Contents
Structure of Florida’s Judicial System .................................................................................. 4
(as of January, 2009) .................................................................................................................. 4
Judicial Circuits .......................................................................................................................... 6
BACKGROUND INFORMATION .............................................................................................. 7
ON THE SUPREME COURT OF FLORIDA ................................................................................. 7
Introduction ............................................................................................................................... 7
The Florida Supreme Court Building ...................................................................................... 7
The Florida Supreme Court Seal .............................................................................................. 7
Building Layout ........................................................................................................................ 8
The Supreme Court Library ..................................................................................................... 8
The Work of the Florida Supreme Court Historical Society .................................................... 8
The Courtroom .......................................................................................................................... 9
The Judicial Branch .................................................................................................................. 10
The Court’s Jurisdiction ........................................................................................................... 11
Oral Argument ........................................................................................................................ 11
Justices ..................................................................................................................................... 12
Present Court ............................................................................................................................ 13
Biographies of the Present Court ........................................................................................... 14
Chief Justice Polston ................................................................................................................ 14
Justice Pariente ........................................................................................................................ 15
Justice Lewis ............................................................................................................................. 17
Justice Quince .......................................................................................................................... 20
Justice Canady .......................................................................................................................... 22
Justice Labarga .......................................................................................................................... 23
Justice Perry ............................................................................................................................... 23
The Lawyers’ Lounge ............................................................................................................... 25
In person here / Online at home .............................................................................................. 25
GENERAL VOLUNTEER PROCEDURES: GETTING TO THE COURT AND GETTING SET UP FOR
YOUR TOUR ............................................................................................................................... 26
Parking ....................................................................................................................................... 26
Entering the Building .................................................................................................................. 26
The Day Before Your Tour ...................................................................................................... 26
Upon Arriving at the Court ..................................................................................................... 26
Evacuation Procedures ............................................................................................................ 27
At The End of the Tour ............................................................................................................. 27
INSTRUCTIONS FOR VOLUNTEERS: CONDUCTING A MOCK ORAL ARGUMENT TOUR .......... 29
INTRODUCTION ....................................................................................................................... 29
BRIEF OVERVIEW OF MOCK ORAL ARGUMENT TOPICS
Topics for Elementary School Students
Topics for Middle and High School Students (6th through 12th grade)
Topics for High School Students ONLY (9th through 12th grade)
GENERAL VOLUNTEER PROCEDURES: GETTING TO THE COURT AND GETTING SET UP FOR YOUR TOUR
THE EDUCATIONAL TOUR
Before Your Visit to the Court: Preparing for the Tour
SUPREME COURT LIBRARY RARE BOOK ROOM TALKING POINTS
Introduction
Rare Book Room
The Judicial Library
Early Florida Land Deeds
An Invitation
Justice Fred H Davis
Politica Indiana Volume One
Coke’s Institutes of the Laws of England
BACKGROUND INFORMATION:

Florida’s Courts
Structure of Florida’s Judicial System
(as of January, 2009)

**Appellate Courts:**

**Supreme Court**
- Seven justices - six-year terms
- Sits in Tallahassee
- Five justices constitute a quorum

**District Courts of Appeal**
- 61 judges - six-year terms
- Five districts:
  1st District – Tallahassee - 15 judges
  2nd District – Lakeland/Tampa - 14 judges
  3rd District – Miami - 10 judges
  4th District – West Palm Beach - 12 judges
  5th District – Daytona Beach - 10 judges
- Cases reviewed by three-judge panels

**Trial Courts:**

**Circuit Courts:**
- Approximately 600 judges - six-year terms
- 20 judicial circuits
- Different number of judges in each circuit
- Judges preside individually

**County Courts:**
- 322 judges - six-year terms
- At least one judge in each of the 67 counties
- Judges preside individually
# Judicial Circuits

<table>
<thead>
<tr>
<th>First Circuit</th>
<th>Seventh Circuit</th>
<th>Fifteenth Circuit</th>
</tr>
</thead>
<tbody>
<tr>
<td>Escambia County</td>
<td>Flagler County</td>
<td>Jackson County</td>
</tr>
<tr>
<td>Okaloosa County</td>
<td>Putnam County</td>
<td>Washington County</td>
</tr>
<tr>
<td>Santa Rosa County</td>
<td>St. Johns County</td>
<td></td>
</tr>
<tr>
<td>Walton County</td>
<td>Volusia County</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Second Circuit</th>
<th>Eighth Circuit</th>
<th>Sixteenth Circuit</th>
</tr>
</thead>
<tbody>
<tr>
<td>Franklin County</td>
<td>Alachua County</td>
<td>Monroe County</td>
</tr>
<tr>
<td>Gadsden County</td>
<td>Baker County</td>
<td></td>
</tr>
<tr>
<td>Jefferson County</td>
<td>Bradford County</td>
<td></td>
</tr>
<tr>
<td>Leon County</td>
<td>Gilchrist County</td>
<td></td>
</tr>
<tr>
<td>Liberty County</td>
<td>Levy County</td>
<td></td>
</tr>
<tr>
<td>Wakulla County</td>
<td>Union County</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Third Circuit</th>
<th>Ninth Circuit</th>
<th>Seventeenth Circuit</th>
</tr>
</thead>
<tbody>
<tr>
<td>Columbia County</td>
<td>Orange County</td>
<td>Flagler County</td>
</tr>
<tr>
<td>Dixie County</td>
<td>Osceola County</td>
<td></td>
</tr>
<tr>
<td>Hamilton County</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lafayette County</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Madison County</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Suwannee County</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Taylor County</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Fourth Circuit</th>
<th>Tenth Circuit</th>
<th>Eighteenth Circuit</th>
</tr>
</thead>
<tbody>
<tr>
<td>Clay County</td>
<td>Hardee County</td>
<td>Brevard County</td>
</tr>
<tr>
<td>Duval County</td>
<td>Highlands County</td>
<td></td>
</tr>
<tr>
<td>Nassau County</td>
<td>Polk County</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Fifth Circuit</th>
<th>Eleventh Circuit</th>
<th>Nineteenth Circuit</th>
</tr>
</thead>
<tbody>
<tr>
<td>Citrus County</td>
<td>Dade County</td>
<td>Indian River County</td>
</tr>
<tr>
<td>Hernando County</td>
<td></td>
<td>Martin County</td>
</tr>
<tr>
<td>Lake County</td>
<td></td>
<td>Okeechobee County</td>
</tr>
<tr>
<td>Marion County</td>
<td></td>
<td>St. Lucie County</td>
</tr>
<tr>
<td>Sumter County</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Sixth Circuit</th>
<th>Twelfth Circuit</th>
<th>Twentieth Circuit</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pasco County</td>
<td>DeSoto County</td>
<td>Charlotte County</td>
</tr>
<tr>
<td>Pinellas County</td>
<td>Manatee County</td>
<td>Collier County</td>
</tr>
<tr>
<td></td>
<td>Sarasota County</td>
<td>Glades County</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Hendry County</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Lee County</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>Thirteenth Circuit</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Hillsborough County</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>Fourteenth Circuit</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Bay County</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Calhoun County</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Gulf County</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Holmes County</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
BACKGROUND INFORMATION
ON THE SUPREME COURT OF FLORIDA

Introduction

Welcome to the Supreme Court of Florida. This is the fourth home of the Supreme Court since Florida's first territorial constitution in 1838 called for the establishment of a Supreme Court and several circuit courts. From 1845 until 1902 and from 1902 until 1913, the Court met in two different courtrooms in the Old Capitol Building. The 1902 courtroom was restored in the 1980s and is open to the public. In 1913, the Court moved to the now-demolished Whitfield Building and met there until it moved to its present location in 1949. The Court has met here continuously since then, even at times without heat and air conditioning during the extensive additions and renovations which were done in 1989 and 1990.

The Florida Supreme Court Building

The architects for this building were James Gamble Rogers II of Winter Park, Florida, and Yonge & Hart of Pensacola, Florida. The building was dedicated at an impressive ceremony on December 29, 1948. With the growth of Florida’s court system and the advent of computers and other modern equipment, it became apparent in the 1980s that the current building needed considerable renovations. The two wings on each side of the building and many interior renovations were designed by the Tallahassee firm of Barnett Fronczak Architects and were constructed by Metric Constructors, Inc. The Supreme Court sat in ceremonial session on November 20, 1990, to celebrate the completion of the renovation project. The exterior architectural style includes Jeffersonian Greek Revival elements, most especially the dome. In keeping with this motif, the rear portico of the building is of a Greek Revival style.

The Florida Supreme Court Seal

In the Rotunda, the eight marble columns surround a replica of the Supreme Court’s Seal, which is embedded in the floor. The marble in the column shafts is from Maryland, and the marble in the caps and bases is from Italy. The seal, approved by the Legislature in 1847, depicts a seated, blindfolded figure of Justice holding the scales of Justice in one hand and a sword to avenge wrong in the other hand. The stars over Justice’s head symbolize Astraea, the daughter of the Goddess of Justice, Themis. The eagle is a symbol of the power of Justice, and the letter F on the block of stone represents the State of Florida. The Latin motto is “sat cito si recte,” (saht see-to see rayk-tay) which means “soon enough if correct.”
The phrase indicates that justice will be dispensed quickly enough to those who have met the law’s requirement.

**Building Layout**

The Justices’ offices are on the second floor of the building, a section of which is visible from the Rotunda. The second floor of the Rotunda features a law-related exhibit, which is currently not open to the public (Visitors must be escorted to this part of the building. Please let Security know you are taking a group to the Upper Rotunda). The offices of the State Courts Administrator, the Supreme Court Clerk, and the Court’s Marshal are all on the first floor. The State Courts Administrator and her staff provide support to the Supreme Court in the administration of the court system for the entire state. They handle personnel and payroll matters, and they administer the Court’s various Judicial Education programs and various other matters. The Clerk’s Office is responsible for the Court’s paperwork, maintaining the Court’s files, and publishing the Court’s opinions. The responsibility for the Court’s security and building maintenance belong to the Marshal and his staff.

**The Supreme Court Library**

To the left of the Rotunda is the Supreme Court Library, which occupies all four floors of the building. It is the oldest state-supported library in Florida and it is open to all members of The Florida Bar and the public between 8 a.m. and 5 p.m., Monday through Friday. Generally, the Library is arranged so that the most frequently used books are located on the first floor. Although the Library is open to the public for legal research, the Library’s materials circulate only to the offices of the Justices.

As you walk from the Rotunda into the Courtroom, you will notice cabinets containing historical material of interest about the Court. These cases are updated by the Supreme Court Library staff. The Supreme Court Library also has a Rare Book room that contains many one of a kind and hard to find law books. See the Talking Points section of the manual for more details.

**The Work of the Florida Supreme Court Historical Society**

The Court has an active Supreme Court Historical Society, which is dedicated to researching and preserving the history of the Florida Supreme Court and educating the public about the rich and fascinating past that impacts us today. The Historical Society is responsible for the exhibits. Between 1986 and 1997, the Society funded the research and writing of a book on the Court’s history. It has also published eleven issues of the Review, which contain articles of interest about Florida’s judicial history. Membership in the Society is open to the public.
The Courtroom

The Courtroom is where the Justices convene to hear oral arguments on cases before the Court. There are now seven Justices on the Court, but this was not always the case. When Florida became a state in 1845, the Florida Constitution approved in 1839 went into effect. This Constitution provided for a Supreme Court, but did not provide for any Justices. For several years, circuit judges from the four judicial circuits acted as a Supreme Court, with four judges sitting at a time.

In 1851, Florida’s Constitution was amended to provide for a Chief Justice and two Associate Justices to be elected by the state Legislature for the term of “their good behavior.” Since 1846, there have been eighty-four Justices; the number of Justices sitting at one time, their method of selection, and the method of selecting the Chief Justice have changed a number of times. Since 1940, the number of Justices has been set at seven, and the Chief Justice is selected from among this number by the Justices of the Court to serve a two-year term. In the Chief Justice’s absence, the most senior Justice present serves as Chief Justice.
The Judicial Branch

Florida’s state government, like our national government, is composed of three branches: Judicial, Executive, and Legislative. Article V of Florida’s Constitution established the Judicial Branch, which is composed of trial and appellate courts. There are two tiers of trial courts: 67 county courts and 20 circuit courts. There are also two tiers of appellate courts: the five District Courts of Appeal and the Supreme Court of Florida. Article V prescribes the Supreme Court’s composition, jurisdiction, and responsibilities. There are seven Supreme Court Justices, and there must be at least one Justice from each of Florida’s five appellate districts. When each district has been represented, the remaining two Justices are selected on a state-wide basis.

When a vacancy occurs on the Court, the Governor appoints a new Justice from a list of “not fewer than three persons nor more than six persons nominated by the appropriate Judicial Nominating Commission.” The Commission consists of nine members appointed by Florida’s Governor. Four members are lawyers appointed from lists of nominees submitted by The Florida Bar. Of the remaining five members, at least two must be members of The Florida Bar. When making appointments to the Commission, the Governor is required by law to ensure that, to the extent possible, the Commission’s membership reflects the racial, ethnic, and gender diversity and geographic distribution of the population within the Court’s jurisdiction.

Applicants for a vacancy on the Supreme Court of Florida must be qualified voters and residents of Florida who have been admitted to the practice of law in Florida for the preceding ten years. Each applicant submits a lengthy application to the Judicial Nominating Commission and is interviewed individually by the Commission; the Commission then submits the list of 3 to 6 nominees to the Governor. After a Justice has been selected and has been on the Court for a year, he or she must face a merit retention vote in the next general election. A successful merit retention vote results in a six-year term. The question on the ballot is “Shall Justice (name) be retained in office?” A Justice must retire at the age of 70 unless he or she is more than half-way through the six year term. The combination of the Judicial Nominating Commission, gubernatorial appointment, and the merit retention vote is known as “merit selection and retention.” Merit selection and retention is used for the state’s appellate-level courts [Supreme Court and District Courts of Appeal], whereas trial court judges [circuit and county courts] are chosen by direct vote of the people. Merit selection was approved by the voters in 1972 and became effective on January 1, 1973. Merit retention was approved by voters in 1976 and became effective in 1976 upon adoption.
The Court’s Jurisdiction

The Supreme Court of Florida is the ultimate appellate court in Florida, but most appeals do not reach this Court. Most appeals are decided in the five District Courts of Appeal. Trials take place in the state’s county and circuit courts. Appeals from the trial courts go to the District Courts of Appeal, which usually issue the final decision in a case. However, the Supreme Court must review: all final orders imposing death sentences and all district court decisions declaring a Florida statute or part of the Florida Constitution invalid. Where provided by general law, the court must also review bond validations and actions of statewide agencies relating to public utilities.

If it chooses to accept jurisdiction, the Court may review a district court decision that does one or more of the following: conflicts with another district court or Supreme Court of Florida decision, declares a Florida statute or provision of Florida’s Constitution valid, interprets a part(s) of Florida’s Constitution or the United States Constitution, or affects a class of constitutional or state officers. The Court may also review a case where a district or federal appellate court has certified an issue(s) for resolution. Four of the seven Justices must concur, or agree, on any decision of the Court. Five Justices constitute a quorum, which is necessary for the Court to carry out its official business.

The Supreme Court is also responsible for governing the practice of law in Florida. It regulates the admission of lawyers to practice law in this state. It is responsible for the discipline of lawyers and judges, and for removing judges from the Bench.

Oral Argument

The Court generally convenes the first week of each month with the exception of July and August, to hear oral arguments on cases before it. Check the Court’s website at www.floridasupremecourt.org for oral argument scheduling details. Usually, all seven Justices participate in oral argument, and these sessions are open to the public. The Marshal sits at the desk to the right of the Bench, and he announces the opening of the Court with this announcement:

All rise.

HEAR YE, HEAR YE, HEAR YE.

The Supreme Court of Florida is now in session.

All who have cause to plea, draw near, give attention, and ye shall be heard.

God save these United States, this great State of Florida, and this Honorable Court.

[After the Justices enter, he announces]

Ladies and Gentlemen, the Florida Supreme Court, please be seated.
The lawyers stand at the lectern in front of the Justices to argue the case. Lights on the lectern signal how much time the lawyer has left to present the case being argued. Typical oral arguments allow each side either 20 or 30 minutes.

Immediately after oral arguments conclude for the day, the Justices retire to the Conference Room behind the Courtroom to discuss the various cases just heard. Only the Justices attend these conferences. The Court’s tradition is that the newest Justice, usually referred to as the junior Justice, opens and closes the door to the Conference Room and is the last one to enter and leave the Courtroom during oral arguments.

The Justices vote on each case, often more than once, and the assigned Justice writes the majority opinion. Other Justices may write dissenting opinions if they do not agree with the majority, or they may write concurring opinions if they agree, but wish to make a particular point not covered in the majority opinion.

**Justices**

The portraits hanging on each side of the Courtroom and in the halls outside of the Courtroom are of all of the former Justices of this Court. The more recent Justices’ portraits are in the Courtroom, and the earlier Justices’ portraits are outside. The current Justices’ portraits are located in the Lawyers’ Lounge. There are interesting stories behind many of these portraits.

The most mysterious Justice was the fourth Justice, George W. MacRae, who served for a period in 1847. No biographies, portraits, or photographs of him have ever been found. Believing that no Justice’s portrait should be lacking, then-Chief Justice Joseph A. Boyd, Jr., commissioned the artist, Claribel Jett, to prepare one from her imagination.

Justice Glenn Terrell served longer than any other Justice. He served on this Court for almost 41 years from 1923-1964 – he retired at the age of 86.

Justice Joseph W. Hatchett was appointed in 1975 and was the first African-American Justice on the Florida Supreme Court. As the merit retention provision was not yet a part of the Constitution, Justice Hatchett faced an opponent in 1976. He won handily with 60% of the vote. His election to the Court was significant in that it was the first time in Florida history that an African-American had won a statewide election.

Justice Leander J. Shaw, Jr., who retired in 2003, holds the distinction of being the first African-American in Florida and in the South to serve as Chief Justice.
Justice **Rosemary Barkett** of Palm Beach County was the first woman to be appointed to the Supreme Court of Florida. She was a Catholic nun who taught for several years before leaving the convent and entering law school. She was the 71st Justice and was the first woman to serve as Chief Justice. In 1994, she was appointed to the United States Court of Appeals for the Eleventh Circuit.

Justice **Peggy A. Quince**, the 79th Justice, is the first African-American woman to serve on the Supreme Court of Florida and the first African-American female Chief Justice.

Justice **Raoul G. Cantero**, the 80th Justice, is the first Cuban-American to serve on the Supreme Court of Florida.

**Present Court**

The seven Justices presently serving on the Court are **Chief Justice Ricky Polston** from Graceville/Tallahassee, and in the order of seniority or time served as Justice: **Barbara Pariente** from West Palm Beach, **R. Fred Lewis** from Miami, **Peggy A. Quince** from Tampa, **Charles T. Canady** from Lakeland, **Jorge Labarga** from Palm Beach and **James Perry** from Sanford. Four of the present Justices were members of the District Courts of Appeal prior to their appointments to the Court. They include Justice Quince, former member of the Second District Court of Appeal, Justice Pariente, former member of the Fourth District Court of Appeal, Justice Canady, former member of the Second District Court of Appeal, and Justice Ricky Polston, former member of the First District Court of Appeal. Justice Canady also served three terms in the Florida House of Representatives and four terms in the United States House of Representatives. Justice Lewis practiced law for 27 years in Miami prior to his appointment to the Supreme Court. Justice Labarga practiced law for 18 years and served as a circuit court judge in Palm Beach County for 12 years prior to his appointment. Justice Perry practiced law for 28 years and served as a circuit judge in the 18th judicial circuit for 12 years (2 years as chief judge) prior to his appointment.

In addition to the Justices’ caseload responsibilities, the Justices serve on Judicial Committees and Commissions, speak in various parts of the State to civic, legal, and educational groups, and conduct “teach-ins” at public schools each year during Constitution Week. Each Justice also supervises interns from law schools throughout Florida, who spend a semester at the Court and work several hours a week in the Justices’ offices.
Biographies of the Present Court

Chief Justice Polston

Justice Ricky Polston was born in Graceville, Florida. He is married to Deborah Ehler Polston and they have 10 children, (adoptive parents of sibling group of 6).

Justice Polston received his A.A. degree from Chipola Jr. College in 1975, his B.S. (Summa Cum Laude) from Florida State University in 1977 and his J.D. with High Honors from Florida State University in 1986.

Offices and Positions - Justice, Florida Supreme Court, October 2, 2008-present; Judge, First District Court of Appeal, January 2, 2001-October 1, 2008; Private Law Practice 1987-2000; Adjunct Law Professor, Florida State University 2003-present; Certified Public Accountant 1978-present; Public Accounting Practice 1977-1984.

Legal Activities - Member, The Florida Bar. Admitted to practice before United States District Court, Northern District of Florida; United States District Court, Middle District of Florida; United States District Court, Southern District of Florida; United States Tax Court; United States Court of Appeals, Eleventh Circuit; United States Court of Federal Claims; United States Court of Appeals for the Federal Circuit; United States Supreme Court. Certified Circuit Court Mediator (1997-2003). Florida Bar Appellate Court Rules Committee (2003 - 2006).

Other Honors and Awards - Valedictorian of Graceville High School, 1973; Florida State University Most Outstanding Accounting Student, 1977; Beta Alpha Psi Honorary Accounting Society, 1977; Florida State University College of Law, Law Review 1985-86; Order of Coif.

Legal Recognitions and Associations - Martindale-Hubbell AV rating and Bar Register Preeminent Attorneys; Tallahassee Bar Association; Tallahassee Inn of Court (alumni, former Treasurer); Florida Conference of District Court of Appeal Judges, Treasurer (2006 - 2008).

Other Activities - Christian Heritage Church (Elder); prior member, Celebration Baptist Church (Deacon and Chairman of Deacons, teacher of various student and adult classes); member, Florida Institute of C.P.A.'s; American Institute of C.P.A.'s.
Justice Pariente

Justice Pariente has been a Justice since 1997 and served as Chief Justice from 2004 through 2006. She was born in New York City in 1948 and attended public schools in New York and New Jersey. She graduated with highest honors from Boston University majoring in communications. She then attended George Washington University Law School, where she graduated fifth in her class in 1973, earning highest honors and membership in the Order of the Coif. She moved to Fort Lauderdale, Florida in 1973 for a two year judicial clerkship with United States District Court Judge Norman C. Roettger, Jr., of the Southern District of Florida.

After her judicial clerkship, Justice Pariente settled in West Palm Beach, where she joined the law firm of Cone, Wagner and Nugent in 1975 and became a partner in 1977. In 1983, she formed the law firm of Pariente & Silber, P.A. In both firms, she specialized in civil trial litigation. She earned certification by the Florida Bar as a Board Certified Civil Trial Lawyer as well as nationally by The National Board of Trial Advocacy. She was awarded an AV rating, the highest available, by Martindale-Hubbell. During her eighteen years in private practice, Justice Pariente served on the Fifteenth Judicial Circuit Grievance Committee, the Florida Bar Civil Rules Committee, and the Fifteenth Judicial Circuit Nominating Commission. She was instrumental in organizing Palm Beach County's first Bench-Bar Conference. She was a founding member and master of the Palm Beach County Chapter of the American Inns of Court, and was very active in the Legal Aid Society of Palm Beach County, serving on its Board of Directors for many years.

In September 1993, Justice Pariente was appointed to the Fourth District Court of Appeal, where she served until her appointment as the seventy-seventh Justice of the Florida Supreme Court on December 10, 1997. During her time on the Supreme Court, she has worked to improve methods for handling cases involving families and children in the courts. She has served as both liaison and then the Chair of the Supreme Court's Steering Committee on Families and Children in the Courts. In that role, she met with family court judges and staffs throughout Florida's judicial circuits, promoted judicial education on the unified family court and advocated for improved case management, case coordination, and non-adversarial methods of resolving these disputes. From 2000-2002, she was a member of the Florida Bar's Commission on the Legal Needs of Children. In 1999 she served on the Governor's Advisory Committee on Character Education, where she focused on promoting civic education.
Justice Pariente has also actively supported programs that promote successful alternatives to incarceration such as Florida's drug courts. From 1998 onward, she served as the liaison to the Supreme Court's Task Force on Treatment-Based Drug Courts and she helped to organize the first statewide conference on drug courts. Justice Pariente speaks throughout the state on professionalism, judicial independence, the unified family court, juvenile justice and crime prevention.

Based on her longstanding commitment to children, Justice Pariente remains involved as a mentor to school-age children. She currently serves as a mentor to students through Take Stock in Children, a program for helping economically disadvantaged students earn a college scholarship. Her current mentee is a high school senior. She is proud that another mentee, whom she began to mentor in ninth grade, has since graduated from college and is contemplating a career in the law.

Justice Pariente is a recipient of the 2007 Florida Justice Association's Al J. Cone Lifetime Achievement Award, the 2006 George Washington University's Distinguished Alumni Award, the 2006 American Academy of Matrimonial Lawyers' Jurist of the Year Award, the 2005 Florida Association of School Social Workers' Lifetime Achievement Award, the 2005 Florida Bar Public Interest Law Section's Hugh S. Glickstein Child Advocate of the Year Award, the 2005 Palm Beach County League of Women Voters Good Government Award, the 2005 William M. Hoeveler Judicial Professionalism Award of the Florida Bar's Committee on Professionalism, the 2004 Visionary Award of the Family Law Section of the Florida Bar, the Jewish Museum of Florida's 2002 Breaking the Glass Ceiling Award, the 2000 Florida Council on Crime and Delinquency Distinguished Judicial Service Award, the 2001 Florida Association of Women Lawyers' Award in recognition of lifelong dedication to the success of women lawyers in the legal profession, the 1998 American Bar Association's Law Day Speech Award, the 1998 Lifetime Achievement Award presented by the Palm Beach County Jewish Federation and the 1993 Legal Aid Society Civil Litigation Pro Bono Award.

In March 2008, Pariente was inducted into the Florida Women's Hall of Fame by Gov. Charlie Crist.

Justice Pariente's past publications include a contribution to the Cardozo Journal of Law & Gender entitled “A Symposium with Women Chiefs” at the Benjamin N. Cardozo School of Law. Volume 13, No. 2 (April 2007); a contribution to Women Trial Lawyers: How They Succeed in Practice and in the Courtroom (Prentice-Hall 1987). In addition, she authored an article in the Florida Bar Journal entitled "A Profession for the New Millennium: Restoring Public Trust and Confidence in Our System of Justice." 74 Fla. B.J. 50 (January 2000) and
most recently, co-authored an article in the Florida Bar Journal entitled "Teaching Them a Lesson," 77 Fla. B.J. 6 (June 2003). The latter is about girls in the Juvenile Justice system. Justice Pariente is married to the Honorable Frederick A. Hazouri, judge of the Fourth District Court of Appeal. Together, they have three married children and seven grandchildren, all of whom live in Florida. In 2003, Justice Pariente shared with the public her successful treatment for breast cancer, in hopes of promoting greater awareness of this disease that strikes one in eight American women.

Justice Lewis

Justice R. Fred Lewis was appointed to the Supreme Court of Florida on December 7, 1998, by the late Gov. Lawton Chiles. He was born in Beckley, West Virginia, in 1947. He attended Woodrow Wilson High School, where he was actively involved in both athletic and academic pursuits, serving as president of the student body, receiving All State and All American recognition for athletic achievement, and receiving the Pete George Memorial Award as the outstanding scholar athlete.

Justice Lewis came to Florida in 1965 to attend Florida Southern College in Lakeland, where he excelled in athletics and academics. He was elected president of the sophomore, junior, and senior classes, and received the highest honor in 1969 by being selected as the Honor Walk Student, which is awarded annually for the outstanding senior student for scholastic and service achievements.

He graduated from college cum laude in 1969 and was awarded the NCAA Post-Graduate Grant as one of the top fifteen scholar athletes in the United States. He also received the Besser Lindsey Award as one of the top ten male university students in the United States, awarded by Sigma Alpha Epsilon.

Among his other achievements were the Williams Memorial Outstanding Athlete Award and inclusion in the Outstanding Athletes in America, National Student Register, Order of Omega, Omicron Delta Kappa, Psi Chi, Political Union, and the Greek Hall of Fame. Upon graduating from college, Lewis moved to Miami to attend the University of Miami School of Law, where he graduated cum laude in 1972. He was a member of the University of Miami Law Review and was an officer in the Student Bar Association. Selected as a Justice of the Law School Honor Council, Lewis also served on the Appellate Moot Court
Teams. He was selected for the Iron Arrow, the highest honor society, and was awarded membership in Bar and Gavel, and Order of Barristers.

Upon graduation from law school, Justice Lewis attended and graduated from the United States Army A.G. School after acting as Commander of the Corps of cadets for the University of Miami ROTC program. He graduated as its top student, receiving the Order of World Wars Superior Achievement Honor. Upon discharge from the military, Lewis entered private practice in Miami, specializing in civil trial and appellate litigation. He left practice upon his appointment to the Florida Supreme Court effective January 1, 1999.

Selected as Florida's Citizen of the Year in 2001 by the Florida Council, Justice Lewis has been heavily involved in children's issues, serving as a member of the Board of Directors of Miami Children's Hospital and many of its committees and panels. While in private practice, he was heavily involved in providing counseling to families with children having impairments and provided pro bono legal services and counseling for cancer patients seeking proper treatment for multiple conditions. In 2001 he also received the "Everyday Hero" award for his outstanding contributions to community service in Florida.

He has served The Florida Bar in the capacity of Inventory Attorney, spending many hours auditing and reviewing files for the protection of clients. He has authored materials published by The Florida Bar's Continuing Legal Education Program and has participated in numerous cases selected for annotation in The American Law Report.

An emeritus member of the Tallahassee American Inn of Court, in 1999, Justice Lewis received the distinguished Friends of Justice award from the American Board of Trial Advocates for his dedication and service to the citizens of Florida. In 2001, Justice Lewis also received the Public Trust and Confidence Award from the Florida Law Related Education Association. He previously served on Florida's Commission on the Legal Needs of Children and is active in the Justice Teaching Institute, a program designed to enhance public education. In 2002, the University of Central Florida honored Justice Lewis by creating the Justice R. Fred Lewis Award, which will be awarded annually to the individual who has demonstrated the highest level of social responsibility. Justice Lewis received the inaugural award for his service to the youth of Florida. He also received the 2005 Great American, Law in Education Award, the 2006 Guardian of The Constitution Award, and the 2006 Education for Democracy Award.

In 2007, Justice Lewis was named Florida Jurist of the Year by the Florida Chapters of the American Board of Trial Advocates and selected for Florida's Children's Cabinet. He also received the ABA 2007 Pursuit of Justice Award, and the Outstanding Citizen Award for 2007 from the Florida Council for Social Studies. In 2008, he received the Judge Mario
Goderich Award from Cuban American Bar Association, which recognized his work for diversity. He also received a Resolution by the Florida Alliance for Assistive Services & Technology for his work to provide access for persons with disabilities. Justice Lewis received the Gracias Award 2008 from the Broward County Hispanic Bar on June 7, 2008. The Award reads “For achieving monumental Heights in Public Services and Promoting Diversity.

In June of 2008 Justice Lewis received the prestigious William M. Hoeveler Judicial Award representing the highest level of professionalism in the Florida judicial system. He was selected as the recipient of the Joe Oldmixon Service Award for Outstanding Service to People with Disabilities 2007-2008 (presented by the Center for Independent Living Disability Resource Center). In 2009 he received the We the People Constitution Education Award from the Florida Law Related Education Association, Inc.

As a member of the Florida Supreme Court, Justice Lewis currently serves as liaison to the Florida Board of Bar Examiners and the Judicial Management Council. He has served on the Committee on the Rules of Civil Procedure, the Committee on Standard Civil Jury Instructions, and the Code and Rules of Evidence Committee.

Justice Lewis is a volunteer in the Florida Law Related Education program working with Florida teachers and students. He is involved in a program of actively teaching and working in schools throughout Florida to promote a better understanding of government institutions and providing open access to judicial officers.

In 2000, he was awarded an Honorary Doctor of Public Service degree from Florida Southern College. In 2002, Justice Lewis received an Honorary Doctor of Law degree from St. Thomas University. He also has been the recipient of a Certificate of Appreciation for Outstanding Contributions to We the People, the Citizens and the Constitution; a Florida State University College of Law Award for Contributions to the Summer Law Program; a Guardian of the Constitution Citizenship Award for Law-Related Education in Brevard County; a Dade County Bar Association, Young Lawyer's Section Dedication to Children Award; and an Award for Outstanding Contributions to the Study of Law, Legal and Public Affairs, by Miami Senior High School. He also received the 2005-2006 Easter Seals Judge Wilke Ferguson Award for Protector of the Disabled.

In 2007 Justice Lewis received the Equal Opportunities in the Judiciary Award, the Constitutional Education Award, the Education for Justice Award, and the Justice Thurgood Marshall Award.
Justice Lewis and his wife Judith attended Florida Southern College together and were married in 1969. They have two children, Elle and Lindsay.

Justice Quince

Justice Peggy A. Quince was born in Norfolk, Virginia, in 1948. She is married to Fred L. Buckine, attorney at law, and they have two daughters, Peggy LaVerne, a graduate of Florida A & M University, and Laura LaVerne, a graduate of the University of Central Florida. Justice Quince graduated in 1970 from Howard University with a B.S. Degree in Zoology; she received her J.D. Degree from the Catholic University of America in 1975. While a law student she was active in Phi Alpha Delta Law Fraternity and the Black American Law Students Association; she received an award for her work with Catholic’s Neighborhood Legal Services Clinic. In 1999, she received an honorary doctor of laws degree from the Stetson University College of Law. In 2004, she received an honorary doctor of laws degree from St. Thomas University School of Law.

Justice Quince began her legal career in Washington, D.C. as a hearing officer with the Rental Accommodations Office administering that city's new rent control law. In 1977 she entered private practice in Norfolk, Virginia, with special emphasis in real estate and domestic relations.

She moved to Florida in 1978 and opened a law office in Bradenton, Florida, where she practiced general civil law until 1980. In February, 1980, Justice Quince began her tenure with the Attorney General’s Office, Criminal Division. As an assistant attorney general she handled numerous appeals in the Second District Court of Appeal, the Florida Supreme Court, including death penalty cases, the Eleventh Circuit Court of Appeals and the United States Supreme Court. Her thirteen and a half year tenure at that office included five years as the Tampa Bureau Chief. Additionally, three years were spent handling death penalty cases exclusively, on direct appeal and in post conviction proceedings.

Justice Quince is a member of the Florida Bar, Virginia State Bar, the National Bar Association, the Tallahassee Women Lawyers, and the William H. Stafford Inn of Court. She is an active member of the Government Lawyers Section, the Criminal Law Section, and the Equal Opportunity Section of the Florida Bar. She is a former member of the George Edgecomb Bar Association, the Hillsborough County Bar Association, Hillsborough
Association of Women Lawyers, and the Tampa Bay Inn of Court. Justice Quince's former Florida Bar activities include membership on the Gender Equality Committee, the Criminal Law Certification Committee, and the Executive Councils of the Government Lawyers and Criminal Law Section.

Presently, Justice Quince is on the executive counsel of the Appellate Section of the Florida Bar and is the Supreme Court liaison to the Workers' Compensation Committee, the Judicial Ethics Advisory Committee, and the Supreme Court's Family Court Steering Committee. She has lectured at a number of Continuing Legal Education programs on issues involving search and seizure, probation and parole, use of peremptory challenges, post conviction relief, professionalism and ethics, and the independence of the judiciary.

In 1993 Justice Quince became the first African-American female to be appointed to one of the district courts of appeal with her appointment by Governor Lawton Chiles to the Second District Court of Appeal to a term effective January 4, 1994. She was retained in office by the electorate in November 1996. On December 8, 1998, Justice Quince was appointed by the late Governor Lawton Chiles and Governor-elect Jeb Bush to the Florida Supreme Court. Justice Quince is a member of New Hope Missionary Baptist Church. Her civic and community activities include membership in Alpha Kappa Alpha Sorority, Inc., Jack and Jill of America, Inc., the Urban League, the NAACP, and The Links, Inc.

Justice Quince has received the following honors and awards: 2008, Lifetime Achievement Award by The Florida Bar's Government Lawyer Section; Florida Commission on the Status of Women, 2007 Florida Women's Hall of Fame award; American Bar Association Commission on Women in the Profession 2006 Margaret Brent Women Lawyers of Achievement Award; 2006 Rickards High School Outstanding School Volunteer Award; 2005 Key to the City of Winter Haven; 2005 Richard W. Ervin Equal Justice Award; 2004 Key to the City of Panama City, Florida; 2004 Catholic University of America, Columbus School of Law, Black Law Student Association Alumni Achievement Award; 2004 Lee County Association for Women Lawyers and the Lee County Bar Association Award for dedication to the promotion of equality in law and outstanding service as a distinguished member of the Florida judiciary; 2002 Florida Bar Equal Opportunities in the Profession Award; 2002 Florida Girls State Award; 2003 Helping Hand Award; 2003 Southern Women in Public Service Pacesetter Award; 2003 Florida Girls State Award; 2003 Pioneering the Future in our Community Award; 2003 Outstanding Jurist and Howard University Alumna Award; 2001 William H. Hastie Award from the National Bar Association Judicial Council; National Bar Association Presidential Achievement Award; Girl Scouts, Woman of Distinction Award, 2001; National Bar Association Women Lawyers Division Jurist Award for Outstanding Leadership Achievements and Dedicated Service to the Community At Large; Florida Chapter of the National Bar Association for Service on the Bench; Virgil Hawkins Bar
Association Award for Community Service and Advancement of Equal Justice Under Law; the Virgil Hawkins Bar Association Certificate for Achievement in Jurisprudence; the Fort Lauderdale High School Award for participating in the School Law Magnet Program; the Broward County School Board Appreciation Award for Inspiration and Devotion to Our Youth; Award of Distinguished Service and Continuing Commitment to the People of Florida from the Fort Lauderdale B'nai B'rith; Proclamation from the Broward Board of County Commissioners stating that February 28, 1999, as "The Honorable Peggy A. Quince Appreciation Day;" Hillsborough County Sheriff's Black Advisory Council Appreciation Award; Lakeland NAACP Award for Contribution to Civil Rights; the African-American Production Company Personal Achievement Award; Paul C. Perkins Bar Association Appreciation Award; Florida State University College of Law Appreciation Certificate for Contributions made to Summer Law Program For Undergraduate Students; Certificate from the Office of the Attorney General, Florida Crime Prevention Training Institute for Exemplary Contributions to Crime Prevention in the State of Florida.

Justice Canady

Chief Justice Charles Canady was born in Lakeland, Florida in 1954. He is married to Jennifer Houghton and they have two children. He received his B.A. from Haverford College in 1976, and his J.D. from the Yale Law School in 1979.

Justice Canady practiced law with the firm of Holland and Knight in Lakeland from 1979 through 1982. From 1983 through 1992 he practiced with the firm of Lane, Trohn, et al.

Justice Canady served three terms in the Florida House of Representatives from November 1984 to November 1990 and four terms in the United States House of Representatives from January 1993 to January 2001. Throughout his service in Congress, Justice Canady was a member of the House Judiciary Committee. For three terms from January 1995 to January 2001, Justice Canady was the chairman of the House Judiciary Subcommittee on the Constitution.

Upon leaving Congress, Justice Canady became general counsel to Governor Jeb Bush. He was appointed by Governor Bush to the Second District for a term beginning November 20, 2002. On August 28, 2008, Justice Canady was appointed to the Florida Supreme by Governor Charlie Crist and took office September 8, 2008.
Justice Labarga

Jorge Labarga was born in Havana, Cuba, in 1952. He is married to Zulma R. Labarga, and they have two daughters. He arrived in the United States at the age of 11 where he initially lived with his family in Pahokee, Florida. He graduated from Forest Hill High School in West Palm Beach in 1972 and received his B.A. (1976) and J.D. (1979) from the University of Florida.

Justice Labarga began his legal career in 1979 as an Assistant Public Defender with the Public Defender's Office in West Palm Beach, assigned to the appellate, misdemeanor and felony trial divisions. In 1982 he joined the State Attorney's Office in West Palm Beach, where he tried cases ranging from theft to homicide. In 1987 he joined the firm of Cone, Wagner, Nugent, Roth, Romano & Ericksen, P.A., and specialized in personal injury trial work. In 1992 Justice Labarga participated in founding the law firm of Roth, Duncan & Labarga, P.A., in West Palm Beach, where he continued to specialize in personal injury litigation and criminal defense.

Governor Lawton Chiles appointed Justice Labarga to the Circuit Court of the Fifteenth Judicial Circuit, in and for Palm Beach County, in 1996. In that capacity he served in the family, civil and criminal divisions. He also served as the administrative judge of the civil division.

In December 2008 Justice Labarga was appointed by Governor Charlie Crist to the Fourth District Court of Appeal. On January 1, 2009, he was appointed by Governor Crist to the Florida Supreme Court, where he presently sits as the 84th Justice to take office at the Florida Supreme Court since statehood was granted in 1845.

Justice Perry


He graduated from J. T. Barber High School. From there he attended Saint Augustine's College, graduating in 1966 with a Bachelor of Arts in Business Administration and
Accounting. After serving in the U.S. Army as a first lieutenant, he went on to Columbia Law School where he earned his Juris Doctorate degree in 1972.

Justice Perry met his future bride, Adrienne M. Perry, Ph.D., while at Columbia Law School. A scholar in her own right, Mrs. Perry earned her undergraduate degree from the State University of New York at Oswego. She then went on to receive a master’s degree from Columbia University and a doctorate in education from the University of Florida. Formerly the Mayor of Longwood, Florida, Dr. Perry is currently a professor at Stetson University. Married since 1971, they have three children – all college graduates. Their eldest son, Willis Perry, is a businessman in Tallahassee. Son Jaimon and daughter Kamilah Perry are attorneys in the Central Florida area.

Justice Perry has been actively involved in many community activities. A dedicated father, Perry managed his son’s AAU basketball team, the SanLando Greyhounds and played an active role in all their sports activities. He supported the Greyhounds through several successful seasons, and the whole family traveled cross-country with the team as they advanced through the championship playoffs. The Perrys were also involved in their daughter Kamilah’s activities, which included piano, ballet, and cheerleading. Justice Perry’s commitment to improving children’s lives extends beyond his own family. As founder and president of the Jackie Robinson Sports Association, Perry built a baseball league serving 650 at-risk boys and girls – the largest in the nation. However, the Association did more than coach baseball. Volunteers also served as mentors and provided free tutoring. In addition to his work with disadvantaged kids, Justice Perry served as captain of the Heart of Florida United Way Campaign and his firm served as general counsel for the Florida Chapter Branches of the NAACP. He currently serves as treasurer on the Board of Trustees at Saint Augustine’s College. Justice Perry has been a member of the Carter CME Tabernacle Church of Orlando for more than 20 years. He currently serves as trustee and is a member of the choir.

As an attorney, Perry was widely recognized for his legal skills and abilities. Prior to his appointment to the trial bench, Justice Perry was senior partner in the law firm of Perry & Hicks, P.A., where he specialized in civil and business law.

Justice Perry has received numerous honors and awards including the Seminole County NAACP Humanitarian Award, the Orange County Chapter NAACP Paul C. Perkins Award, and the 2005 Martin Luther King Drum Major Award for Social Justice. In 2004, Justice Perry was honored by his hometown, New Bern, North Carolina, receiving the “Key to the City.” In 2005, the United Negro College Fund (UNCF) selected Justice Perry as one of four individuals to be profiled during its national broadcast of An Evening of Stars: A Celebration of Educational Excellence. Most recently, Justice Perry received the prestigious Williams-
Justice Perry was the first African-American appointed to the Eighteenth Judicial Circuit. Governor Jeb Bush issued this statement when he appointed Justice Perry to the circuit bench in March of 2000. “James brings a high level of professionalism, knowledge, and skill to the bench. His community service and commitment to the Jackie Robinson Little League demonstrates his dedication to the community. I am confident that his expertise, strong commitment, and dedication will continue to be an asset to the 18th Judicial Circuit and the state.” Following his appointment to the circuit court bench, Justice Perry ran unopposed to retain his seat.

Justice Perry is the 85th Justice to take office at the Florida Supreme Court since statehood was granted in 1845.

**The Lawyers’ Lounge**

Lawyers who will be presenting oral arguments before the Court gather in the Lawyers’ Lounge to await their turn. The lounge is also used as a reception area when there are ceremonial occasions at the Court. One such occasion is the Pro Bono Awards ceremony; this ceremony honors lawyers who have done outstanding volunteer legal work. The portraits in the Lawyers’ Lounge are of some of the current Justices. Not all of the Justices have had their portraits painted at this time. The cast iron newel posts in the corners of the Lawyers’ Lounge are remnants of the first Supreme Court building used from 1913 to 1949.

**In person here / Online at home**

For several years, the Florida Supreme Court has had a very comprehensive presence on the Web. Our address is [www.floridasupremecourt.org](http://www.floridasupremecourt.org) and if you visit our site you will find the opinions released by the Supreme Court every week, briefs filed by attorneys in cases pending before the Court, information about the justices and court operations, information about high-profile cases you may read about or hear about in the news and historical information about the court. You will also find links to WFSU, which films oral arguments for broadcast via The Florida Channel, and Webcast. In fact, you can watch oral arguments dating back more than a decade. So for cases that are settled, you would be able to read the briefs, watch the oral arguments and then read the opinion – all from your home computer.
GENERAL VOLUNTEER PROCEDURES:
GETTING TO THE COURT AND GETTING SET UP FOR YOUR TOUR

Parking

Currently, visitor parking is available in the parking garage adjacent to the R.A. Gray building. Enter the parking garage from Bronough Street. Additional parking is available at Kleman Plaza.

NOTE: Handicapped parking is available in the parking area on the northwest side of the Supreme Court Building, with entry into the lot from Pensacola Street. Handicapped entry is allowed through the employees’ entrance on the west side of the building – for assistance please notify the Court prior to arrival. Please call the Marshal’s Office at 488-8845, or call Court Security at 922-5270.

Entering the Building

Everyone must enter the Supreme Court Building via the front doors (unless a handicapped accommodation is required). You will pass through a manned security checkpoint and an X-ray machine. Proceed to the Press Room/Volunteer Office, and pick up your name tag. The Volunteer Office is immediately to your left as you pass through the security checkpoint. Please wear the name tag while you are in the building. This name tag will identify you as a volunteer, which will allow you the freedom to visit the lunchroom in the sub basement level. To get to the lunchroom, take the Rotunda elevator, press “SB,” exit the elevator to your left, and go to the first door on the left. The lunch room has an array of vending machines with drinks and snacks available.

The Day Before Your Tour

1. Decide on the case to be used for the Mock OA.
2. Contact Tricia Knox at 921-9446 or by email at knoxt@flcourts.org by Noon on the day before the scheduled tour to confirm that it is still scheduled.
3. Plan to arrive at the courthouse at least 15 minutes before the scheduled arrival of the class on the day of the tour.

Upon Arriving at the Court

1. Check in with Tricia Knox (921-9446) or Jackie Hallifax (413-8496).
2. Go to the Courtroom – All information related to the tour should be set up in the courtroom or is located on the Tour Cart.
3. When the group arrives, ask one or two adults with the class to count out handouts for each student to take home. Leftover materials should be returned to the Tour Cart. Ask the adults to distribute the materials to the students AFTER the class has left the building.

Evacuation Procedures

In the event of an emergency, a Court Security Officer or an authorized individual will come to the Courtroom and inform the volunteer of the nature of the emergency and the appropriate action to take. Under no circumstances should people leave the Courtroom unless otherwise directed. Depending on the nature of the emergency, remaining in the Courtroom may be determined to be the best cause of action.

At The End of the Tour

- Straighten up chairs, note pads/pencils and Mock OA materials but do NOT remove them from the tables.
- Tear used sheets from note pads and throw sheets away.
- Leave any unused materials on the Tour Cart in the courtroom.
- Do not clean up the Mock OA materials.
- Please leave your name badge on the Tour Cart.
CLASS VISITS:
Volunteer Procedures &
Mock Oral Argument (Mock OA)
Materials
INSTRUCTIONS FOR VOLUNTEERS:
CONDUCTING A MOCK ORAL ARGUMENT TOUR

INTRODUCTION

The following is an outline for volunteers on how to conduct a session that includes a mock oral argument (Mock OA) exercise. The Mock OA is acted out by students who visit the Florida Supreme Court. The outline is just an outline. The Mock OA will vary from group to group. Think of yourself as the creative director—the way this dramatic production turns out depends on your “reading” of your group of students. Delightful surprises occur in every mock (and every real) argument—listens and let the students carry the event under your direction.

The instructional goal of the mock oral argument is to teach students how the Supreme Court conducts appellate argument by leading them in acting out an appellate argument. This activity is sometimes referred to as a “mock trial.” However, because the Supreme Court is an appellate court (procedurally, the trial has already taken place), the proper name for the activity is an “oral argument.” Keep control, but be flexible. Be spontaneous—a little laughter makes the experience even more memorable.

The time for the entire session, from introduction and instructions through the Mock OA and goodbyes, should last about 90 minutes (see Time Allocations below). Two volunteers can provide more coaching for each of the participants, but one volunteer can handle the Mock OA. After the students have left, make notes for yourself about what did and did not work. Feel free to share your observations with the Tour Program Coordinator. Above all, have fun!

Materials you will need:

1. These instructions
2. Mock OA materials packet (retrieve from Volunteer Office or on tour cart)
3. Handouts for students to take home (retrieve from Volunteer Office)
4. Visual aids---display boards of courtrooms, justices, etc. (located in Courtroom on tour cart)
5. Timer (located in Courtroom on tour cart)
6. Pencils for role players (located in Courtroom on tour cart)
7. Note pads for role players (located in Courtroom on tour cart)
8. Signs (Do Not Touch Microphones, Justices’ name cards, Petitioner/Respondent) to place on bench and counsel tables (located in Courtroom on tour cart)

I. TIME ALLOCATIONS

Total time: 90 Minutes

Breakdown of 90 minutes (these are approximate times that can vary based on individual groups):

<table>
<thead>
<tr>
<th>Time</th>
<th>Activity</th>
</tr>
</thead>
<tbody>
<tr>
<td>5-10 minutes</td>
<td>Get group in and organize (take over)</td>
</tr>
<tr>
<td>15 minutes</td>
<td>Supreme Court Video (optional: some groups may have viewed this in advance)</td>
</tr>
<tr>
<td>20-25 minutes</td>
<td>Introductory and Instructional Comments</td>
</tr>
<tr>
<td>30-35 minutes</td>
<td>Mock OA exercise</td>
</tr>
<tr>
<td>10 minutes</td>
<td>Wrap-up</td>
</tr>
</tbody>
</table>

Total time: 60 Minutes

Some Mock OAs are 60 minutes. The teacher has prepared the students ahead of time and most of the introduction to the court system can be done as a review. Breakdown of 60 minutes (these are approximate times that can vary based on individual groups):

<table>
<thead>
<tr>
<th>Time</th>
<th>Activity</th>
</tr>
</thead>
<tbody>
<tr>
<td>5 minutes</td>
<td>Get group in and organize (take over)</td>
</tr>
<tr>
<td>20 minutes</td>
<td>Review and Instructional Comments</td>
</tr>
<tr>
<td>30 minutes</td>
<td>Mock OA exercise</td>
</tr>
<tr>
<td>5 minutes</td>
<td>Wrap-up</td>
</tr>
</tbody>
</table>

II. WHEN STUDENTS ARRIVE

Students will be greeted on the front steps of the Supreme Court building. A Court Security Officer will welcome the group to the Court and provide the visitors with a brief orientation. The following is an example of the welcome given to a tour group when it arrives:
Welcome to The Florida Supreme Court, the highest court in the State of Florida. We wish you a pleasant and informative visit. While you are here, we request that you be quiet while passing through the rotunda area, be respectful of state property, and pay close attention to your volunteer guide. No hats, food, chewing gum or any objects that might be construed as a weapon (guns, knives, etc.,) are allowed in the Court. Do not touch anything on or under the Justices’ Bench or the microphones. The public areas of the building include the Library, the Clerk’s Office, the Marshal’s Office, the Lawyers’ Lounge and the Courtroom. In addition, portrait galleries are located along the halls on the outside of the Courtroom, and a law-related education exhibit is located on the upper-level rotunda. Thank you for visiting the Supreme Court of Florida, and take as many pictures as you wish.

III. BEGINNING THE TOUR: BEFORE THE MOCK ORAL ARGUMENT EXERCISE

Begin with a short talk about the court:
Florida's Court System and Oral Argument at the Supreme Court of Florida

A. Introductory Comments

1. Welcome, Introduce yourself to the group
2. Housekeeping Matters
   - Be on best behavior (cameras are recording everything that happens in the Courtroom)
   - Do not touch microphones at the Bench & Do not touch the Justices’ metal name plates
3. Separation of Powers (they may know this) and the Court System as the Judicial Branch of Government
4. Civil vs. Criminal Cases – the majority of the cases are civil (for older groups)
5. Trial Court vs. Appellate Courts – what is different (one trial judge instead of multiple appellate judges, no jury at the Supreme Court, no witnesses, no testimony, etc.)
6. Television judges vs. real judges (i.e., “Judge Judy,” etc.)

B. Explain the Cast of Characters in a Real Oral Argument

1. Court

    Seven Justices, including a Chief Justice (could mention representing the five districts of the state plus two selected without regard to the appellate district they are from; this is a good time to “introduce” current court if you have time)
2. Marshal

Individual responsible for Court security and building maintenance – At oral argument, the Marshal calls the Court to order, keeps time, and calls Court to order.

3. Clerk of Court

The Clerk keeps track of the Court’s decision-making and publishes the Court’s decision; he is present in the Courtroom but does not introduce the Court or otherwise participate in oral argument.

(Explain the Office of Clerk of Court)

a) Serves as the conduit for all papers, briefs, motions.
b) Assigns cases – each case goes to one Justice who shall eventually write an opinion.
c) Keeps detailed computer records.
d) Releases the Court’s opinions (i.e., makes them public, sends to media).
e) Keeps all case records (a court file) for each case, which holds every paper filed.
f) Distributes briefs (written arguments – 20-100 pages) and other important papers to the Justice. Briefs must be filed with an original and seven copies.

4. Attorneys

a) Petitioner (person unhappy with lower court decision, who is appealing it), and
b) Respondent (person happy with lower court decision, who opposes the appeal).

5. Other parties

Interested in the case and allowed to be inside the bar area, usually other attorneys helping the attorneys with their case.

6. Audience or onlookers

The audience may include reporters covering the argument, students interested
in a particular case, or citizens who want to observe a particular argument. [MAKE THE POINT – ANYBODY CAN COME TO OBSERVE ORAL ARGUMENT, USUALLY THE FIRST FULL WEEK OF EVERY MONTH]. Oral arguments can be seen live on your local public access channel, usually starting at 9:00 a.m.

C. Explain What Happens in a Real Oral Argument

1. Marshal’s Announcement that Court is in session – has all stand (note that audience always stands when court enters or leaves the courtroom)

2. Entry of Justices – Chief first, others in order of seniority

3. Order of Argument –
   - Petitioner Argument (the Petitioner is the party appealing a decision not favorable to Petitioner’s side in the lower court);
   - Respondent Argument (the Respondent is the party who liked the lower court’s decision and is arguing to keep it the way it is);
   - Petitioner Rebuttal (the Petitioner has the opportunity to “have the last word,” to answer any final questions, and to respond to arguments made by the Respondent).
   - Arguments are timed – Each side usually gets either 20 minutes or 30 minutes, depending upon the type of case being argued. Attorneys watch the light on the podium to see how they are doing in using up their time. Five minutes before the end of each attorney’s argument time, a yellow warning light goes on. When time is up, the red light goes on and the Chief Justice thanks the attorney for his/her argument. The attorney sits down.
   - During Argument Justices Ask Questions – attorneys making an argument need to be prepared to answer questions from the Justices. The Justices have reviewed written materials:
     a) “Briefs,” written arguments prepared by the attorneys, which explain the issues in the case and what the law says about those issues;
     b) “Record,” a transcript and evidence from what happened in the lower court.

The Justices have read the briefs and they usually have many questions about the arguments being made. They may have questions about legal arguments or about the facts in the case. RARELY DOES AN ATTORNEY GET THROUGH AN ARGUMENT WITHOUT QUESTIONS FROM “THE BENCH.” The Justices ask questions because they have thought about the problem being presented, and they want to understand certain issues or arguments better - the attorneys’ answers are important.
4. Explain Court conference, discussion and voting (how it works)

- After oral argument, the justices go into conference to discuss and vote on each case (emphasize that the vote doesn’t have to be unanimous)
- One Justice has been assigned by the Clerk’s Office to write the majority opinion
- Majority vote becomes majority opinion
- Ask the students: why seven Justices and not six or eight? (need an odd number to break a tie)
- Dissenting opinions (written by a Justice who disagrees with the majority opinion)
- Concurring opinions (written by a Justice who agrees with the majority’s decision, but would like to say something in addition to that which was covered in the majority opinion)

D. Explain Seating in the Courtroom (from the audience’s vantage point)

**Justices:** Court seated with the Chief Justice at Center, other Justices in chairs on either side. Explain that the real court is seated by seniority, except for the Chief. Facing the Justices, the most senior Justice is to the left of the Chief Justice, next most senior to his/her right, and so on, from the center outward.

**Marshal:** The Marshal sits at the desk on the right of the Justices.

**Clerk:** The Clerk sits at the desk on the left of the Justices.

**Attorneys:** Attorneys at Counsel Tables – Petitioners at left table (facing the Justices) and Respondents at right table (facing the Justices).

E. Explain What Students Will Be Doing in the Mock Oral Argument

1. Explain parts to be role-played by students

   **Justices** (7) (one Chief Justice and six other Justices)
   **Petitioner Attorneys** (2)
   **Respondent Attorneys** (2)
   **Marshal** (1)
   **Clerk of Court** (1)
2. **Explain that Students Will Have Planning Time After Parts Are Assigned**
   (attorneys plan arguments; Justices plan questions they would like to ask). This is the time when volunteers can coach or assist attorneys and Justices on arguments and questions.

3. **Explain the Order of the Oral Argument**
   - Petitioner Arguments (2 minutes each)
     - *Petitioner’s Attorney # 1*
     - *Petitioner’s Attorney # 2*
   - Respondent Arguments (2 minutes each)
     - *Respondent’s Attorney # 1*
     - *Respondent’s Attorney # 2*
   - Petitioner Rebuttal (only 1 attorney presents rebuttal for 1 minute)

4. **Explain Court Voting and Announcement of Result**
   The Court will have a brief chance to conference on the arguments (2 minutes). The Clerk will poll each Justice and record each Justice’s vote on the vote sheet. The result is then announced by the Clerk of Court (written on the clerk’s script/polling sheet).

   **NOTE:** Either now or at the time that the Clerk announces the Court’s decision, reinforce that in real cases, the Court doesn’t announce its decision immediately after oral argument. Rather, the Court takes as much time as necessary to consider the case, and it issues a written opinion.

**IV. INTRODUCING THE MOCK ORAL ARGUMENT HYPOTHETICAL TO YOUR GROUP**

**Step 1:** Have a student read the relevant constitutional provision (First or Fourth Amendment). Briefly discuss what the amendment means.

**Step 2:** Read the Factual Scenario for the selected Mock OA topic (or have the students read it aloud). Have the students identify important facts.

**Step 3:** Briefly summarize the procedural history of the case (i.e., what happened in the trial court, what the district court decided, etc.).

**Step 4:** Select Role Players and Begin Role Play by Planning Arguments

   **NOTE:** Some volunteers let the teacher pick the participants. If you choose this option, give the teacher a copy of the role player selection sheet.
(contained in the Mock OA materials packet) before the tour begins, and ask the teacher to fill it out. When it is time to select role players, collect the sheet, and call out the students’ names.

Others feel it is better to keep the teacher out of this process and to do it based on things you’ve noticed during the earlier discussion. Regardless of which option you choose, try to get a diverse group, not all boys or all girls, not all one racial group, etc.

Select Petitioner and Respondent Attorneys – 2 for each side. Have attorneys sit at counsel tables and plan their arguments. This must be done very quietly. Show the attorneys the prepared arguments (already placed at the counsel tables). Encourage the attorneys to come up with their own arguments and to write them on their note pads. You may allow a teacher or another volunteer to assist.

Select Clerk – Show the student the prepared script for the Clerk.

Select Marshal – If you’ve decided that this person is timekeeper, he/she will need to have the timer. Show the student the prepared script for the Marshal.

Select one Chief Justice and six Justices – Show the script for the Chief Justice to the selected student and the prepared questions to all of the Justices. Encourage the Justices to come up with their own questions and to share with one another the chance to ask questions.

Step 5: Assigning duties to remaining students (Student audience Court panels)

1. Break the students up into groups of seven.
2. Give each group a vote sheet.
3. Depending on the nature of the group, while students are preparing for the Mock OA, allow students individually to advise role players on arguments and questions.
4. After the argument is complete, have each group discuss the argument and cast its vote on the vote sheet while the Justices do the same and the Clerk records the Justices’ votes.

V. CONDUCTING THE MOCK ORAL ARGUMENT EXERCISE- Sequence of Events

- Marshal states “ALL RISE,” and then reads opening announcement from the Marshal’s script.
Chief Justice announces the name of the case and invites Petitioner to begin.

- Attorneys for Petitioner argue their side of the case back to back. Two minutes are allowed for each speaker. Marshal or Clerk calls “Time.”

- Chief Justice signals that Respondent may begin.

- Attorneys for Respondent argue their side of the case back to back. Two minutes are allowed for each speaker. Marshal or Clerk calls “Time.”

- Chief Justice signals that Petitioner may present rebuttal.

- Rebuttal – Attorney for Petitioner presents rebuttal argument. Two minutes are allowed for rebuttal. Marshal or Clerk calls time.

- Chief Justice thanks parties for their arguments and announces that the Court will stand in recess.

Justices conference briefly with each other. Remind Justices that their vote doesn’t have to be unanimous. The audience panels should conference and vote among themselves during this time.

- Justices quietly cast their vote to the Clerk, who records it on the vote sheet.

- Discuss the different decisions made by the audience panels.

- The Clerk announces the Court’s decision. If time permits, allow each Justice to explain the reasoning behind his/her vote.

- If the Mock OA is based on an actual court case (summary contained in Mock OA materials packet), briefly explain the outcome of that case.

- Volunteer asks for round of applause for Attorneys, Marshal, Clerk and Justices.

VII. WRAP-UP

Volunteer thanks the group for visiting the Supreme Court of Florida. If time and the demeanor of the group permit, pictures may be taken in the Courtroom, and additional students may sit in the Justices’ chairs.
VIII. MISCELLANEOUS

1. **Time:** Be conscious of the passage of time in order to avoid delays.

2. **Behavior:** Keep control; remember to prevent any touching of the microphones or the metal name plates on the bench. Don’t be afraid to ask the teacher for help in controlling student behavior.

3. **Avoid answering legal questions:** Do not try to answer legal questions. Urge parents, teachers and students to take real legal questions to real attorneys. It is not proper for any person associated with the Court to try to give legal advice (imagine the consequences of a Justice giving legal advice when he is about to hear legal arguments on an issue).

4. **Be creative:** Get the kids involved. Asking questions in the introductory session and getting students to respond helps you get to know the group.

   **For example:**
   “Does anyone know the three branches of government?”
   “Does anyone know what ‘separation of powers’ means?”
   “Does anyone know what branch of government operates in this building?”
   “How many of you have seen a courtroom on TV before? What did it look like?”

   Don't feel you have to know everything about the court to have a lively and interesting mock oral argument.

5. **Commonly-asked questions:** This is a short list of commonly-asked questions and answers. Although the information may not work its way into your brief talk, these questions are commonly asked when audience questions are solicited.

   **Question 1:** How much do the Justices of the Supreme Court of Florida get paid?
   **Answer:** Since this information is a part of the public record, you may share the information if the question is asked. A Justice’s salary is currently $157,976 and the salary is consistent across the board.

   This compares to:
   Governor $130,273
Lt. Governor $124,851
Attorney General $128,972
State attorneys $150,077
Public defenders $150,077

Another interesting comparison is what attorneys in the private sector earn for salaries. On average nationwide, the average salary in 2003 of a partner in a law firm was about $593,758 and a fifth-year associate was about $126,270. It is helpful to emphasize that the Justices provide a valuable public service, and that they would make much more money working in the private sector. Since a Supreme Court Justice is selected from the top ranks of attorneys, their potential private sector earnings would likely be as a partner in a law firm.

(source: http://www.clearleadinc.com/site/lawyer-information.html)

Average 2011 NFL player salary: $1.9 million. Currently, the highest paid NFL player is QB Peyton Manning (2011) making 30 million in salary plus endorsements.

Question 2: When a Justice is recused from a case, what happens if there is a tie?
Answer: If this were to happen (in a very rare circumstance), it is likely that a judge from a District Court of Appeal would be asked to serve in a temporary capacity.

Question 3: Are the requirements for being a trial court judge the same as those for appellate court judges/Justices?
Answer: No. Rather than the ten-year Florida Bar requirement for appellate court eligibility, five years is required for trial court judge eligibility.

Question 4: What is the red light bulb at the back of the Courtroom?
Answer: The light is used for live broadcast purposes. If this question is asked, it is a good opportunity to remind students that they can view the Court’s oral arguments live on their local public access channel.

Question 5: What are the black boxes at the front of the Courtroom?
Answer: The boxes are cameras that record all activity in the Courtroom.

Question 6: How many cases are filed at the Supreme Court each year?
Answer: For the calendar year 2009:
Total filings: 2422
Total dispositions: 2473
Opinions Released: 191
Orders Issued: 2283
Total OA Cases Heard: 123
BRIEF OVERVIEW OF MOCK ORAL ARGUMENT TOPICS

Topics for Elementary School Students

A. The School Uniforms (Jimmy Madden v. School Board of Union County) – whether a school board rule stating that all elementary school students must wear uniforms to school violates the students’ freedom of expression under the First Amendment.

B. The School Search (Tim’s Parents v. Orange Blossom School) – whether under the Fourth Amendment, the principal of any school may conduct searches of students, book bags to find weapons, drugs, or other illegal items.

C. The Silent Protest (Students Against War v. Liberty High School) – whether prohibiting students from wearing armbands to school in protest of war violates the students’ free speech rights under the First Amendment.

Topics for Middle and High School Students (6th through 12th grade)

A. The K-9 Search (John Jingle v. State of Florida) – whether an officer committed an unreasonable search and seizure under the Fourth Amendment when the conducted a K-9 search at a private residence without a warrant.

B. The GPS Search (State of Florida v. Justin Barber) – whether an officer committed an unreasonable search and seizure under the Fourth Amendment when they attached a GPS tracking device secretly to a person’s car.

C. The Cell Phone Search (Smallwood v. State of Florida) – whether or not the police violated the Fourth Amendment when they search, without a warrant but incident to a lawful arrest, through pictures contained in a cell phone.

D. The School Search (Tim’s Parents v. Orange Blossom School) – whether under the Fourth Amendment, the principal of any school may conduct searches of students, book bags to find weapons, drugs, or other illegal items.

E. The Silent Protest (Students Against War v. Liberty High School) – whether prohibiting students from wearing armbands to school in protest of war violates the students’ free speech rights under the First Amendment.
F. Vulgar Speech in Schools (All-Star High School v. George Bartlett) – whether a lewd and offensive speech given by a student during a school assembly is protected under the First Amendment.

G. Anonymous Tip (J.L. v. State of Florida) – whether the Fourth Amendment was violated when a police officer stopped and frisked a young person based upon an anonymous tip the officer received that the young person was carrying a gun.

H. Random Drug Testing in Schools (School Board of Sunshine County v. Jimmy Acton) – whether a school board policy requiring that all students who want to play on school teams must submit a urine sample for drug testing violates the Fourth Amendment.

I. Censoring the School Newspaper (Sunshine High School v. Journalism Students) – whether a school principal’s decision to ban the printing of an article written by students for their school newspaper violates the students’ First Amendment rights.

J. The Trash Search (State of Florida v. Billy Greenwood) – whether the police violated a person’s Fourth Amendment rights by searching through his garbage without his permission.

K. Violent Video Games (Ace Games, Inc. v. State of Florida) – whether a state law that forbids the sale of violent or sexually explicit video games to people under the age of 18 violates a video game manufacturer’s First Amendment right to freedom of speech.

L. The Dog Sniff Case (John Steel v. State of Florida) – whether using a K-9 to sniff for drugs is an unreasonable search and violates the Fourth Amendment.

M. The Juvenile Curfew (Dylan Kwent v. State of Florida) – whether a juvenile curfew law that forbids people under age 18 from being in a public place after 11 PM violates a juvenile’s First Amendment right to assemble.

N. The ID Stop (Jimmy Holden v. State of Florida) – whether an officer committed an unreasonable search and seizure under the Fourth Amendment when he stopped an individual on a public sidewalk, requested to see the individual’s ID, and used the ID to run a warrants check.
Topics for High School Students ONLY (9th through 12th grade)

A. Prom Night Alcohol Test (Jack Jones v. Washington High School) – whether a school policy that requires students to take a breathalyzer test before entering the prom violates the Fourth Amendment.
CLASS VISITS:
Volunteer Procedures
GENERAL VOLUNTEER PROCEDURES:
GETTING TO THE COURT AND GETTING SET UP FOR YOUR TOUR

Please note, volunteer procedures for arrival and set up of educational tours is the same as those for Mock OA tours. Please refer to page 29 for complete details.

THE EDUCATIONAL TOUR

Begin with a short talk about the court:
Florida's Court System and Oral Argument at the Supreme Court of Florida

A. Introductory Comments

1. Welcome, Introduce yourself to the group
2. Housekeeping Matters
   • Be on best behavior (security cameras are recording everything that happens in the Courtroom)
   • Do not touch microphones at the Bench & Do not touch the Justices’ metal name plates
3. Separation of Powers (they may know this) and the Court System as the Judicial Branch of Government
4. Civil vs. Criminal Cases – the majority of the cases are civil (for older groups)
5. Trial Court vs. Appellate Courts – what is different (one trial judge instead of multiple appellate judges, no jury at the Supreme Court, no witnesses, no testimony, etc.)
6. Television judges vs. real judges (i.e., “Judge Judy,” etc.)

B. Explain the Cast of Characters in a Real Oral Argument

1. Court

   Seven Justices, including a Chief Justice (could mention representing the five districts of the state plus two selected without regard to the appellate district they are from; this is a good time to “introduce” current court if you have time)
2. Marshal

Individual responsible for Court security and building maintenance – At oral argument, the Marshal calls the Court to order, keeps time, calls Court to order.

3. Clerk of Court

The Clerk keeps track of the Court’s decision-making and publishes the Court’s decision; he is present in the Courtroom but does not introduce the Court or otherwise participate in oral argument.

(Explain the Office of Clerk of Court)

   a) Serves as the conduit for all papers, briefs, motions.
   b) Assigns cases – each case goes to one Justice who shall eventually write an opinion.
   c) Keeps detailed computer records.
   d) Releases the Court’s opinions (i.e., makes them public, sends to media).
   e) Keeps all case records (a court file) for each case, which holds every paper filed.
   f) Distributes briefs (written arguments – 20-100 pages) and other important papers to the Justice. Briefs must be filed with an original and seven copies.

4. Attorneys

   a) Petitioner (person unhappy with lower court decision, who is appealing it), and
   b) Respondent (person happy with lower court decision, who opposes the appeal).

5. Other parties

   Interested in the case and allowed to be inside the bar area, usually other attorneys helping the attorneys with their case.

6. Audience or onlookers

   The audience may include reporters covering the argument, students interested in a particular case, or citizens who want to observe a particular argument.
[MAKE THE POINT – ANYBODY CAN COME TO OBSERVE ORAL ARGUMENT, USUALLY THE FIRST FULL WEEK OF EVERY MONTH]. Oral arguments can be seen live on your local public access channel, usually starting at 9:00 a.m.

C. Explain What Happens in a Real Oral Argument

1. Marshal’s Announcement that Court is in session – has all stand (note that audience always stands when court enters or leaves the courtroom)

2. Entry of Justices – Chief first, others in order of seniority

3. Order of Argument –
   - Petitioner Argument (the Petitioner is the party appealing a decision not favorable to Petitioner’s side in the lower court);
   - Respondent Argument (the Respondent is the party who liked the lower court’s decision and is arguing to keep it the way it is);
   - Petitioner Rebuttal (the Petitioner has the opportunity to “have the last word,” to answer any final questions, and to respond to arguments made by the Respondent).

   - Arguments are timed – Each side usually gets either 20 minutes or 30 minutes, depending upon the type of case being argued. Attorneys watch the light on the podium to see how they are doing in using up their time. Five minutes before the end of each attorney’s argument time, a yellow warning light goes on. When time is up, the red light goes on and the Chief Justice thanks the attorney for his/her argument. The attorney sits down.
   - During Argument Justices Ask Questions – attorneys making an argument need to be prepared to answer questions from the Justices. The Justices have reviewed written materials:
     
    a) “Briefs,” written arguments prepared by the attorneys, which explain the issues in the case and what the law says about those issues;
    b) “Record,” a transcript and evidence from what happened in the lower court.

The Justices have read the briefs and they usually have many questions about the arguments being made. They may have questions about legal arguments or about the facts in the case. RARELY DOES AN ATTORNEY GET THROUGH AN ARGUMENT WITHOUT QUESTIONS FROM “THE BENCH.” The Justices ask questions because they have thought about the problem being presented, and
they want to understand certain issues or arguments better - the attorneys’ answers are important.

4. Explain Court conference, discussion and voting (how it works)

- After oral argument, the justices go into conference to discuss and vote on each case (emphasize that the vote doesn’t have to be unanimous)
- One Justice has been assigned by the Clerk’s Office to write the majority opinion
- Majority vote becomes majority opinion
- Ask the students: why seven Justices and not six or eight? (need an odd number to break a tie)
- Dissenting opinions (written by a Justice who disagrees with the majority opinion)
- Concurring opinions (written by a Justice who agrees with the majority’s decision, but would like to say something in addition to that which was covered in the majority opinion)

D. Explain Seating in the Courtroom (from the audience’s vantage point)

**Justices:** Court seated with the Chief Justice at Center, other Justices in chairs on either side. Explain that the real court is seated by seniority, except for the Chief. Facing the Justices, the most senior Justice is to the left of the Chief Justice, next most senior to his/her right, and so on, from the center outward.

**Marshal:** The Marshal sits at the desk on the right of the Justices.

**Clerk:** The Clerk sits at the desk on the left of the Justices.

**Attorneys:** Attorneys at Counsel Tables – Petitioners at left table (facing the Justices) and Respondents at right table (facing the Justices).

E. Sitting in the Justices Chairs

The highlight of the tours for many is the opportunity to sit in the justices chairs. This can be done orderly – if the group is large – by counting off the students into groups of 7 and allowing them to sit in the chairs one group at a time.
F. Touring other Areas of the Building

Depending on the size of your group, 20 or less, and the time remaining and attention span of the group, the Library, Rare Book Room and Lawyer’s Lounge are available for public tours.

IV. MISCELLANEOUS

1. **Time:** Be conscious of the passage of time in order to avoid delays.

2. **Behavior:** Keep control; remember to prevent any touching of the microphones or the metal name plates on the bench.

3. **Avoid answering legal questions:** Do not try to answer legal questions. Urge parents, teachers and students to take real legal questions to real attorneys. It is not proper for any person associated with the Court to try to give legal advice (imagine the consequences of a Justice giving legal advice when he is about to hear legal arguments on an issue).

4. **Be creative:** Get the kids involved. Asking questions in the introductory session and getting students to respond helps you get to know the group.

   **For example:**
   “Does anyone know the three branches of government?”
   “Does anyone know what ‘separation of powers’ means?”
   “Does anyone know what branch of government operates in this building?”
   “How many of you have seen a courtroom on TV before? What did it look like?”

Don't feel you have to know everything about the court to have a lively and interesting mock oral argument.
Before Your Visit to the Court: Preparing for the Tour

Dear Teacher,

The Supreme Court of Florida is excited about your upcoming visit! This sheet provides a number of items that you should discuss with your students before your visit. We look forward to seeing you soon.

What is the U.S. Constitution, and what does it do?
The U.S. Constitution is a written document that establishes our country’s government, states how the government will be organized, and states what the government’s powers will be. It is known as the “supreme law of the land.”

Does Florida have a Constitution?
Yes. Florida and all of the other states have their own constitutions. A state’s constitution may not conflict or go against the U.S. Constitution.

What are the three branches of government?
The U.S. Constitution and Florida’s Constitution provide for three branches of government: Legislative, Executive, and Judicial.

What are the jobs of each branch of government?
Legislative branch: makes the law; Executive branch: enforces the law; Judicial branch: interprets the law.

Who makes up the three branches of the federal (U.S.) government?
(1) Legislative: U.S. Congress (U.S. House of Representatives and U.S. Senate); (2) Executive: President of the United States; (3) Judicial: U.S. Supreme Court.

Who makes up the three branches of Florida’s state government?
(1) Legislative: Florida Legislature (Florida House of Representatives and Florida Senate); (2) Executive: Governor of Florida; (3) Judicial: Supreme Court of Florida.

What branch of government are courts a part of?
Courts are a part of the judicial branch.
What jobs do courts do?
Courts resolve disputes between parties such as people, businesses, and governments. Some disputes are criminal, which involve breaking a law. In a criminal case, the government is one of the parties. Others disputes are civil, which involve a dispute between two private parties.

What are the two categories of Florida courts?
Florida’s courts fall into two categories: trial courts and appellate courts.

Where are disputes usually decided first?
Disputes are usually decided first in the trial court.

What is an appeal?
When a party is unhappy with the outcome of a case, a party may file an appeal. An appeal is taken to a higher court with jurisdiction, that is, power to review and revise a lower court’s decision.
SUPREME COURT LIBRARY RARE BOOK ROOM TALKING POINTS

Introduction
The Supreme Court Library is the oldest government funded library in Florida, going back to 1845. At that time, the state legislature created both the Judicial Library and the Legislative Library (now the State Library of Florida, located across the street in the R.A. Gray Building). The Judicial Library is housed in the Supreme Court Building and consists of a reference and book collection, the British Law Book collection, the Archives and Rare Book collection, and very up-to-date on-line resources, including the Library’s web page: http://library.flcourts.org/

Rare Book Room
In the Supreme Court Library’s reading room, visitors can see ten selected rare books and historic documents related to the Judicial branch of Florida’s government:

Anderson’s Reports
- Sir Edmund Anderson served as the Lord Chief-Justice of Common Pleas under Queen Elizabeth I.
- He is remembered today as a judge who gave out particularly harsh sentences to Puritans, a group of English protestants who did not accept the official Anglican church.
- He was presiding judge at the trial of Mary I of Scotland, a trial that resulted in Mary’s execution.
- Anderson’s Reports is still considered a reliable source of precedents for English Common Law.
- This 1665 edition was written in Legal French, which was an archaic form of legal expression, even in seventeenth century England.

The Judicial Library
“. . . the ‘Judicial Library’ shall be in the care of the Clerk of the Court and a catalogue . . . shall be made . . . by said officer.” Acts and Resolutions of the First General Assembly of the State of Florida (1845). Chapter 13, Section 2. Shown is part of the original 1845 handwritten catalogue of books and an early court library book with the “Judicial Library,” stamp. Subsequently the name was changed to the Supreme Court of Florida Library.

- From 1845 until 1902 the only state government building in Florida was the capitol. Now known as the Old Capitol, it still sits in front of the skyscraper 1975 New Capitol, and lends great dignity to the capitol complex.
A number of the original books in the Judicial Library remain in the Supreme Court Library. You can view a few more of these well-thumbed volumes in the Archives & Rare Book Exhibit Room at the entrance to the library.

A sizable collection of British Common Law volumes is part of the Supreme Court Library. The 1845 Florida Legislature adopted British Common Law as the basis of Florida’s legal system. Thus, these books were very much in demand by 19th Century Florida judges and attorneys.

**Early Florida Land Deeds**

After the United States acquired Florida in 1821, Americans rushed to buy land in the new territory. This early deed was for land in Columbia County in 1843, just two years before Florida became a state. One of the largest and most complex land cases was the 289,645 acre Arredondo Grant in northeast Florida. The original Spanish land grant in 1818, to Don Fernando de la Arredondo was a vast tract of land called Alachua.

- Other important milestones of Florida development are:
  - 1881: The Disston Land Purchase. Four million acres of central Florida went to a development conglomerate headed by Philadelphia saw manufacturer Hamilton Disston. He paid one million dollars for the property. Thousands of acres were drained and sold as prime agricultural land. The State of Florida avoided bankruptcy by this purchase. State finances were in a precarious state because of the destruction wrought by the Civil War.
  - 1925: the Florida land boom of the 1920s took off. Do you want to buy some underwater swampland? Thousands of people did! The boom ended with the devastating hurricane of September 18, 1928.
  - 1971: Walt Disney bought 27,500 acres of land near Orlando and opened Disney World on October 1. The rest is history.

**An Invitation**

Justice James B. Whitfield served on the Florida Supreme Court from 1904 to 1943. In 1897, while serving as state Treasurer, he and his wife Leila Nash Whitfield (married the previous year) were about to move into their newly finished home on Monroe Street, when she tragically died, only days after the birth of their son John. The letter with black ribbons is an invitation to her funeral.

- Victorian funeral customs at that time included not only this elaborate invitation, probably hand-delivered, but also:
  - mourning wreaths on the front door of the home;
  - special black women’s dresses and men’s suits;
  - mourning rings (some contained a woven lock of hair of the deceased);
  - elaborately carved marble tombstones (for those who could afford them);
mourning pictures with sentimental verses, lithographs of doves, and slots that could contain personal items such as a photograph, funeral notice, obituary, or eulogy;
and, at times, a mourning photograph (of the deceased in his or her coffin).

Justice Fred H Davis
At the time of his death in 1937, at age 42, Justice Fred H. Davis had served as speaker of the state House of Representatives, Attorney General, and Chief Justice of the Florida Supreme Court. Shown here are a few of the hundreds of telegrams expressing condolences to the family.

The telegraph was the earliest form of “text messaging.”
It was invented and patented in the United States in 1837 by artist Samuel F. B. Morse, after whom the Morse Code of alphabet dots and dashes was named. The first commercial use of the electric telegraph took place on May 24, 1844 between Washington D.C. and Baltimore Maryland.

On January 27, 2006, Western Union discontinued all telegram and commercial messaging services, though it still offers its money transfer services.

Politica Indiana Volume One
Juan de Solórzano Pereyra studied law at Salamanca, Spain and in 1609 became a judge in the Audencia (council) of Lima, Peru, an appointment he held until 1627. His Politica Indiana was originally published in Madrid in 1647 and widely used in the new world. Solórzano’s book systematizes law and politics in colonial America and is a fundamental text concerning Spain’s imperial politics. This edition was published in Madrid in 1736.

Spanish claims of colonial territory originated in Columbus’s voyages of discovery, beginning in 1492
Spain owned Florida at two different times: from Ponce de Leon’s claim of March 27, 1513 until the Treaty of Paris in 1763. Spain was on the losing side of the French and Indian War (in Europe, the Seven Years War). But Spain was on the winning side in 1783, when the British returned Florida to Spain as part of the treaty that recognized the United States as an independent nation.

Coke’s Institutes of the Laws of England
Sir Edward Coke (pronounced “Cook”) held many influential legal and political positions in England and is considered one of the most distinguished jurists in all English history. One of the monumental works in English law, his four volumes of the Institutes of the Laws of England were originally published from 1628 to 1644 and contain analyses of legal statutes, criminal law, and court jurisdiction. This is an early 1669 edition.
• Sir Edward Coke (1552 to 1634) appeared in English courts frequently during the reign of Queen Elizabeth to defend accused Puritans from his arch-rival, Sir Edmond Anderson.
• He later went on to become Chief Justice of the King’s Bench (1613) and later still was elected Speaker of the House of Commons (1628) where he opposed the policy of “Divine Right of Kings” by elevating the common law of the land as supreme.
• He is credited with the quote: “A man’s house is his castle.”

Justice Jefferson B. Browne (1916-1923) wrote Key West: The Old and the New about the history of his home town. While on the court he often invited the other justices to his home and featured seafood from Key West.
• Justice Browne’s father, Joseph, moved to Key West in 1830. He prospered and participated in Florida’s first Constitutional Convention in 1838, held in St. Joseph, Florida (now the town is known as Port St. Joe).
• Justice Browne’s first job was as the 2nd Assistant Lighthouse Keeper of the Fowey Rocks lighthouse. He had so much free time that he began reading law textbooks. Later when he attended law school at the University of Iowa, he used the knowledge he had gained in reading to enable him to graduate in half the time it normally took students to complete the program.
• Justice Browne opposed the institution of the federal income tax that began in 1912. But his opposition was based on a belief that there should be state income taxes instead of a federal one. Florida remains to this day as one of the few states of the union that still does not have an income tax.

The ornate title page of the 1855 Senate Journal faces a page (on the left) that summarizes the total value of several kinds of property in Florida. The value of all the land in the state was listed as just over $13,900,000. The value of slaves was set at over $27,250,000.
• Slavery was part of Florida’s first constitution, written in 1838 and becoming official on March 2, 1845. The institution became illegal on May 20, 1865, with the reading of the Emancipation Proclamation from the front steps of the Knott House on Park Avenue (then the headquarters of Union General Edward McCook whose troops occupied Tallahassee at the end of the Civil War).