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ARTICLE: R. FRED LEWIS - CHIEF JUSTICE OF THE FLORIDA SUPREME COURT

by Jan Pudlow

TEXT:

[*10] On his desk, a jar holds chunks of coal plucked from railroad tracks near the spot his mother's house once stood a few doors from the coal company store.

Nearby sits the carbide light his grandfather clipped to his helmet to see down dark mines.

Preserved under glass is scrip, currency paid by the New River Coal Company that employed his ancestors and kept his family stuck in the bowels of the earth for long days of hard labor.

Above his chair hangs a linoleum lithograph of a coal miner, taken from the original artwork in the Capitol building in Charleston, West Virginia.

Another drawing depicts a tippie, where coal is processed.

Each day when Chief Justice Fred Lewis walks into his chambers at the Florida Supreme Court, he is reminded of his hardscrabble roots in Beckley, West Virginia, the mountains and "hollers" where he learned the values of compassion, honesty, and hard work.

"Most folks had one red-dog road that went into those communities," 58-year-old Lewis said. "Later in life I understood why it's a one-lane road, because once you got in there, you never got out."

Good grades, gifted athleticism, and caring teachers rescued Lewis from a coal-mining destiny in West Virginia.

His big break came in 1965, when a visiting college coach checked out Beckley's state-champ high school basketball team and liked what he saw in the just under 6-foot point guard, described by the *Beckley Register-Herald* as "cat-quick and aggressive."

"Following the game, the coach came down and said, 'Would you like to go to Florida?' And I mean, for a kid from the coal-mining area, that's like being asked to go to heaven," Lewis recalls.

And so began Lewis' metamorphosis from coal town's son to chief justice:

- All-State and All-American scholar athlete with a basketball scholarship to Florida Southern College in Lakeland.

- Full scholarship to the University of Miami School of Law, where he graduated third in his class.

- A successful career as one of Miami's top-notch appellate lawyers.

His appointment to the high court came December 7, 1998, just five days before Gov. Lawton Chiles died, and the governor autographed a picture of the two of them with these words: "You will make me proud."

Very proud of Lewis is UM law Professor Minnette Massey, who taught him civil

procedure. She can still see "the nicest and most pleasant and cooperative student I've ever had" sitting in her classroom.

"Some people outgrow their background. Fred Lewis didn't. He came enriched and proceeded to enrich everybody around him," Massey said.

"He knows how the men in his family had to really work and slave in hard, dirty labor. He was blessed coming out of a family and community that had values the depth of any coal mine."

P.J. Carroll, a Miami lawyer, longtime client, and old family friend, said that coal-mining heritage gave Lewis "true grit."

"My parents were Irish immigrants and I was born in a house in Queens, New York, and lived in a five-story walkup. I had a little true grit. I saw that Fred had true grit and I said, 'This is the guy I want handling my appeals,'" Carroll said.

"Fred has so much grit that is sincere and driven for the side of justice and protecting the rights of fringe people," Carroll said. "He teaches children and young people what our justice system is all about. . . He didn't get that from anything but true grit."

As Lewis wrote in his application to the Supreme Court Judicial Nominating Commission in 1998: "I offer eyes and ears that cannot only see and listen, but also understand and hear human difficulties. My lessons of life came from being born into generations of coal miners in the mountains of West Virginia and the sense of community and human interaction necessary for survival at that time."

Ties that Bind

Centered on a glass coffee table in Lewis' chambers is a scrapbook embossed with the words: "The Flying Eagle Soars."

It's a gift from Beckley buddy Ron Lilly, who came to the June 30 passing-of-the-gavel ceremony when Lewis was sworn in as chief justice. Pages hold newspaper clippings of those glory days of the 1965 Woodrow Wilson High School Flying Eagles state basketball championship, the winning football team, and personal congratulatory notes penned by each high-school teammate tracked down across the country. A cherished keepsake of the enduring bonds of friendship, Lewis said it means more to him than any award ever could.

Lilly and Lewis shared something in common growing up in Beckley: Both boys had lost a parent.

Lilly's father was killed in a mining accident, leaving his young mother with four children to feed.

Lewis' mother, Dorothy Beatrice, died when he was 12. In her short, hard life, she dropped out of school and married at 16, taking care of children Lewis' father already had by other women.

Lewis' father, also named Fred, is 96 and lived with the Lewises in Tallahassee, until he recently entered a local assisted living facility. He has told his son of his own tough childhood, after his mother died when he was a toddler and he became an unofficial foster child.

"The way my father tells it, his father 'gave up housekeeping.' What that means is he gave the kids away. So my father ended up living from pillar to post, and being passed around to different families," Lewis said.

"He ended up passed around to older siblings, and as he described it, he was basically an indentured servant. He had to wash and iron the clothes for their children. And if it was a sister he was living with, he had to go work for the man she was married to for no pay. He appreciated a penny, let me say that."

Without much parental guidance because their single parents were working so hard, Lilly and Lewis were there for each other.

"We went through that process of adolescence, growing up, and the problems you run into and the hormone issues, growing into young men," Lewis said. "So I guess we probably raised each other."

The teachers at Lincoln Elementary, Beckley Junior High, and Woodrow Wilson High -- and he can name everyone who taught him -- also did their part to guide Lewis. His deep admiration for educators was evident at his chief justice swearing-in ceremony when he honored the legacy of public school teachers: "To all the educators, we say thank you. You have our respect, our admiration, and we shall be ever grateful to you."

"The polestar for Fred Lewis for achievement in life was education," said Miami lawyer and friend Gabe Bach. "He knew that was his only way out of Beckley, West Virginia."

Bach's son, 22-year-old Marcus Bach Armas, a second-year law student at the University of Michigan, was lucky to learn from Lewis as an intern.

"He feels like the people who shaped him were the public school teachers who took him under their wings and shared and taught him in a one-on-one experience and gave him that care and thoughtfulness that I now see in

him," Bach Armas said. "He carried that with him his whole life. The people who have shaped you are always with you."

"The papers keep piling up in his inbox, but he will always take the time to teach and mentor and make sure we glean everything we can from the experience. He is aware he will have to stay in the office until 10 p.m., but that doesn't faze his quest for teaching."

Whether it is spending the whole afternoon mentoring a blind law student on Florida Disability Mentoring Day, leading children on a tour of the courthouse, teaching a lively course in public school classrooms across the state on the Bill of Rights, or taking the time to make sure his interns understand the ramifications of a legal opinion, Lewis gives freely of his time to kids.

"It's a joy," Lewis says with a broad smile.

His passion to work with children was sparked during a summer job as youth director at the YMCA in West Virginia before Lewis came to Florida to attend college. Spending days reading to children and playing basketball and volleyball, Lewis thought: "It doesn't get any better than this."

Soaring in the Sunshine State

Amid the orange-grove hills of Lakeland, Lewis excelled at Florida Southern College, playing basketball and baseball, and making good grades.

But it was a whole new world to a 17-year-old who'd never before explored beyond the boundaries of West Virginia.

"I had some trepidation when I came to Florida, coming out of an area that's considered backwoods, and folks look at you a little differently and joke, 'Did you buy your

first pair of shoes?" Lewis said.

Soon, he met a co-ed who would become the love of his life, Judy Munc, from Miami.

"He just was always so kind to anybody," is what Judy first remembers about the 17-year-old boy who would become her 21-year-old husband in May 1969, after they graduated from Florida Southern.

First they were friends. Lewis dated her roommate and Judy tagged along on their dates.

By the time Rev. Tom Price came to be chaplain at the United Methodist college in Lewis' junior year, "He and Judy were an item. They were going strong and it was my privilege to marry them."

Price describes Lewis, the undergrad student, as "hardworking, clean-cut, captain of the basketball team and high scorer, and conscientious about his grades."

Elected president of his sophomore, junior, and senior classes, Lewis was selected Honor Walk Student, the annual top award for scholastic and service achievements. He was also awarded the NCAA Post-Graduate Grant, as one of the top 15 scholar-athletes in the country, and that paid for housing and food while in law school.

When a vice president of a bank in his hometown offered him a job, Beckley beckoned him home.

But Lewis wanted to stay in Florida "because I had met this beautiful young brunette named Judith Marie."

Judy was from Miami, so Lewis applied to law school at both the University of Florida

and the University of Miami and was accepted to both.

"Florida was going to provide me an 80-percent scholarship. Miami offered me a full scholarship. Paying nothing of a big bill is still less than paying less of a little bill. So the economics dictated," Lewis said.

"Miami was a pretty big place for a country boy, let me tell you what!"

His first semester at UM law school, Lewis said, "I'm there with people who wore their undergraduate schools on their sleeves and talked about how wonderful they were in all these Ivy League places and big name deals. I thought I knew nothing. Until the first grades came out."

Then the law students were looking up to Lewis, who was on the law review and graduated with honors in 1972.

"He was both brilliant and worked very hard. He was always in the library," said Mario Goderich, then director of the law library at UM who went on to become a Third District Court of Appeal judge, and is now a lawyer in Miami.

During Lewis' first year in law school, he needed to make some money and landed a clerking job with appellate lawyer Ed Perse, who became his mentor.

"I came to understand he was the best person and best lawyer there ever was," Lewis said. "There was not a day in my life that I didn't talk to Ed Perse until he died."

As law school friend and Miami lawyer David Halberg said at Lewis' February 5, 1999, investiture ceremony, Perse taught Lewis his guiding rule:

"The rule was fairness. It didn't matter which side. That's why Fred Lewis did plaintiff and defense work. Because if you are fair, it doesn't matter. That is where his heart is at. And that was the lesson of Ed Perse. Ed is not with us today, but wherever he is, he is smiling, because he knows that the concept of fairness in the courts will remain strong."

While Lewis was in law school, clerking for Perse, and then graduating from the U.S. Army A.G. School after acting as commander of the corps of cadets for the UM ROTC program, Judy Lewis embarked on her teaching career.

With a double major in Spanish and English, she landed a job teaching Spanish, English as a second language, and helping publish the newspaper at a junior high school in Cutler Ridge. Many of her students were an international mix from the Homestead Air Force Base.

"It was the wind down of the Vietnam War, and we had a lot of Asian children from Laos and Vietnam, who didn't know how to speak English, but they could read," Judy Lewis said.

"They were all clamoring to have junk food and do what Americans do."

So Judy and Fred Lewis rented a van and took those foreign students to University of Miami Hurricane football games, stopping at McDonald's along the way, and having great fun.

"Fred has always had a connection with kids," Judy Lewis said. "The neighbor kids would come to our door and wait on our doorstep for him to come home. He has that 'I-want-to-see-your-baby-and-talk-to-your-little-kid'

sensibility. He should have been the mother.

"I noticed how he can go into a classroom with little bitty ones, who are in awe. Or with the second-chance sort of kids, he can really connect. He has a level of great communication with people. It doesn't matter if they are children or adults."

Ed Lange, who teaches law studies at Fletcher High School in Neptune Beach, has witnessed Lewis' mesmerizing effect on his students.

"The clock stops when he sees kids. Everything else is unimportant. Justice Lewis' enthusiasm is No. 1, the key to getting the kids focused," Lange said.

"Something about that man, when we see each other, we hug. We have been teary-eyed with each other talking about family and the impact he had on me. I am not usually that way. But he is a powerful person. He has a way with people."

Topflight Appellate Lawyer

To hear his colleagues tell it, Lewis was not a good appellate lawyer -- he was a great one.

"I've been around 48 years practicing law. He's the most brilliant lawyer I've ever known," said Larry Kuvin, who hired Lewis out of law school, recognizing Lewis' compassion and work ethic during his student years.

Three lawyers left the big Miami firm of Carey, Dwyer, Austin, Cole and Selwood to form Kuvin, [Jack] Klingensmith and Lewis, with offices in Ft. Lauderdale and Miami.

Murray Goldman, a retired 11th Circuit judge and now a senior judge in the Seventh Circuit, remembers that when he first started handling civil cases in 1983 and ran into a sticky legal

question, "Fred was my go-to guy."

"When you have problems that come up and you're handling 1,500 or 1,600 cases, you can't sit around doing research. If I had a really tough problem that lawyers on the case couldn't handle, I would call Fred for his opinion. He either knew it, or within short order he'd have the answer," Goldman said.

The phone would often ring in the evening at the Lewis' Miami home, with a lawyer on the other end asking: "What do I do now?"

"Fred is a like a walking law book," Judy Lewis said. "He'd stand there in the kitchen on the phone spouting out all this law with numbers. He has it all in his head."

Lewis' first appellate oral argument was before Third District Court of Appeal Judge Tom Barkdull, now retired.

"My knowledge of Fred Lewis and his pursuit of justice derives from observing him as an appellate counsel during some 20-odd years of practice before the Third DCA in Miami, upon which I served," Barkdull said.

"I know this: He is a person learned in the law. He is a person of demonstrated civility and politeness. He is, in fact, a gentle man."

Florida Bar President-elect Frank Angones remembers feeling nervous and out-classed in oral arguments in 1979 at the Third DCA (in *A-T-O Inc., dba Safeway Steel Products Co. v. Juan Garcia, et al.*), with topflight appellate lawyers Ed Perse, Sam Daniels, and Fred Lewis.

"Here I am, with giants in the law, and I am three or four years out of law school, wondering, 'What am I doing here?'" Angones recalled.

After the arguments, the trio came over and congratulated him.

"That they would even acknowledge I was there, I found that to be very moving," Angones said. "They were just top, top appellate lawyers, and they gave me a sense of welcoming me to the club."

Angones' other striking memory of Lewis was when they were on opposing sides of a case. Angones represented Allstate Insurance at trial and won summary judgment. On appeal, Lewis represented Dr. David Paz and wrote his brief in the form of a four-act play.

"And I was the bad guy," Angones said with a laugh. "It was so well-written and such a wonderfully creative brief. And he knew it would catch anybody's eye. I read it, put it down, and said, 'This is going to be reversed for sure. We are going to lose.' I was right. We lost on appeal. No one has ever made me look so bad, in such a professional, scholarly way."

Lewis' former law professor, Massey, said she now learns from him when she reads his opinions.

"They are thoughtful and caring in the proper sense of the word. He has values not surpassed by anybody else. He has the inner core of a good person who is willing to serve," Massey said.

"Not many are willing to make a sacrifice of remunerations or relocation, and he did it with such dignity. He is a man of service."

Lindsay's Legacy

To fully understand why Lewis left beloved Miami and his lucrative law practice for the bench -- and has chosen educating children as

a priority as chief justice -- requires appreciating the medical challenges of his youngest child, Lindsay, now 21.

Since she was a baby, Lindsay has had mitochondrial disease, and through the years she has gradually become deaf, is now almost blind, and uses a wheelchair and walker to get around.

The first sign something was wrong was when Lindsay was an infant. She had rapid, involuntary eye movement called nystagmus. Because it was the classic symptom of a brain tumor, she had MRIs every three months for 18 months at Miami Children's Hospital (where Lewis would end up serving on the board of directors until he became a justice).

Finally, after a year and a half, when Lindsay was about two years old, the doctors concluded there was no tumor.

"We were at wit's end," Lewis said. "We kept taking her places and they would look at her and then they forgot her. They would not even look in the books to see what was happening."

This worried father summoned his appellate lawyer side and went into research mode.

"I didn't know anything, but I had to go to the books to find it. These guys knew everything, but didn't know where the books were!"

At a time when Internet research was still rather newfangled, a lawyer friend had a link to medical journals, and let Lewis use his computer.

"So I went to his office, and started poring over everything I could. I'd start by putting the symptom in -- 'nystagmus' -- and articles came up with 'brain tumor.' I trusted the radiologist at Miami Children's Hospital that it was not

that. It had to be something else," Lewis recalled.

"I sat there and worked for a week. I started coming across some articles done on children in autopsies that had nystagmus and they were talking about other blood chemistry things." Lewis alerted Lindsay's pediatric neurologist to take a look at those articles. For the first time, doctors analyzed blood and urine samples from Lindsay.

"Lo and behold, it showed symptoms of what these articles were talking about," Lewis said.

Their Miami doctor hooked the Lewises up with a doctor at Northwestern University in Chicago, who became their constant advisor and physician until he left academic medicine.

"Lindsay is really one of the first in medical literature with mitochondrial disease," Lewis said, explaining that the metabolic condition interferes with how cells transmit energy.

Traveling cross-country searching for answers, Lewis came across a lot of very sick children suffering in hospitals. He'll never forget a terminally ill child dying in a lonely hospital room with no parents to offer bedside comfort.

"I had never been exposed to the world of sick kids. When you go through these things like we have with Lindsay, you look around and see how much hurt there is out there. You see how many young people are suffering so. You see those kinds of things and you think you are very insignificant," Lewis said.

"You start realizing: How many kids are around who don't have somebody? Through that process you see things differently. You perceive life in a different context. I committed myself that I needed to be more than just for my clients," Lewis said.

That life-changing experience triggered a calling to public service.

As the Lewis' oldest daughter, 28-year-old Elle Anderson, said: "I think Lindsay being part of our family has definitely made all of us find some way to help other people. She has brought that to light for our whole family. I think that's why being a justice is so important to my dad. It's an outlet to share and help other people he wasn't able to do as a lawyer.

"Children are his life being. If he could do anything in this world, it would be to teach children how to be a good person. He believes that children are the future, and if they are given attention at a young age and their minds are broadened at an early age, we can accomplish great things."

For Elle, that teacher has been her father.

"My whole life, we have been big buddies. He has been my biggest cheerleader and my biggest critic," Elle Anderson said.

One of her fondest memories was when she was about three years old, learning to ski as her dad held her upright between his legs.

"It was so cold. All the way up the mountain, he would sing to me to take my mind off of being cold," Elle Anderson remembered.

In Lewis' office, a pair of lamps fashioned from Elle's winning tennis racquets serve as reminders of her full tennis scholarship to Rice University in Houston, where she played on the varsity team in the No. 1 singles position.

With a degree in civil engineering, she is part owner of Grounds Anderson, a Houston consulting engineering firm specializing in

drainage and flood control projects.

"Elle is the star. She's been perfect at everything she's done," Lewis said. "If God had given you a pencil and said, 'Write the perfect description of your child,' it's Elle. Her mother said to me a long time ago, 'Don't let that baby out of your sight.' And I never have."

If Elle is the family's star, Lindsay is the family's muse.

"She should be an inspiration to all of us because her tenacity is amazing. She is like bright sunshine, always happy to see you," Judy Lewis said.

"Lindsay has issues, but she certainly is way beyond what it looks like she can do. She doesn't quit trying to do anything. Nothing gets her down. She didn't read any medical journals that say she can't do anything. She is not supposed to walk and doesn't know that," Judy Lewis said, describing her daughter's rambunctious, unbalanced forays across the room with a walker.

Lindsay, who attends Tallahassee's Lincoln High School on a special diploma track, communicates with tactile sign language with signs formed in her hands.

"Because her metabolic condition causes her to ebb and flow, like a broken wire on a light, she might see a little bit," Judy Lewis said.

"She so wants everyone to communicate with her. She's in everybody's face. She drags people over to her computer and we have her font on 72, which she can see. She'll write questions to people. She will sit at her computer and write missives to everyone. And then she will wait at the mailbox, because she thinks someone will answer her right away."

When friends come over for dinner, Lindsay brings out her stack of a couple hundred index cards with words she keeps in a zip-lock bag.

"She will do the floor show, while I make the salad," Judy Lewis said with a laugh.

Wherever the Lewises go, Lindsay goes, too: Miami Hurricane football games, fancy restaurants, Florida Bar Annual Conventions, her father's swearing-in ceremonies as justice and chief justice.

Not only is Judy Lewis' day filled with caring for Lindsay, but until recently also her husband's father.

"My experience as a middle school teacher helps me put out a lot of fires," Judy Lewis said with a laugh.

"Fred and Judy have donated their entire life to that child," said longtime friend P.J. Carroll. "Fred's motivation every day is to make every day a happy day for Lindsay."

"Having to deal with Lindsay's illness has made them the family that they are," said Miami lawyer Alina Alonso, who clerked for Lewis from 1999-01, when he was a new justice.

"Lindsay will not be left behind. Lindsay is a force to be reckoned with," said Alonso, recounting Lindsay's delightful Sweet 16 birthday party.

"Justice Lewis feels very blessed he has been able to enjoy Lindsay as long as they have. He feels a sense of gratitude that he needs to give back."

Third Time's a Charm

At Lewis' 1999 investiture ceremony, Miami

lawyer Arturo Alvarez got a big laugh when he said, "My contribution to your career was that I was sitting on the judicial nominating commission for the Third DCA two years ago when you applied for a vacancy in that court, you were not nominated.

"In that we live in a world of spin, it is my judgment at this time that obviously we must have felt you were overqualified for the position."

Describing himself as apolitical, Lewis said he always votes but was "never part of a machinery or inner circle."

He first met Chiles by chance when he was walking to work in Miami and ran into Walkin' Lawton walking for the people down U.S. 1.

"Fred's compassion for those who have no power was already in Fred by the time he was a young man. Lindsay just reinforced that compassion for the powerless," Gabe Bach said.

"With Gov. Chiles in the governor's mansion, we felt here is a man with compassion for the less empowered and those people in society who need the legal system to protect them. This is the perfect governor for a guy like Fred Lewis."

When her husband got the appointment as justice, Judy Lewis said her first reaction was "Disbelief. Numb."

"On the way to Tallahassee, Fred said, 'Do you want to do this?' What do you say to someone who spent 30 years doing appellate law and gets the opportunity to be on the other side of the bench? How do you say, 'no?'" Judy Lewis asked.

Before, Judy Lewis said, she only had a rough idea of how her husband made a living as a lawyer.

Now, she tunes into oral arguments live on television, watches him in action, and understands his desire to serve as chief justice is fueled by his drive to help others.

"He mentors many students who come up and clerk for him. They keep a journal and when they come back and talk about the experience, you would think they have gone to Mt. Olympus and listened to the oracles," said UM's Massey.

"They were so enriched in the law and the character of the man. He shares himself openly and always goes above and beyond in shaping some of the best lawyers in this state."

When Alonso, now an appellate lawyer at Carlton Fields, clerked for Lewis, she learned so much more than the law.

"I learned how to be a good person and how to be a good lawyer, and those are not mutually exclusive," Alonso said. "Do your best for the client. Put forth all the effort you can to help your client without compromising anything else, not forgetting you are a member of a profession that sometimes has a bad reputation, and do everything you can to disprove it. Be cordial and ethical. Be a good human being.

"Everybody should know somebody like Fred Lewis. It gives you this comfort in humanity that people so good and caring and genuine exist. I think it's important that people know who is wearing the robe right now. Fred Lewis is one spectacular man."

Lewis' Vision of Justice

Scripted in glimmering gold, the word "justice" is painted on the rotunda wall between the doors leading into the Florida Supreme Courtroom. Here, Chief Justice Fred Lewis invites all Floridians: "Come share with us your vision of justice."

Around the state, Lewis has been making PowerPoint presentations titled, "In Search of Justice and Democracy Florida Style."

As music swells in the background, pictures and newspaper headlines track Florida's legal history from 1837 to the present, including everything from the bigotry of (1923-64) Florida Supreme Court Chief Justice William Glenn Terrell's words justifying racial segregation, to butterfly ballots of the disputed 2000 presidential election.

"The search for the vision of justice is a journey. I don't think it's really a destination," Lewis explained in an interview.

"I think it's something we have to pursue and be mindful of, so that justice is administered with great thought and much reflection. But if you don't search for those visions, then it becomes just the mechanical application of something other than basic justice. And it may be something different to each of us. But within our constitutional framework, it is something we must work at. It just doesn't happen out of the air. It takes the people in the system to make this work.

"Are we absolutely going to cure every ill in the court? I'm not naive. But, by golly, we are going to take a bite of it. I don't for a moment think I can cure bigotry and hatred with some educational approaches. But we'll make a step.

"I firmly believe that we are all in this together. At every court level, every lawyer,

everybody involved with the system. And it is we and us. When we start thinking in terms of I or me, we have missed the picture.

"I am trying to reach out and build a coalition in a collaborative, cooperative way--all across the horizon."

Lewis outlined the following priorities for his two-year term as chief justice:

Select Committee on Justice Teaching

Voice animated, arms wildly gesturing, eyes dancing, Lewis takes students on a rollicking ride through the history of the Bill of Rights, illustrating why we need all of them to be free.

At Miami's Glades Middle School, Isabel Whitfield watched her longtime friend take her eighth-graders through his two-hour Bill of Rights lesson.

"Afterwards, I told him, 'Fred, you have missed your calling. You should have been a middle school teacher, rather than a justice.' And he was just tickled."

Since his justice job began in 1999, Lewis has regularly visited classrooms all over the state, proving he can be both teacher and justice.

As chief justice, he is creating a coordinated effort to bring civic education to every school in the state, through a Select Committee on Justice Teaching, using The Florida Bar as the "central nerve center."

Lewis will chair the panel, created by a July 24 administrative order, and will work in partnership with attorneys, court managers, superintendents, school districts, boards of education, teachers, school administrators, the Florida Law Related Education Association,

and other organizations.

The idea is to connect judges and other legal professionals with teachers who want "a unique, personal justice-related educational experience for students."

Noting that state and national surveys show many citizens know little about the operations of the justice system and basic principles of our Constitution -- with just over half of Americans able to correctly identify the three branches of government -- he views his mission as "correcting misconceptions" and "strengthening public trust and confidence in our legal system.

"Through civic education, the next generation must understand that they alone are the guardians of our future freedom," Lewis said.

The committee includes a judge from each district court of appeal and judicial circuit, as well as Florida Bar President Hank Coxe, President-elect Frank Angones, and Alan Bookman, the Bar's immediate past president.

"Our plan is by November to have every school paired with a professional," Lewis said. "Our goal is to be operational and on the ground in classrooms by January 2007.

"It's a pretty ambitious program, but I truly believe there is not a single lawyer in Florida that would not go out and respond to a request from children to know more about what we do. Now, we have to do a good job of it. We have to be responsible. The only way this is going to succeed on a continuing basis is if we institutionalize the structure.

"I hope that it will make a difference in people participating in elections. I hope it will make a difference in making people want to become jurors. I hope it will cause people to

intelligently discuss issues of our day. It will be a while before we see the results. But you know, if we reach one kid in one school, it's worth the effort."

(The November issue of the *Bar Journal* will be devoted to Florida Law Related Education, and Chief Justice Lewis will author one of the articles on the importance of civic education.)

Bracing for Disasters

"The No. 1 priority, certainly, is to keep our court system open and operational in the face of whatever may arise."

For everything from hurricanes to anthrax scares to a looming bird flu pandemic, Lewis said, "Four hundred pounds of preparation and having nothing happen are better than no preparation and facing a problem."

As for the bird flu, Lewis said, "The numbers are already starting in Indonesia. They expect this to keep mutating. Spain was reporting some cases recently. Florida is going to be the center of our international travel. If there's a vaccine, it's not going to be prepared until at least six months into it. So we're talking about a long period of time. Our generation hasn't faced something like this. Historically, other generations have faced it with great devastation. So that's a concern to me."

Some experts have predicted there could be a 30 to 40 percent absentee rate in the state's court system, Lewis said. He wants to plan for possible fuel and transportation interruptions.

"Justice doesn't just happen. We have to plan for this and we have to have priorities, so we are not caught unprepared."

Complex Litigation Task Force

Currently, Lewis said, complex cases don't move through the system efficiently and effectively.

Trial judges often face an entire frustrating morning just resolving disputes regarding discovery issues.

"I hear stories from my trial judges who say the lawyers are fighting over who can get the address of a witness," Lewis said. "We need ways to eliminate some of this intermittent procedure haggling with what you can know about a case."

"As we have more and more lawyers, they seem to become more and more contentious. I'm not asking anybody to lie down and not be a good lawyer. But we're asking that they take a look at how the lawyering is being conducted."

Because of frustrations, more litigation is turning to arbitrations and alternatives that Lewis said "rejects the fundamental court structures for the resolution of these disputes."

"There's always going to be one happy side and one sad side in any litigation. But what you want is people satisfied with how a case progresses through the system properly."

"I want to study it. I want trial judges to tell us how we can more efficiently handle these cases."

Lewis has appointed Second Judicial Circuit Judge Thomas Bateman to head the Complex Litigation Task Force.

Judicial Evaluation Committee

Rather than popularity contests, Lewis wants valid evaluations for Florida's judges that the public can understand.

"We lack a means and a mechanism for providing the information so the public has a comfort level with elections," Lewis said. "We leave it open to politicizing too much of the judicial selection process. I'd like to see a system that operates as free as possible from political and special interest influences and criticism."

Those criticisms can be disseminated on Web sites and may not be correct or justified, Lewis said. He gave the example of what's happening in Tennessee, where "one political party says we have to remove every judge that was ever in office by another political party. This is not how our system is supposed to operate."

"A lot of people don't understand when we say 'the independence of the judiciary.' We create a lot more heat than we do light. They interpret that to mean judges can go around doing what they want to do. Really, what we are talking about is the impartial judiciary, one people can have trust and confidence in, that's above the political turmoil that may occur from time to time."

"I'd like to see if we can try to address that problem in a satisfactory way. It can tell us the good judges, but it can also tell us the judges who are not performing as they should be."

The Florida Bar has joined with the Florida Supreme Court to create a select committee, made up of judges, lawyers, and public members, chaired by First District Court of Appeal Judge Peter Webster, who has written on the subject. Former Solicitor General Tom Warner will serve as vice chair.

Standard Jury Instructions for Business and Contract Litigation

"Attempts have been made over the years," Lewis said, "but they have traditionally been placed through the Florida Supreme Court Committee on Standard Jury Instructions-Civil, to which I am the liaison. It just has not produced fruit."

Ninth Judicial Circuit Judge Thomas Smith, in Orlando, will chair a committee that will become a standard established committee.

Mentally Ill in Criminal Courts

"I'm very concerned about mental health and the criminal court system," Lewis said. "I really want to take a look at what's going on there, see what the problems are, and see what the solutions are."

"This really needs to be an intergovernmental approach. I don't mean for the judiciary to try to be the be-all, end-all, but at least to be an initiating force to make sure our criminal justice system is not the old asylum system of the 1800s. I feel we have a great many individuals all wrapped up in this system that are really mental health cases, rather than what we traditionally think of as criminal cases."

Tweaking Unified Family Court

"I think the Unified Family Court concept is just that. It is a concept and a manner in which you approach handling cases involving Florida's families and our children," Lewis said.

"For a long time, we just threw that term out and haven't really described: What are the best practices? What are we really talking about? I don't think that many folks knew."

"Four years ago, I asked that question: 'What

are we looking for? What are the best practices?' And I couldn't get an answer. I think over a period of time, it's been evolving. It means different things to different folks.

"The fundamental concept is that we need to administer these kinds of human disputes more effectively, more efficiently, more humanely for families and children. That's really what we are talking about.

"Everyone thinks we're talking about one judge who hears everything all the time. That may be a component. I don't know how these things best work in all the different areas. Certainly, some areas are more receptive than others. My opportunity now is to build those bridges, to go out and reach out, and see what those concerns are and find out how we accommodate all of them -- always having in mind the best interest of the kids."

Lewis will travel the state and talk to judges and hopes to reach consensus cordially, "rather than mandate things to occur."

Embracing Technology, Moving to Electronic Filing

Spelled out in a June 30 administrative order, the Supreme Court took a cautious approach to electronic access to court records, ordering a "modified limited moratorium" until further review by July 1, 2007, and until permanent procedures are put in place to protect privacy. The court also ordered Manatee County Clerk of Court R.B. "Chips" Shore to conduct a one-year pilot program.

"Haste makes waste in situations such as this. You create irreparable harm to individuals and you cannot take it back.

"We can't let technology drive our values. Our values must drive and implement technology

in a way that benefits the citizens, while recognizing the dignity and privacy of our individuals.

"I think there's a right way to do this. And we will do it right. We will get the right people to help make those decisions so the people of Florida can be proud of their system and say, 'We have access, but yet we're protected,'" said Lewis, who served as liaison to the Committee on Privacy and Court Records, which in June 2006 issued a final report and recommendations that seek to balance open court records and individual privacy.

Judicial Education

In January 2007, Lewis will call a summit to brainstorm on new ways to accomplish the statutory mandate to educate judges and court staff around the state, without additional funding to do it.

"I want us to come together and think outside the box with regard to judicial education and not be tied to everything that is currently in existence," Lewis said.

"How can we more effectively educate all of our judges, all of our staff, to better serve the people of Florida? We need to look at unique ways of education, and look at whether we are spending our dollars effectively and wisely."

With new judgeships coming online this year and next year, Lewis said, "We are looking at 100 new people, essentially, coming into the court system. And it's important that we keep our education programs where they ought to be. That needs a good fresh look."

Equal Access and Equal Justice

When Lewis read newspaper stories about people having to sue to get access to their

halls of justice in some courthouses in the Panhandle, it brought tears to his eyes.

"This is really no different than in past years of terrible discrimination with armed guards standing and blocking entrance to places that ought to be open to all," he said.

It's been more than a decade since the Office of the State Courts Administrator surveyed Florida's court facilities, programs, and services to see if they are accessible to persons with disabilities. And now is the time to "engage in a comprehensive survey to determine where we fall short.

"Out of necessity, this must be done on a cooperative, collaborative effort, because the facilities are controlled by the counties," Lewis said.

"I believe it's in the best interest of not only the judicial branch, but also in the best interest of each community that they serve everyone in their communities.

"I do think that we're all on the same page. I think we all have the same desires. That's why I say we need to work together at the local level to give access for all Floridians.

"We serve everyone. We don't exist for each other. We don't exist for courts. We don't exist for judges. We don't exist for bailiffs. We exist for the people. And if we don't fulfill that need, there's no reason for us to exist."