Justices

-----

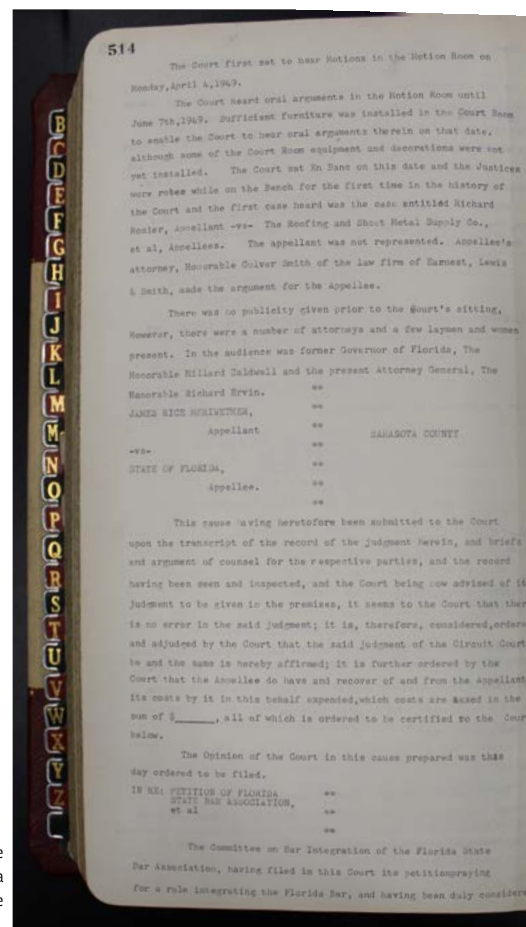
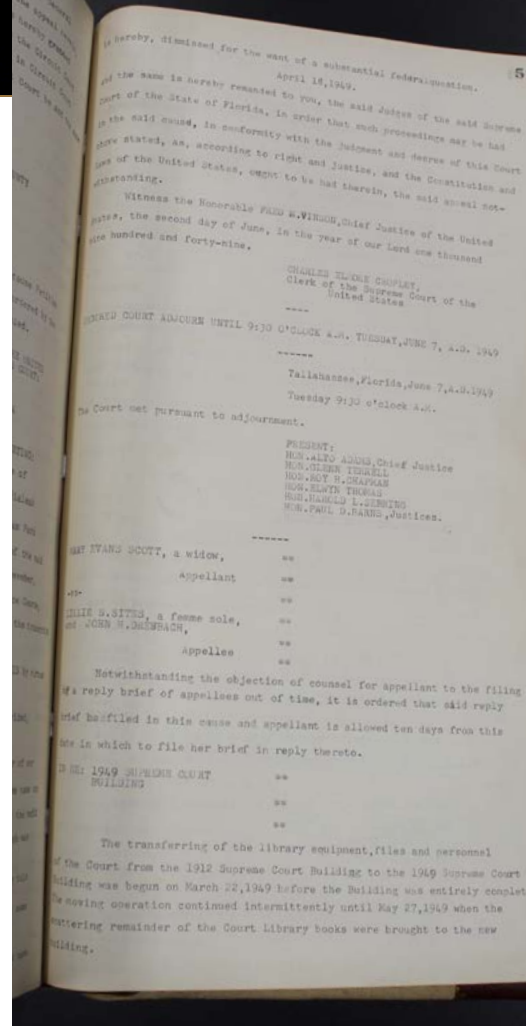
IN RE: 1949 SUPREME COURT BUILDING

The transferring of the library equipment, files and personnel of the court from the 1912 Supreme Court Building to the 1949 Supreme Court Building was begun on March 22, 1949 before the building was entirely completed. The moving operation continued intermittently until May 27, 1949 when the scattering remainder of the Court Library books were brought to the new building.

The Court first sat to hear Motions in the Motion Room on Monday, April 4, 1949. The Court heard oral arguments in the Motion Room until June 7th, 1949. Sufficient furniture was installed in the Court Room to enable the Court to hear oral arguments therein on that date, although some of the Court Room equipment and decorations were not yet installed. The Court sat En Banc on this date and the Justices wore robes while on the Bench for the first time in the history of the Court and the first case heard was a Workmen's Compensation case entitled Richard Rosier, Appellant -vs- The Roofing and Sheet Metal Supply Co., et al, Appellees. [Case No. 20,160; 41 So.2d 308] The appellant, who lost a testicle in a workplace accident, was not represented. Appellee's attorney, Honorable Culver Smith of the law firm of Earnest, Lewis & Smith, made the argument for the Appellee.

There was no publicity given prior to the Court's sitting, however, a number of attorneys and a few laymen and women were present. In the audience were the former Governor of Florida, The Honorable Millard Caldwell, and the present Attorney General, The Honorable Richard Ervin. [Both former governor Caldwell and the then-attorney general Ervin went on to become Florida Supreme Court Justices themselves.]

The two pages of the typewritten Minute Book that are transcribed in this article, and a view of the book itself, a ponderous, folio-size volume typical of that time period, is shown.





# The Guastavino Dome

## The Florida Supreme Court Building's Crown Jewel

By **Jess Wash**

**T**he architectural heritage of the Florida Supreme Court boasts a remarkable gem that often goes unnoticed — the outer dome crafted by the Guastavino Company in 1948. This structural masterpiece stands as a testament to the innovative genius of its time and continues to captivate both architectural enthusiasts and history buffs.

Rafael Guastavino, a Spanish architect and engineer, revolutionized the world of construction with his

groundbreaking system of tile arches. This technique, known as the "Guastavino tile," involved interlocking layers of tiles and mortar to create self-supporting arches and vaults. The result was not only visually stunning, but also incredibly durable and fire-resistant — qualities that drew the attention of architects and engineers worldwide.

Unfortunately, the vast majority of visitors to the Supreme Court building cannot see the impressive array of terra cotta tiles lining the dome's interior. The dome seen when standing inside the rotunda is actually a different construction, located about 20 feet lower than the Guastavino dome.



The interior dome in the Supreme Court building is shown in these photos. There is actually a large gap between it and the unique-to-Florida Guastavino dome visible on the outside.



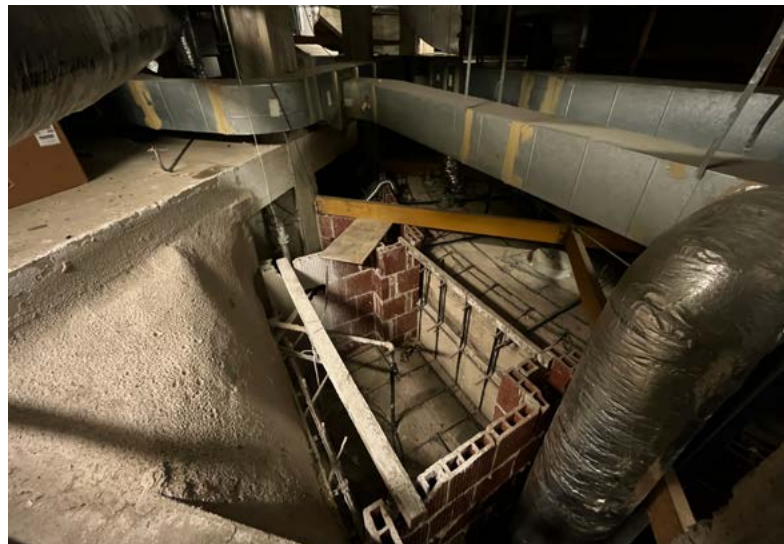
More views of the interior dome. The Guastavino Dome can be seen in the middle and bottom left photos, although the detail of the tiles — which are similar in color and size to thin bricks — and their concentric circle pattern, is not visible.



In 1948, the Florida Supreme Court took a bold step by commissioning the Guastavino Company to design and construct the outer dome of their building. What set this dome apart was its innovative blend of aesthetics and engineering. The dome was not just an architectural adornment, but a testament to the harmony between form and function. Its intricate tilework not only mesmerizes the eyes but also reflects the commitment to precision and craftsmanship. The use of the Guastavino tile system allowed for a lighter, yet incredibly sturdy structure, enabling the dome to grace Florida's skyline for decades.

Beyond its structural prowess, the Guastavino dome holds symbolic significance. It encapsulates the ideals of justice, integrity, and strength — qualities embodied by the Florida Supreme Court itself. The dome's timeless design serves as a reminder of the institution's unwavering commitment to upholding the rule of law. As time passes, preserving the Guastavino dome becomes not just a duty but a responsibility. Efforts to maintain and restore this architectural marvel are essential to ensure future generations can marvel at its splendor and appreciate the innovation it represents.

The Florida Supreme Court's outer dome, a masterpiece born from the collaboration of visionary architects and the genius of the Guastavino Company, stands as a living tribute to the convergence of art and engineering. Its unique design, enduring strength, and symbolic significance make it an architectural gem that continues to grace the state's skyline and inspire all who encounter it.





# It All Started With a Leaky Roof

By **Rosanne Dunkelberger**

In 1988, after 40 years of service, the Supreme Court building was showing its age.

"I was appalled at the building. You could see neglect everywhere," said Craig Waters of his first impression of the Duval Street building. He retired in 2022 as the Court's Public Information Officer, but came to the court for the first time to interview to serve as staff attorney for relatively new Justice Rosemary Barkett. "I remember walking into the rotunda, and one of the light fixtures ... was dangling by its cord and making this buzzing noise. I'm looking at that and thinking 'that's a fire hazard.'"

When she joined the Court, Justice Barkett was tasked with managing the building itself, referring to it as "housekeeping." And the Court's house was a hot mess. The most obvious deficiency was water leaks — exacerbated by a deteriorating copper roof and an internal system of gutters that weren't functioning properly and backed up into the interior spaces when it rained.

"I was very distressed at the condition of the building because it was leaking. And we needed renovations, we needed the roof fixed and we needed more space," she said.

But, as happened during the initial construction of the building, the Supreme Court depended on the whims of legislative appropriations to fund repairs, restorations and construction for the Court building. "I think I can say that it (was) very hard to get appropriations from the legislature and money was tight and I think over the years it was not considered a priority and so it was kind of allowed to fall into some disrepair," Justice Barkett said in a recent interview.

Others recalled funding was stymied by the Dean of the Florida Senate, Dempsey Barron, who also served as chairman of the powerful Rules & Calendar Committee. The Democrat was not happy with a Supreme Court redistricting ruling that would ultimately lead to a primary loss in 1988, ending his political career.

At the time, a new Capital reporter for the Tallahassee Democrat, the now-retired Judy Doyle, appeared at the Supreme Court on a rainy day to interview Justice Barkett. Doyle doesn't quite remember her original reason for interviewing the Court's first female justice that day, but what she found when she arrived in Barkett's office at the building is a crystal-clear memory.

"She's such a lovely person and cheerful all the time and positive, but she was just spitting mad. I just remember (Justice Barkett) pulling sheets of paper apart and laying them on this plastic sheet in front of her and laying (them on) the floor to dry out," Doyle recalled nearly 35 years later. "Her desk was wet, everything was wet and she complained that the Legislature wouldn't fund repairs to the courthouse. That's so unusual to have, especially a judge, complain about anybody, but especially about the Legislature. I jumped on that horse," having a photographer dispatched and reconfiguring her planned story to reflect the sorry state of the Court building.

Doyle's story drew the attention of legislators, including House Appropriations Committee Chair Sam Bell and Sen. Pat Thomas, a member of the Senate Appropriations Committee. Both would cross Duval Street to see the dire state of the building for themselves.

When she asked Rep. Bell for a meeting to talk about needed repairs and expansion, "He said, 'Yes, of course, come on over,'" to the Capitol, Justice Barkett recalled. "And I said, 'actually, would you mind terribly coming over here? And I'd love to talk to you about our problems here.'" When Bell agreed and asked what a good time for a visit would be, "I said something like 'now' or some immediate time. It was raining.

"I had really only just wanted him to see because it's very hard to describe," she said. "People don't really get it when you say our roof is leaking. You have to actually see the buckets all over the floor catching it, which makes such a huge difference."

An \$11.9 million appropriation was forthcoming to not only fix the water problems, but to add two new wings to the existing building. As the designated





The 1990 expansion unearthed two lower floors that were originally underground. Holes were cut in the walls (through 2 feet of concrete) to create new windows overlooking the courtyard areas.

“housekeeper,” Justice Barkett oversaw the repair and expansion project, which would be dedicated in late 1990. The expansion gave more room to the Justice Data Center and allowed the State Court Administrator offices to be moved into the building.

Locally based Barnett Fronczak Architects was the architect and Metric Constructors, Inc., was the general contractor. Adding the two L-shaped wings at the rear of the building was not all that difficult a task, said architect Rick Barnett, because of a quirk in the original design. Although from Duval Street the building appears to be two stories tall, there were actually two more subterranean levels built into the sloping lot. So, the new wings were designed to be four stories tall. In a bit of retrofitting, several downstairs offices that were originally underground were unearthed and windows were cut (at points through 2-foot-thick concrete) to overlook new courtyard areas. “They now have windows

that open into these courtyards,” he said.

That said, Barnett called the Court’s location a “tight site,” with consideration given to keeping as much surface parking as possible. He said an additional challenge was “to get as many windows” as possible. “To have every justice have a window was a really big deal.”

Safety was also a consideration in the Court’s reconstruction. Stairwells were added to conform to modern fire safety standards, while other changes were made to deter unwanted intruders.

Part of the renovations included a new paint job for the building. In a break with tradition, which dictated that government buildings were to be painted an institutional white, the Court was painted light beige, with architectural details highlighted in white.

If needed there is room to grow the Court building in the future, according to Barnett, but that precious parking lot would have to be sacrificed.

 FLORIDA LEGAL HISTORY

# Old House Moves to a New Home at FSU



Making way for the new Florida Supreme Court Building in the 1940s, the McIntosh home was moved to serve as the FSU presidents' residence

By **Patsy Palmer**

**W**hen the Florida Supreme Court began construction of its current building in 1948, it was moving into a leafy residential area surrounding the state Capitol. The neighborhood had been home to numerous state officials and employees, including long-time Chief Justice James B. Whitfield (1860-1948) and his brother, Supreme Court Clerk George Talbot Whitfield (1873-1939).

The site chosen for the new court building had once belonged to William M. McIntosh, Jr. (1854-1938), who served as chief clerk for the Florida Comptroller for 42 years and was active in Tallahassee civic life. One of four founding owners of the town's first waterworks, he also spent one term as Tallahassee mayor in 1907.

In 1895, the same year he helped found the waterworks, McIntosh built an airy, two-story wooden folk-Victorian house at the corner of Duval and St. Augustine Streets. The structure had a wide center hall with a winding staircase, windows that swept nearly floor to ceiling, and a lacy two-story front porch.

Half a century later, Tallahassee was beginning a post-war boom that would steadily expand the Capitol Complex and eventually eliminate all the nearby houses. The Court's plan to build on the McIntosh site coincided with the transformation of Florida State College for Women (FSCW) into the larger, coeducational Florida State University (FSU). Doak S. Campbell, who had been FSCW president since 1941 and would lead FSU until 1957, believed the school's expansion merited an official president's house which could be a center for University entertaining as well as a residence.







Photo courtesy of Architects Lewis + Whitlock



Photo courtesy of Heritage & University Archives, Florida State University Libraries

Together, FSU and state officials came up with a plan to move the McIntosh House to a large piece of university property — once a farm — overlooking campus at the northwest corner of West Tennessee Street and Woodward Avenue, but the transfer was slowed by disputes over money. McIntosh had died the previous decade, and a Court planning committee headed by Justice Roy H. Chapman (1883-1952) balked at the new owner's asking price and then at the figure a jury awarded after protracted condemnation proceedings.

Eventually, agreement was reached and, in 1948, the building was split into sections and trucked a little more than two miles to its new location. There, the house was put back together, with a wide new front porch and wings added on either side of the original structure. Campbell moved his family into the so-called "House on the Hill" at about the same time the Court moved into its new building. Among early events in the relocated house was a dinner for the Supreme Court justices and their wives.

Eight FSU presidents and their families lived in the house during the next 50 years. My late husband, Talbot "Sandy" D'Alemberte, and I were the last to occupy the place. We were there from January 1994 until August 1999, when structural problems that had been accumulating since the house was broken apart and put back together again in 1948 finally made the place uninhabitable. We moved to a house of our own for the final three-and-a-half years Sandy served as FSU President, while the McIntosh House was restored as headquarters for the FSU Alumni Association. It has since been renamed the Pearl Tyner House, to honor an FSCW graduate who became a major donor to the University.

Sandy's successor as FSU President, T.K. Wetherell, and his wife, Virginia, lived for a time in their own house while raising money for and building a new president's house on that same hilltop overlooking the campus. The McIntosh House, now 128 years old and a gracious setting for alumni events, stands nearby, continuing to link the University to old Tallahassee and Florida Supreme Court history.

**PREVIOUS PAGE TOP** After being moved to the FSU campus, "the House on the Hill" served as the president's home for the next 50 years. **PREVIOUS PAGE BOTTOM** Patsy Palmer with her late husband and past president of FSU, Sandy D'Alemberte, who lived in the McIntosh House from 1994-1999 **ABOVE RIGHT** Visitors line up during Doak Campbell's tenure as FSU president. **ABOVE LEFT** In its final incarnation as the Pearl Tyner House, the old house now serves as an Welcome Center and event space. **BELOW** Images of the McIntosh House being cut into sections before being relocated to FSU's campus.



# ‘A Supreme Evening 2024’ to Feature Former U.S. Attorney General Alberto R. Gonzales



**T**he Historical Society’s annual fundraiser, *A Supreme Evening 2024*, is set for January 18, and will feature a fireside chat with former U.S. Attorney General Alberto R. Gonzales, moderated by Florida Supreme Court Justice John D. Couriel. Sponsorships and dinner reservations are now being accepted at [FlCourtHistory.org](http://FlCourtHistory.org).

Gonzales served as the 80th attorney general of the United States during the George W. Bush administration — the nation’s first Hispanic attorney general. He is currently the dean and Doyle Rogers distinguished professor of law at Belmont University College of Law in Nashville, Tenn.

Historical Society President Tim Chinaris, an attorney and law professor at Belmont, arranged the program.

“We look forward to welcoming Dean Gonzales to Tallahassee in January for an in-depth conversation about his life and career. With a long history of public

service, he will share his unique perspective as a former U.S. attorney general and counsel to the president — the only Hispanic American to have held either of these positions,” Chinaris said.

Gonzales is an Air Force veteran and attended the U.S. Air Force Academy. He is a graduate of Rice University and Harvard Law School.

Before entering public service, Gonzales practiced business law at the Houston law firm of Vinson & Elkins. In 1995, he resigned his law partnership to serve as general counsel to then-Texas Governor George W. Bush. After three years, Gov. Bush appointed Gonzales as Texas secretary of state. He was subsequently appointed as a justice on the Texas Supreme Court and elected by the citizens of Texas to serve a full six-year term in the November 2000 general election. After Bush became president, he appointed Gonzales as White House counsel in 2001.

Gonzales served as U.S. attorney general from 2005-



2007. In this role, he focused on efforts to prevent terrorism and reduce the threat of gangs, drugs and violent crime. He also made the protection of children from sexual predators a top priority during his tenure.

Gonzales' work in the Hispanic community and his achievements have earned him recognition as Hispanic American of the Year by Hispanic magazine and one of The 25 Most Influential Hispanics in America by "Time" magazine.

In addition to Gonzales' appearance, *A Supreme Evening 2024* will feature a "State of the Court" presentation by Florida Supreme Court Chief Justice Carlos G. Muñoz. As in previous years, the program will be held at the FSU Dunlap Champions Club at Doak Campbell Stadium.

*A Supreme Evening* is the main fundraiser for the Florida Supreme Court Historical Society, and contributions are combined with membership dues to preserve court history and support ongoing outreach and education.

For event and table sponsor information at various levels, visit [FlCourtHistory.org/SupremeEvening2024](http://FlCourtHistory.org/SupremeEvening2024) or contact the Historical Society office at 850-385-3098. Individual dinner reservations are \$105 before Jan. 10, \$125 after Jan. 10, and \$145 at the door if still available.

**You're Invited**  
*Join Us for*  
**A Supreme Evening 2024**  
*Jan. 18, 2024 at 5:30 p.m.*  
**FSU Dunlap Champions Club**  
**at Doak Campbell Stadium**



## Thank you to our early sponsors!

\*Sponsors as of 12/20/2023

### PLATINUM LEVEL SPONSORS

Akerman, LLP  
Brannock Berman & Seider  
Buchanan Ingersoll & Rooney, PC  
Farah & Farah  
The Florida Bar  
Florida Justice Reform Institute  
Greenberg Traurig, PA  
Gunster  
Orr | Cook  
Susan & Stanley Rosenblatt  
Searcy Denney Scarola Barnhart & Shipley, PA  
Shutts & Bowen, LLP

### GOLD LEVEL SPONSORS

Ausley & McMullen  
Bedell, Dittmar, Devault, Pillans & Cox, PA  
Carlton Fields, PA  
Edwards & Ragatz, PA  
Holland & Knight, LLP  
White & Case, LLP

### SILVER LEVEL SPONSORS

Bishop Page & Mills  
Boies Schiller & Flexner  
Celene Humphries, PLLC  
Tim Chinaris  
Coker Law

Conference of County Court Judges of Florida  
Florida Defense Lawyers Association  
Florida Justice Association  
Holtzman Vogel Baran Torchinsky Josefiak  
Kula & Associates, PA  
Lawson Huck Gonzalez, PLLC  
Lesser, Lesser, Landy & Smith, PLLC  
Weiss Serota Helfman Cole + Bierman

### BRONZE LEVEL SPONSORS

Appellate Practice Section of The Florida Bar  
Aylstock, Witkin, Kreis & Overholtz, PLLC  
Carey, O'Malley, Whitaker, Mueller, Roberts & Smith, PA  
Jon Claussen Law  
Cole, Scott & Kissane, PA  
Grossman Furlow and Bayó, LLC  
Major & Jane Harding  
Hill Ward Henderson  
Jones Foster, PA  
Kynes, Markman & Felman, PA  
The Liles Firm  
Link & Rockenbach, PA  
Mabry Carlton Ranch  
Nelson Mullins Riley & Scarborough, LLP  
Podhurst Orseck, PA  
Parks Law, LLC  
Stearns Weaver Miller Weissler Alhadeff & Sitterson  
Law Office of Barbara C. Wingo

# Restoring the Colorful History of the Florida Supreme Court

**A**n essential part of the colorful history of the Florida Supreme Court is being restored thanks to advances in digitizing and correcting color photographs and the Florida Supreme Court Historical Society.

In keeping with the historical society's mission to celebrate, honor, and preserve the rich history of the Florida Supreme Court and its Justices, a project to begin restoration of the publicly displayed color en banc photos of our Court was initiated in early 2022. The first 10 photos are now completed.

## THE GALLERY

The public display of the Gallery of the Supreme Court with en banc photographs of Florida's Supreme Court Justices, which document the members of the Court from 1949 to the present, was initiated and made possible with a gift from Justice Ben F. and Marilyn Overton.

The South hallway outside the courtroom has been the gallery's location since the Overtons initiated the idea before he retired from the Court in 1999. According to the Overtons' son, Pinellas County Court Judge William Overton, "My father was passionate about preserving the history of the Court, and my mother was the spark for the gallery project since my brother Robert was the Court's photographer at the time."

The historic en banc photographs of Florida's Supreme Court justices — 57 total, with 22 of those shot in black and white —



This formal en banc photo of the 1974 court of Chief Justice James C. Adkins was the first portrait taken in color. It shows how the colors of the nearly 50-year old photo were damaged, and then restored.



The 1978 court of Chief Justice Ben F. Overton, whose contributions have been instrumental in preserving photos and other Supreme Court artifacts. The photo is historic, because it shows Justice Joseph W. Hatchett, the first African American Supreme Court Justice.

reflect changes in the Court's makeup and physical location.

The first two, from 1947 and 1948, were taken in the first separate Supreme Court building, later named the Whitfield Building in 1952 after the then-longest serving Justice James B. Whitfield, who served from 1904 to 1943.

After the current building opened in December 1948, most of the photos were taken in the courtroom and reflect changes during the Court's extensive renovation and expansion, especially the 1990 addition of two wings.

Since 1983, sittings have included both the more formal courtroom justices' bench (a.k.a En Banc photo) and in the lawyers' lounge. The five pictures in a less formal setting of the Justices in the lawyers' lounge are also on public display. They are: 1983 (Alderman CJ); 1984 (Boyd CJ); 1987 (McDonald CJ); 1992 (Barkett CJ); and 2005 (Wells CJ).

The first color en banc photo was in 1974 when James C. Adkins was Chief Justice.



## DIGITIZING AND RESTORING

According to the Library of Congress, four principal factors contribute to the deterioration of photographs: poor environmental storage conditions, poor storage enclosures, rough or inappropriate handling that results in unnecessary wear and tear and shelving conditions, and in some cases, the presence of residual photographic processing chemicals or the use of exhausted processing chemicals.

Following an inventory and examination of the color photos, it was determined 10 images in the gallery needed immediate attention.

Those taken between 1974 and 1983 suffered the most severe color fading due to a then-new Kodak dye formula and likely overexposure to sunlight and ultraviolet light.

Other photos have faded due to direct exposure to sunlight and ultraviolet light while on public exhibit over many years. The Historical Society plans to work on digitizing those in the future.

Historical Society's Executive Director, Mark Miller, oversaw the restoration project. He took the 10 most-faded framed images in groups two to three at a time to a local framing gallery. The gallery staff removed the photos from their frames, digitally scanned them, and saved them in their original 16 x 20-inch size. Miller uploaded the scanned images to a photo restoration expert to start the restoration and color correction. The restoration process required continuous feedback and monitoring until the images were correctly and fully restored.

The corrected images are printed with UV-protected ink on archival gloss paper, mounted back into the original frame, and sealed with an acid-free dust cover. The projected life of these images is 150 years while in the framed glass.



This 1984 photo shows the Justices in a less formal setting.



Contributions from the Historical Society funded the preservation of faded photos such as this one from the 1980 court of Chief Justice Alan C. Sundberg.

This 1984 photo shows the Justices in a less formal setting. Now rehung in the gallery, a label was placed on the back of each reframed image to let future generations know how and when the photos were preserved.

## ADDITIONAL PRESERVATION EFFORTS

The Florida Supreme Court Historical Society also provides funds for archiving the justices' papers into acid-free folders for long-term preservation. Justice Overton served on the Court from 1974 to 1999 and was also instrumental in this project.

After donating his "chamber papers" to the Supreme Court Library in 2009, he encouraged others who served on the Court to contribute their personal and official papers to the Supreme Court Library, which has existed since 1845.

To ensure these historical records would remain for generations to come, the Court, with funding from the Historical Society, began upgrading the overstuffed, acidic accordion folders to subdivided, archive-quality folders.

The collection of papers included in this project are housed in the Archival Collection of the Florida Supreme Court and includes numerous chamber papers donated by former justices.

After he died in 2012, Overton's children, William, Robert, and Catherine, donated 124 boxes, comprising 186 cubic feet of papers. His is, so far, the second largest donation to the Supreme Court Library's archives as of September 2022.

# 'A Supreme Evening 2023' Featured Behind-the-Scenes Details About the College Admissions Scandal



**TOP** Florida Supreme Court Historical Society President Scott Rost welcomes guests to A Supreme Evening 2023.  
**ABOVE** The evening's program also included a "State of the Court" presentation by Chief Justice Carlos G. Muñoz.

**T**he lives of Wall Street Journal reporters Melissa Korn and Jennifer Levitz took a dramatic turn on March 12, 2019, when they began covering the investigation that exposed malfeasance in the most extensive college admissions scandal ever prosecuted by the U.S. Department of Justice, "Operation Varsity Blues."

Korn and Levitz discussed the behind-the-scenes details of the investigation and legal battle that spanned the country as the keynote presenters at the Supreme Court Historical Society's Annual Dinner January 26 in Tallahassee.

Since the scandal broke, Korn and Levitz have reported extensively on it and have co-written the definitive book on the matter, "UNACCEPTABLE: Privilege, Deceit & the Making of the College Admissions Scandal."

"What was fascinating about this case was it was just so brazen," said Levitz, a national reporter for The Wall Street Journal based in Boston. "The cheating was so stark. And people just wanted to know how this went on, how the colleges could not have known about it, and why. Why would somebody go to this length?"

William "Rick" Singer, the man who devised the high-profile college admissions racket involving families and schools across the nation, was sentenced in U.S. District Court in January to 42 months in prison and ordered to pay nearly \$20 million in restitution and forfeitures of ill-gotten gains.

Between 2011 and 2018, Korn and Levitz said, parents paid upwards of \$25 million to Singer's charity to bribe coaches and a college administrator to designate the children of wealthy clients as recruited athletes to gain admission to prestigious colleges across the country.

The Wall Street Journal stuck with the story for so long because it involved people the publication cares about, including CEOs, lawyers, real-estate developers, people in finance, and celebrities, Levitz said.

"It just resonated with people," she said. "Everyone had an opinion about it."

As the U.S. Supreme Court is currently considering two cases involving traditional affirmative action in higher education admissions, Korn, who works out of Wall Street Journal's New York office covering higher education, said their stories highlighted a different type of affirmative action that goes to those "who already have every privilege — the legacy, the athletes, the wealthy — and I don't want to sound like a downer, but that is not going anywhere."

Korn emphasized, however, the vast majority of the students involved had no idea the length their parents went to get them





admitted to elite colleges and that, once apprehended, Singer fully cooperated with law enforcement.

Facts uncovered by the investigation include:

- Singer was paid up to \$75,000 for his testing scheme and between \$100,000 and \$6.5 million for his illicit athletics admissions service, with the majority paying between \$250,000 and \$400,000 per student.
- Between 2011 and 2018, parents paid some \$25 million to Singer's charity, Key Worldwide Foundation, as bribes to designate students as recruited athletes.
- Test-taking whiz Mark Riddell earned more than \$200,000 cheating on college entrance exams more than 25 times in Canada, Texas, and California as well as other places during the cheating scheme.
- One mother who was charged and pleaded guilty, heiress to the Hot Pockets fortune, received \$100,000 monthly in a trust fund.

The evolution of college admissions into blood sport fed on the deep desires of already privileged families to achieve the ultimate status symbol: acceptance at the "right" school.

The idea that there are secrets to know and ways to win helped fuel a burgeoning industry around college counseling.

In a couple of cases, Korn said, Singer went so far as having the faces of the kids Singer was assisting Photoshopped on action shots of other athletes.

"It worked," Korn said. "It was enough to get these kids in."

The journalists shared insights into the parents' motivations and Singer's operations. They spent months doggedly tracking down the parents involved — knocking on doors and talking to their lawyers, friends, families, and co-workers — in an effort to explore their motivations and tell their sides of the story.



Scenes from A Supreme Evening  
**CLOCKWISE FROM TOP LEFT:** Greg Barnhart and Justice Renatha Francis. After their presentation, the authors sign their book, "Unacceptable". Attendees from the Gainesville firm Avera & Smith. LLP. Guests with speakers Jennifer Levitz and Melissa Korn. (left to right) Levitz and Korn at the lectern

**RIGHT** The evening gets a thumbs-up from Florida Bar President Scott Westheimer.

**BELOW** The Wall Street Journal reporters who broke the college admission cheating scandal speak to an engaged audience.



“We know that people are more than just their worst decisions and we needed context,” said Levitz, adding they wanted to “inflate these little flat characters into real people” and make them relatable.

The effort paid off as the pair spoke with 150 people for the book, “including some whose lawyers didn’t know they were talking to us,” Korn said.

The reporters also shared some interesting anecdotes. One was when a number of prominent Californians found themselves in a holding cell in Los Angeles and kept looking at each other trying to determine what they all had in common until one of finally asked, “Do you all know Rick Singer?”

In an effort to make themselves look down-to-earth and authentic, Levitz and Korn said some of the defendants had their friends and employees write letters on their behalf, some of which ended up not being so helpful.

“There was a letter, I could not believe it, that said that [the defendant] did not mind getting her hands dirty ... I saw her dusting her Cessna,” Levitz said.

Korn said she is often asked if anything has changed in college admissions. Were lessons learned?

“I am not super optimistic,” Korn said. “I was at a conference for admissions officers and college counselors a couple of years ago, shortly after this story had broken, and their main line was this was not an admission scandal. There were no admission officers who were charged. This wasn’t an admission scandal; it was a sports scandal and a testing scandal.”

Unfortunately, Korn said, the fallout from the arrests and convictions did not “magically” produce “a clean, fair merit-based system,” noting that was never the case to begin with “and it never will be.”

“UNACCEPTABLE: Privilege, Deceit & the Making of the College Admissions Scandal” is published by Portfolio/Penguin Random House.

## These outstanding firms and individuals generously support the Historical Society with event sponsorships

### PLATINUM SPONSORS

Akerman LLP  
 Brannock Humphries & Berman  
 Coker Law Firm  
 The Florida Bar  
 Florida Justice Reform Institute  
 Greenberg Traurig  
 Gunster  
 Orr | Cook  
 Rigdon Alexander & Rigdon  
 The Susan & Stanley M. Rosenblatt Family  
 Searcy Denney Scarola Barnhart & Shipley

### GOLD SPONSORS

Ausley McMullen  
 Bedell Law Firm  
 Bishop & Mills  
 Buchanan, Ingersoll, Rooney  
 Carlton Fields  
 David J. Sales, PA  
 Holland & Knight

### SILVER SPONSORS

Avera & Smith  
 Chinaris Law  
 Conference of County Court  
 Judges of Florida  
 Edwards & Ragatz  
 Florida Justice Association  
 Nelson Mullins Riley & Scarborough  
 Stearns Weaver Miller  
 Weissler Alhadeff & Sitterson  
 Weiss Serota Helfman Cole Bierman

### BRONZE SPONSORS

Appellate Practice Section  
 of The Florida Bar  
 Berger Singerman  
 Boies Schiller & Flexner  
 Brennan, Manna & Diamond  
 Carey, O'Malley, Whitaker, Mueller,  
 Roberts & Smith  
 J. Claussen Law

D'Alemberte & Palmer  
 Gray Robinson  
 Grossman Furlow & Bayo'  
 Major & Jane Harding  
 Hill, Ward, Henderson  
 Holtzman Vogel Baran  
 Torchinsky & Josefiak  
 Jones Foster  
 Kula & Associates  
 Kynes, Markman & Felman  
 LEXITAS  
 Link & Rockenbach  
 Podhurst Orseck  
 Swope Rodante PA  
 White & Case  
 Law Office of Barbara C. Wingo



# Investiture of Justice Renatha Francis as the 92<sup>nd</sup> Justice

By Bailey Howard

Caribbean-American pride was on display as judges, lawyers, and distinguished guests from all corners of the State gathered in Tallahassee on October 18 to celebrate the investiture of Justice Renatha Francis as the ninety-second Justice of the Supreme Court of Florida.

Justice Francis is the first Jamaican-American to serve on the Court's bench. She is also the sixth female — and second Black female — Justice. She was raised by her mother, a single parent, in Kingston, Jamaica, before later immigrating to the United States. She began her legal career with a 6 1/2-year stint of clerking at Florida's First District Court of Appeal under Judges Peter Webster and Scott Makar before entering private practice. Then-Gov. Rick Scott appointed her to the county and then circuit bench in Florida's Eleventh Judicial Circuit, and Gov. DeSantis appointed her to the circuit bench of Florida's Fifteenth Judicial Circuit. Gov. DeSantis also selected Justice Francis for elevation to the Supreme Court of Florida in 2020, but following a legal challenge to the constitutional validity of the appointment, Gov. DeSantis appointed Justice Jamie R. Grosshans to fill that vacancy. Justice Francis thus gains the distinction of being the only Justice appointed twice by the same governor — a palpable sign of DeSantis's confidence in his choice.

This confidence was evident from Gov. DeSantis's remarks at Justice Francis's investiture, where the governor spoke of Justice Francis's personal experience and qualifications to serve the people of Florida on the Court. Judge Makar opened the proceedings with glowing praise of his former law clerk. F. Scott Westheimer, President of The Florida Bar, tendered the Bar's compliments and good wishes for what Justice Francis's service on the Court will bring. And, continuing the tradition of



presenting each new Justice with a suitable inscribed text, Westheimer gifted Justice Francis with an elegant Bible on behalf of The Florida Bar and its members. Rosalie Destinie Baker Sutton, the President of the Sheree D. Cunningham Black Women Lawyers Association — which had many members in attendance, and Grasford W. Smith, a Jamaican-American and President of the Palm Beach County Bar Association, were among the multiple voluntary bar associations presenting congratulatory remarks to Justice Francis. Pastor Dan Plourde from Justice Francis's church in Jupiter, Florida, delivered the Invocation, and Jason Gonzalez of Tallahassee gave the Benediction.

Justice Francis delivered her remarks after a warm collegial welcome from Chief Justice Muñiz. She told the assembled guests and dignitaries about how her mother, who sometimes struggled as a single parent, always made sure Justice Francis and her siblings knew they were loved and always took time to show them this was so. She spoke about the Court's role in Florida's government and America's founding principles, emphasizing the separation of powers.

Justice Francis also spoke of her husband, Phillip Fender, who unexpectedly passed away shortly after the governor appointed her to the Court. Justice Francis described her late husband as her "biggest supporter" and constant booster, whose certainty that she could do anything pushed her to work as though nothing was impossible.

# Getting to Know Justice Meredith Sasso

By **Gary Lesser**

Justice Meredith Sasso grew up listening to her grandfather's stories about his experiences living in Cuba. One story profoundly impacted her — the day government officials came to her grandfather's family farm and took all their livestock. There was no warning, no explanation, no due process.

She remembers not having the words to express how it made her feel at such a young age, but says it was the catalyst for a career inspired by the rule of law.

On May 23, 2023, Gov. Ron DeSantis appointed Sasso, Chief Justice of the Sixth District Court of Appeal, to be the 93rd Justice of the Supreme Court of Florida. Justice Sasso filled the vacancy created by the resignation of Justice Ricky Polston.

"Stories like those of my grandfather drive me. I am constantly mindful that the liberty we enjoy exists because of real people's incredible sacrifices," Justice Sasso said. "I am resolutely committed to fulfilling my judicial role in the manner for which it was intended: as an integral part of the structure of government created expressly to secure liberty for ourselves and our posterity."

Justice Sasso is the seventh woman to serve on the Florida Supreme Court. With this appointment, there are

now three women sitting on the high court simultaneously for the first time in Florida history.

"Justice Sasso has an exceptional intellect and is able to see nuances in the law that even the best legal minds might miss," said Judge Eric J. Eisnaugle, who served alongside her on the Fifth District Court of Appeal. "At the same time, she is always willing to reconsider her position when presented with a persuasive alternative point of view. I am confident that she will lead the judiciary with distinction for years to come."

Gov. DeSantis cited Justice Sasso's fidelity to the Constitution while announcing her appointment to the Florida Supreme Court, adding that "as a Cuban-American woman who understands the importance of our constitutional system and the rule of law, Judge Sasso will serve our state well."

Born and raised in Tallahassee, Justice Sasso grew up across the street from former Florida Supreme Court Justice Joseph W. Hatchett, a trailblazing jurist who was the first African American appointed to the Supreme Court of Florida.

After earning her undergraduate degree from the University of Florida in 2005, she enrolled at UF's Levin College of Law with the encouragement of her parents. She remembers sitting in Justice Hatchett's living room where he shared advice about interviewing with firms.

"He was very kind to give me some career advice," she said.

Justice Sasso earned her Juris Doctor from UF in May 2008 and was admitted to The Florida Bar in October of that year.

Justice Sasso began her legal career in private practice, representing manufacturers and general contractors in construction disputes, small businesses in business dissolution cases, governmental entities in the defense of workers' compensation and liability claims, title insurance companies involved in litigated disputes, and banking institutions in foreclosure claims. She then worked as a staff trial attorney for Farmers Insurance, defending negligent security claims, premise liability claims, auto negligence claims and underinsured motorist claims.

It was at Farmers that Justice Sasso won her first jury trial, a moment in her career she recalls fondly.

"I was thrown into a case that was set for a weeklong jury trial, and I was partnered with a great mentor who tried the case with me," she said. "We were able to find



Justice Meredith L. Sasso (far left) and the current members of the Florida Supreme Court



the proverbial smoking gun at trial. When the judge came back to tell us that the jury had reached a verdict, and to find out the verdict was in favor of my client, it was very satisfying.”

Justice Sasso also previously served as guardian ad litem, representing abused or neglected children.

Sixth District Court of Appeal Judge Mary Alice Nardella, who has known Justice Sasso for more than a decade, said her colleague reminds her of a teaching from the Book of Ecclesiastes — whatever her hand finds to do, she does with all her might.

“Whether it’s working, planning, exercising knowledge and wisdom, she takes delight in hard work and true satisfaction in hard and productive labor,” Nardella said.

In August 2016, Justice Sasso became Chief Deputy General Counsel to then Gov. Rick Scott, where she represented the Governor in litigation before the Florida Supreme Court, the First District Court of Appeal, and state and federal trial courts. She also advised the Governor and his Executive Office regarding constitutional duties, personnel and ethics issues, and legal policy, and was involved in the vetting of judicial candidates and judicial nominating commission members.

Attorney Daniel E. Nordby, a partner in the Tallahassee office of Shutts & Bowen, LLP, had the “good fortune” of working with Justice Sasso in the Governor’s Office when he served as General Counsel. He recalled her exhibiting traits that would later be reflected in her role as an appellate court judge in the Fifth District Court of Appeal — a keen intellect, uncompromising work ethic and a principled and disciplined approach to legal reasoning.



Colleagues and fellow Judges praise Justice Sasso for her wisdom and work ethic.



Justice Sasso, her attorney husband Michael A. Sasso, and their two sons pose with the Florida Capitol as a backdrop.

“Justice Sasso quickly distinguished herself as an appellate court judge through her clear and persuasive written opinions,” Nordby said of the role Gov. Scott appointed her to in January 2019. “She is well-prepared for her new role.”

While serving the Fifth District Court of Appeal, she chaired the committee tasked with implementing the new Sixth District Court of Appeal. On January 1, 2023, Gov. DeSantis recommissioned her to serve in the Sixth District, where she was unanimously elected by her colleagues to serve as its first Chief Judge.

“When we were launching the Sixth DCA, which was a very heavy lift, she was our best player,” Judge Nardella said. “She works very hard and powers through and gets the work done.”

Married to Florida attorney Michael Sasso, they are the proud parents of two sons. Justice Sasso said she explained her role in the Florida Supreme Court to her children by sharing how the rule of law came to be what it is today in the United States.

“I think my kids think I help people work out their arguments,” she said.

In the simplest of terms, her children may just be right.

# Justice Ricky Polston Departs the Supreme Court

He leaves a legacy of  
stewardship from the  
head and the heart

By **Dean Erin O'Hara O'Connor**

**J**ustice Ricky Polston, the 83<sup>rd</sup> Justice of the Supreme Court of Florida, stepped down from the Court on March 31, 2023, after 15 years of service as a Justice and more than 20 years of service with the Florida judiciary.

First appointed to the First District Court of Appeal in 2001, Justice Polston was appointed to the Court by then Gov. Charlie Crist. Throughout his time on the bench, stewardship has been the guiding principle for Justice Polston — stewardship to the taxpayers, stewardship to the state, and stewardship for the promotion of justice.

In fact, when Justice Polston stepped into the Chief Justice role, where he served from July 2012 through June 2014, he emphasized the importance of stewardship as a bond of public trust and pledged to be a “faithful steward of the office.” His pledge stemmed from a deep commitment to ensuring Florida courts remain good stewards of the resources granted and of their mission to provide justice to all who seek redress.

During his public service, Justice Polston and his judicial colleagues resolved thousands of cases, many of high importance to the citizens of Florida as well as the litigants. Despite that important legacy, in a recent conversation with Justice Polston, he said serving as the Chief Justice was the highlight of his career, a testament to Justice Polston’s willingness to roll up his sleeves in even the toughest of times to provide solutions to problems and difficulties facing Florida’s courts. In particular, Justice Polston stepped into the role of the Chief in the midst of a foreclosure crisis, with hundreds of thousands of filings clogging the Florida courts.

He inherited the responsibility of executing a new requirement for mandatory electronic filing for all documents filed in Florida’s courts. And he also worked closely with Tim Smith, Putnam County Clerk and Chair of the Florida Courts E-Filing Authority, in overseeing implementation of the Authority’s portal.

Another significant achievement credited to Chief Justice Polston is his work to reconstitute the Judicial Management Council. Previously, the Council had become unwieldy with too many members and too many constituencies represented on the Council. Under his leadership, the Council was changed to a small, 15-member internal body — predominantly judges — to serve as “headlights” for the court system. Reconstituted, the Council was able to serve as an effective steering committee that identified issues and created work plans for resolving those issues. Individual work groups could include outside constituencies as needed. The new Judicial Management Council was key to identifying and formulating strategies to effectively conquer the issues facing the court.

According to former State Courts Administrator Lisa Kiel, Justice Polston didn’t mind being in the weeds to fully understand the details in order to effectively find the solutions. He would guide others through those details as well, once ushering a legislative appropriations chair onto the roof of the Florida Supreme Court to demonstrate the Court’s need for funding to repair it! She recalls her partnership with Justice Polston fondly, with the utmost respect for his visionary yet practical leadership and accomplishments.

“Justice Ricky Polston had a talent for solving complex problems, a vision for creating a better court system, and a dedication to serving people who need access to the courts,” Kiel remarked. “Beyond those talents, he is simply a lot of fun to work with and be around. He remains one of my most respected colleagues.”

Justice Polston served as Administrative Justice for many terms, and he also served as Chair of both the Judicial Management Council and the Florida Supreme Court Governance Study Group. In addition, he served as the

“Justice Ricky Polston had a talent for solving complex problems, a vision for creating a better court system and a dedication to serving people who need access to the courts.”

**Lisa Kiel**

Former State  
Courts Administrator



Court's liaison on many Florida Bar and Court committees during his tenure, including the Florida Courts Technology Commission, the Trial Court Budget Commission, the District Court of Appeal Budget Commission, the Commission on the District Court of Appeal Performance and Accountability, and the Committee on ADR Rules and Policy, Code and Rules of Evidence, and Rules of Judicial Administration.

Justice Polston didn't limit his work to carefully deciding cases and heroically taking on difficult administrative responsibilities. He also taught and mentored more than a thousand law students at the Florida State University College of Law, where he graduated with high honors in 1986. Instilling his love for the law and careful analysis of legal problems and legal texts, Justice Polston taught multiple courses over a 20-year period while on the bench. His courses included Insurance Law, Florida Constitutional Law, Florida ADR, Appellate Practice, and Accounting for Lawyers. Justice Polston's students have carried his excellent training and professional values to the practice of law across the state of Florida and elsewhere.

It would be an impressive feat for any Justice to teach so many courses to so many students, but Justice Polston's free time was also committed to his wife, Deborah, to whom he has been married for 46 years, and to the raising of their 10 children and several grandchildren. Deborah, an author, community leader, and advocate for the foster care system and special needs adoptions, practices what she preaches. She and her husband adopted six sons after raising their four daughters, all at Deborah's instigation. And while Deborah has taken on the lion's share of raising their children, Justice Polston is a very active father who can be spotted regularly with one or more of his sons around town or at the local Publix.

During his investiture ceremony in 2009, Justice Polston pledged a particular type of stewardship when he committed to following the teachings of the prophet Micah — "To do justice. Love kindness. To walk humbly with your God." While his actions on the Court fulfill this pledge, that commitment also includes countless acts of community service while on the Court. In recognition of part of that service, Justice Polston received a number of awards and recognitions, including induction into Florida State University's Circle of Gold in 2013, the 2009 Florida State Law Distinguished Alum Award, the 2012 J. Ben Watkins Award for Excellence in the Legal Profession (Stetson University), the Chipola College 2021 Alumnus of the Year Award, and the Association of Florida Colleges Leroy Collins Distinguished Alumni Lifetime Achievement Award in 2021. Despite all of these awards and achievement, Justice Polston continues to walk Tallahassee humbly, with a cheerful, boyish smile, and a desire to serve others by helping to solve our problems.

Chief Justice Carlos Muñoz believes Justice Polston has fully carried out his stewardship pledge, and he praised Justice Polston as he left the bench: "Ricky Polston is a good man, and he has been a treasured colleague, friend, and role model



Now an attorney in private practices, Justice Ricky Polston spent 15 years on Florida's high court, including a term as Chief Justice in 2012-14.

to all of us on the Court. We are grateful for Justice Polston's decades of exemplary service to the people of our State."

Since leaving the Court, Justice Polston served briefly as General Counsel of Citizens Property Insurance Corporation and currently serves as partner in the Tallahassee office of Shutts and Bowen, where he chairs the firm's Constitutional Law Section and serves as a member of the appellate, government law, insurance, and litigation groups.

When asked to reflect upon his time on the Court and his future career as a practicing attorney, Justice Polston provided the following: "I am truly grateful for the opportunity to serve the people of Florida as a jurist. It has been an honor to serve on the bench with great colleagues, outstanding practicing lawyers, and dedicated professionals throughout the judicial branch. I miss you greatly, but will see you soon in a different capacity while practicing law at Shutts. I had the great fortune to have outstanding staff lawyers during my career, too many to name, and the best judicial assistant all those years, Tamara Adkins. God has blessed me beyond measure, most of all with my lovely and talented wife, Deborah. I am excited for the next chapter for my career with Shutts, a longstanding Florida law firm with an excellent reputation."

# Historical Society Director Honored for Service to the Legal Profession



Mark A. Miller (left) is presented with the Marshall R. Cassidy, Sr. Award by Florida Bar President Gary Lesser to honor his service to the Bar through his work as Executive Director of The Florida Supreme Court Historical Society.

**M**ark A. Miller, Executive Director of the Florida Supreme Court Historical Society in Tallahassee, received the 2023 Marshall R. Cassidy, Sr. Award for exemplary service and extraordinary support of the legal profession from Florida Bar President Gary Lesser during the Bar's annual convention. The award honors and recognizes the legacy and attributes of Cassidy, who served as Executive Director of The Florida Bar from 1961-1980.

Miller, a native of Ft. Myers and a Florida State University graduate, started working with the Historical Society in 2013 and became executive director in 2014.

President Lesser said Miller's more than 35 years in association management have contributed to the Historical Society's many accomplishments over the past decade.

"He's put both hands on the steering wheel and led the Historical Society's mission to make sure people understand the importance of a strong judiciary and

saving for future generations the records and events that shaped the evolution of Florida's courts," Lesser said.

Miller's work helps to preserve the history of the Florida Supreme Court, including receiving artifacts for the archives, maintaining the justices' Portrait Gallery, celebrating investitures and retirements of justices, and publishing the Historical Review magazine.

Some highlights of Miller's decade of service to the 501(c)(3) organization include substantial increases in membership involvement and financial stability and increased participation and notoriety of the organization's primary annual fundraiser, "A Supreme Evening."

The award was established in 2012 following Cassidy's death in 2011. Cassidy is remembered as extraordinary, forward-thinking, dedicated, and professional.

"I had the pleasure of knowing Marshall Cassidy as I started my career many years ago," Miller said. "His gentle demeanor and willingness to generously share his time and wisdom with his colleagues in TSAE made a positive and lasting impression on me."

Joining Florida Supreme Court Historical Society President Scott Rost in the award nomination were Historical Society Trustees Tim Chinaris, Jonathan Claussen, Leonard Gilbert, and Scott Hawkins, and Florida Supreme Court Archivist Erik Robinson.

Miller's past professional experience includes serving as Executive Director of several professional organizations. Starting in college as an intern, he worked up to Vice President and partner of Harris Management Group, a Tallahassee firm representing professional associations. In 2000, Mark opened his firm — The Upgrade Center — to specialize in the unique needs of member-driven organizations.

Miller is a Past President of the Tallahassee Society of Association Executives (TSAE) and was named TSAE's Association Executive in 1998. He also received the prestigious Management Excellence Award from the Florida Society of Association Executives. He was a Founding Member of the Tallahassee 25, served on the Board of Directors for Tallahassee Habitat for Humanity, and is a former Capital Tiger Bay Club chairman.



# Federal Court named for Judge Hatchett

**A**fter President Joe Biden signed a bill in 2022, the United States Courthouse and Federal Building in Tallahassee was renamed to honor civil rights pioneer and former Florida Supreme Court Justice Joseph W. Hatchett during a June 2023 ceremony.

A retired 11th U.S. Circuit Court of Appeals chief judge and the first Black person since Reconstruction to serve on Florida's highest court, Hatchett died April 30, 2021, at the age of 88.

While ongoing renovations at the Courthouse are delaying the appearance of his name on the building's façade, there is a bronze bust of Judge Hatchett installed in the entranceway.

Judge Hatchett's career was peppered with history-making achievements and appointments.

He was admitted to The Florida Bar in November 1959. In 1966, he was appointed assistant United



Artist rendering of how the U.S. Courthouse will appear after the completion of the current renovations.

States attorney for the Middle District of Florida, then first assistant United States attorney in 1967. He was appointed a United States magistrate for the Middle District of Florida in 1971. With this role, Judge Hatchett became the first Black federal judicial officer in the South.

In 1975, Judge Hatchett was appointed to the Florida Supreme Court by Gov. Reubin Askew — the first Black justice to serve on Florida's highest court. In 1979, he was appointed by President Jimmy Carter to the U.S. Fifth Circuit Court of Appeals, becoming the first Black person to serve in a federal court in the Deep South. Judge Hatchett served as a federal circuit court judge for 20 years, including a role as chief judge of the 11th Circuit from 1996-99.

The Florida Supreme Court Historical Society presented Judge Hatchett with a Lifetime Achievement Award “in recognition of his highly distinguished career as a lawyer, his many years of extraordinary contributions to Florida's legal system as a highly respected member of the judiciary, and his lifelong devotion to the improvement of the lives of others.”



Lililita “Lili” Forbes and Roscoe Green stand with the bronze bust of Green's grandfather, Judge Hatchett. The bust is located in the entranceway of the newly-renamed U.S. Courthouse.

# Ceremonial Chief Justice Office Celebrates the Supreme Court and its Justices

**C**hief Justice Carlos Muñiz was happy to stay in his office after being elected to his two-year term by his colleagues on the Florida Supreme Court in 2022. He chose to remain, with his legal staff, in the offices he occupied before being elevated to the new position. He did not move into the larger suite of offices

reserved for the Chief Justice at the front of the building, but instead transformed the space into a celebration of the Supreme Court itself and all the current members. The Ceremonial Chief Justice Office now provides a central position of honor reserved for one of the Court's most treasured artifacts owned by the Florida Supreme Court Historical Society. The result is a new highlight on certain building tours with groups whose presence would not disrupt the active work on the fourth floor of the Supreme Court.

The centerpiece of the ceremonial office is the workspace once owned by Justice James Bryan Whitfield and donated to the Society by Talbot "Sandy" D'Alemberte, his great-nephew.

The distinctive Wooton rotary, double pedestal roll-top desk was used by Whitfield, one of the Court's longest-serving justices, from 1904 to 1943. The display is fitting for the Chief Justice office, as Whitfield served three terms as Chief Justice. His most widely known opinion, *Montgomery v. State*, is a 1908 ruling that found it unlawful to exclude prospective jurors because they were black.

The Chief Justice office also features items representing all the current members of the Supreme Court. Photos from the investitures of every member of the Court, other artifacts and documents from the Court's history, and interesting details of the building's construction make the Ceremonial Chief Justice Office a trove of interesting material.



**TOP** The distinctive Wooton roll-top desk is the centerpiece of the ceremonial Chief Justice's office. **ABOVE** An additional interesting historical feature in the Chief Justice's office are the six color depictions of the evolutions of Florida's Seal. The collection starts on the left with the territorial seal used in the late 1830s and 1840s, next to the seal used around the time of Statehood, followed by the first official state seal designed and approved by the Florida Legislature in 1868, then the two revised versions up to the currently used state seal adopted in 1985.



# Historical Society Membership Acceptance

## ANNUAL MEMBERSHIP *Check one, please*

- ☐ \$25 Student Members  
☐ \$50 Young Lawyer Members  
☐ \$100 Individual Members  
☐ \$60 Judicial Members (*Active & Retired Judges*)

## SPECIAL RECOGNITION LEVELS

- ☐ \$250 Sustainer Member  
☐ \$500 Contributor  
☐ \$1,000 Patron  
☐ \$5,000 Life Membership (over a five year period)

<input type="text"/>	<input type="text"/>		
NAME	ORGANIZATION		
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
ADDRESS	CITY	STATE	ZIP
<input type="text"/>	<input type="text"/>	<input type="text"/>	
EMAIL	PHONE	FAX	

## THREE CONVENIENT WAYS TO RETURN YOUR MEMBERSHIP ACCEPTANCE FORM

**ONLINE:** [FLCourtHistory.org](http://FLCourtHistory.org) *All Major Credit Cards accepted online*

**BY CHECK:** Please make payable to: **FSCHS • 1947 Greenwood Dr. • Tallahassee, FL 32303**

**BY CREDIT CARD:** ☐ MasterCard ☐ Visa ☐ AmEx ☐ Discover

<input type="text"/>	<input type="text"/>	<input type="text"/>
CARD NUMBER	EXPIRATION DATE	CV CODE

Your credit card information will be utilized for a one-time transaction marked "SUP CT HIST" or "FL SUPR CT HIST SOC" on your statement. I authorize the use of my card for the Society to conduct this transaction.

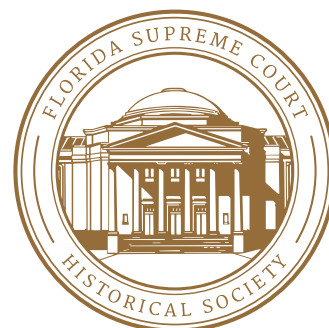
AUTHORIZING SIGNATURE

## RETURN YOUR MEMBERSHIP BY:

**EMAIL:** [Admin@FLCourtHistory.org](mailto:Admin@FLCourtHistory.org) **FAX:** (850) 289.2898

**US MAIL:** FSCHS • 1947 Greenwood Dr. • Tallahassee, FL 32303

Dues and contributions to the Florida Supreme Court Historical Society, Inc., are tax-deductible for charitable purposes to the extent allowed by law, and 100% of each dues contribution is received by this organization. The Society's IRS tax identification number, for your records, is 59-2287922.





**Florida Supreme Court  
Historical Society**  
1947 Greenwood Drive  
Tallahassee, Florida 32303-4825

📧 [FLCourtHistory](#)  
📘 [FLSupremeCourtHistoricalSociety](#)  
🌐 [flcourthistory.org](#)

NON PROFIT  
U.S. POSTAGE  
**PAID**  
TALLAHASSEE, FL  
PERMIT #801

# A MOMENT IN TIME



Stonecutters from the Candora Marble Company in Knoxville are shown in this 1948 photo grinding and polishing one of the eight marble columns that serve as the focal point for the Supreme Court building's rotunda. The marble in the columns is Maryland Verde Antique, quarried near Cardiff, Maryland. The white caps and bases came from a quarry near Carrara, Italy.