DEPENDENTS SUPPORT PROGRAM

Prior to March, 1975, the enforcement of child and other dependents' support provisions had been very ineffective. Parties to divorce actions and other dependency support procedures against whom the court had rendered orders for periodic support were often delinquent. Procedures for contempt actions by the unpaid parent or other dependent were cumbersome. Delinquent fathers and spouses felt little compulsion to obey these orders and harbored little fear of the consequences of disobedience. When a final judgment was entered and a father or former spouse fell behind in support payments ordered, the normal procedure required the aggrieved party to file a motion or petition to require compliance or for a judgment of contempt or other sanctions. Notice was required to be given the other party and a hearing scheduled before the court to hear the matter. As a matter of practice, the complaining party would write or give a telephone call to the judge. This placed the judge n the position of being asked to be both "the coach" and "the referee" in the matter. The complainant would be advised to seek the assistance of the original counsel or some other attorney. In more cases than not, there was no means the complainant had to pay for a lawyer's services. Resort could be made to the state attorney to institute a criminal proceeding charging the errant father with the crime of

willful withholding of support of a dependent. During less crowded docket times this procedure was frequently invoked. It usually ended with a plea bargain that sentence would be suspended on conditions that a specified sum be paid periodically for the dependents through the sheriff's office. A small fee was added to defray expenses of administration of this service. If there was delinquency, there would be a revival of the case, arrest of the defaulter and a hearing held on the matter. If there was a reason for default that could be remedied by future enhanced payments, a new order would be entered. In some instances the defendant, if a chronic and inexcusable delinquent, would be sentenced to the state prison. The crime was a felony punishable by a maximum of two years in the state prison.

Also under the Uniform Reciprocal Enforcement of Support Act (URESA), Chapter 88, Florida Statutes, the state attorney would bring action to enforce support obligations arising in other states against delinquents residing in Florida. Orders entered in these cases required payments to be made through the Clerk of the Circuit Court.

The Legislature provided in Section 61.181, Florida Statutes, by enactments in 1973 and 1975 (Ch. 73-112; Ch. 75-148), that the chief judge of a circuit may by administrative order authorize the creation of a central governmental depository for the circuit or county within the circuit to receive,

record and disburse all support, alimony or maintenance payments. Authority was given to set a fee for handling the payments not to exceed 3% of such payments. In March, 1975, I entered an administrative order, pursuant to this statute, establishing such a depository in Leon County to be operated by the sheriff. The order provided for constant monitoring of the payments ordered, and prompt action when a delinquency of a few days' duration occurred. Notices and warnings were to be followed by citations to appear before the court if the delinquency persisted. This started off modestly but a steady growth ensued.

Subsequently the Department of Health and Rehabilitative Services became active in seeking to initiate proceedings and enforce orders against responsible parents whose children were the beneficiaries of state and federal monies of aid to dependent children. HRS also instituted paternity actions. This increased public concern for pursuing parents who had natural and legal responsibility for dependents' support caused a greatly enhanced number of cases in the circuit court to compel support payments through established depositories. In other counties, systems of collection were established, but not in the detail as Leon.

Another problem developed because these support cases were all filed in the Civil Division of Leon County and all of the judges assigned to that division, which included

in varying degrees nearly all of the circuit judges. Hearings became difficult to coordinate. As chief judge, I asked the county judges of Leon and Gadsden Counties if they would assist in setting up a regular regimen of hearing dates to service these support cases in those two counties. They agreed and were assigned to the circuit court for that purpose. They arranged for frequent hearing dates and fashioned a course of strict enforcement and imposition of jail sentences to those whose delinquency was deemed inexcusable.

Pursuant to arrangements and legislation, the collection of these payments is now administered by the clerk's office. In Leon County, there is a daily average of $14,000 in collections and a monthly average of $240,000. Thus, this constitutes an annual multi-million dollar operation.

The involvement of the county judges has been under attack in the First District Court of Appeal, which ruled some weeks ago that it was invalid. I am advised that steps have been taken to obtain review by the Supreme Court. In view of the pending of this appeal, I deem it unseemly that I should comment upon this matter.

To me, it is extremely sad that so much judicial involvement must occur to compel fathers to perform the most natural and clear obligation to provide for their young offspring and other dependents. Economic factors enter into this, as do also the presence of domestic discord in all too many instances. The problem is monumental and I am not sure we are doing anything more than containing its impact on humanity and that solution is still elusive. Perhaps diligence and public peer pressure will come to bear in making better progress in the offing.

JUROR SELECTION

Many changes, such as a number of those already mentioned, came about as a result of marked departures of structure or the advent of strong new trends. Others came about more slowly, but in response to expansion of population, changes in the economy, technological advancements, and modification of views and mores in the passage of time. Activism in advocacy of racial equality, the revolt against segregation, and other events arising from minority assertion brought about a more active and effective participation of blacks and other ethnic minorities in the political process. Not only was there enhanced activity in the electoral process in which there was a dramatic expansion in the voter registration lists, but in members of minority groups qualifying as candidates for office. Also, legislation and other governmental action soon wrought the summoning of many blacks for jury service. In fact, some litigation in the federal court resulted in the entry of consent decrees in Jefferson, Leon and Gadsden Counties which rendered the drawing of jury venires at random and by chance from the voter registration lists. This did result in the jury venires being fairly representative of the general population of a county. Subsequent legislation made this practice applicable in all counties.

Also, there was activism among women to increase their involvement in public affairs. More and more women became directly active in elections. Increased numbers sought public office and were otherwise greatly active in promoting issues and candidates and in agitating for changes in government deemed by them to be wholesome reform. This had its impact in judicial circles. Legislation was enacted to eliminate any distinction in the sexes with regard to jury service. Also, women more and more sought and achieved judicial office. In the Second Circuit two women became county judges, and there are two women who are judges on the First District Court of Appeal.

It was not only the expanded involvement of ethnic minorities and of women that effected change. The lowering of the age of majority from twenty-one to eighteen brought teenagers into public participation.

Thus, the juries of the Fifties, composed almost entirely of white males above age twenty-one, yielded to a great mixture of all races, both sexes and increased activity of persons who were in their late teens.

Though these developments were significant and a clear break with past practices, they produced little friction or tension. There was a calm acceptance and it wasn't long before it became fully established. A strong consciousness arose in all groups of the need for responsible and concerned participation of all good citizens in our governmental institutions and policies.

COURT REPORTERS 1957 - 1984

The new structue arising in 1973, together with a much expanded requirement for court reporting of many procedures not previously recorded, brought into being a much expanded official court reporter corps. The number of official reporters was

prescribed by the Supreme Court. The number in our circuit was placed at eight. For many years the only official reporter was Frances Thigpen. She rode the circuit each fall and spring to report the terms in each county. She also was available for depositions and other services, including reporting conventions. When I came on the bench in 1957 I was not provided either a secretary or other staff. The statutes provided that there would be authorized one official court reporter for each circuit judge. Judge W. May Walker had persuaded the legislative delegation in the circuit to procure enactment of a bill to designate one reporter who would serve exclusively as secretary to the circuit judge. When I took office I sought to get some secretarial help. The County Commissioners were not hospitable to providing this help. However, I was very close to the office personnel in Governor Collins' office and I paid a visit there. I was told by the Governor's chief assistant that if I could get a letter signed by all three of the circuit judges requesting the appointment of a named person as an official reporter for the circuit, the appointment would be made and no questions asked.

Loretta Perdue, while a high school senior, came to see me in response to a request I made to Paul Hartsfield, then active in placement of students of Leon High School in employment. Miss Perdue called at my office one afternoon and said she was interested in part-time employment as a secretary or other office work while she was attending school. She had training in shorthand, typing, filing and other office skills in which her grades were high, and her academic record was otherwise impressive. I explained that any compensation would be paid out my pocket and it would not be a living wage, but if things worked out well for both of us I would try to make some arrangements for steady employment at suitable compensation. She expressed a willingness, and even eagerness, to try. She came after school hours

during the week and Saturday morning. I paid her the magnificent wage of $.75 per hour. After graduation she came for longer periods. When I felt that we both had had an opportunity to size up each other, I asked her whether or not she liked the work. She said she did and that she eventually hoped to become a court reporter. Frances Thigpen's office was next to me, and Loretta and Frances became acquainted, with Loretta having an opportunity to see the work of court reporting at firsthand.

When I received the "green light" from the Governor's office, I approached Judges Taylor and Walker to solicit their cooperation in getting a court reporter appointed that could act as my secretary. They had met Loretta and were much impressed and were totally cooperative. I told Loretta what we were going to do. She was very pleased, but was concerned whether she was eligible since she was only seventeen and it was assumed that one had to be at least twenty-one to qualify for a state commission. We decided to make the request but made no mention of her age. The letter was accordingly drafted, signed and delivered to the Governor's office. In only a few days the appointment was made and Loretta received the papers, with her oath of office and personnel papers to be executed and returned. This was promptly done and a commission was duly issued.

The salary was good for one beginning, though by present standards it would be at the poverty level.

I took pains to explain to Frances Thigpen that we were asking for Loretta's appointment as an official court reporter, and that this was not to encroach on her privileges but to largely provide me with a secretary. She was pleased and asked if she could perhaps train Loretta in court reporting, and when she wasn't busy as a secretary she could take some of the work, but under Frances' supervision. This worked out well and in a short time Loretta perfected the skills. It wasn't long before she was much in demand as a court reporter. Eventually, after the county agreed to provide secretaries for circuit judges, Loretta left my office as a secretary and engaged in reporting full-time.

When Judge McCord became judge in late 1960, he arranged to have Priscilla Symon appointed a court reporter to serve as his secretary. She had had experience in reporting with the Industrial Commission and was otherwise well trained. It was largely due to Judge McCord's active pursuit with the County Commission of Leon County to obtain circuit court secretaries that this was provided. The situation had reached the point when Priscilla and Loretta were competent and sought-after reporters, and it was quite inconsistent that official reporters without legislative sanction to be judge's secretaries would be available for that official service.

There was plenty of work for all, and Frances had as much as she could handle.

As we approached 1973 and the Article V amendments, the involvement of court reporting became steadily increased and, with the effectiveness of the amendment, the expansion came which doubled the number and put under the chief judge a need for comprehensive and reliable scheduling of duties and assignments.

I wish to observe here that I feel that our corps of present reporters are exceptionally well qualified and conscientious. The accuracy and tidiness of their transcripts and their maintenance of records are in accord with high standards. I credit much of this to the standards and diligence which Frances Thigpen set for herself and demanded of those under her supervision. This has come down to those now functioning. Frances retired May 31, 1979, after three decades of service. However, excellence of skill in recording and in transcription became the norm in this circuit, stemming from those standards she had long practiced.

Our current corps consists of Loretta Jackson, Priscilla Williams, Betty Kirkland, Jada Dolcater, Eugenia Lawrence, Lisa Eslinger, Arthur Green and Kathy Webster.

CAMERAS IN COURTROOMS

Pressures began to be asserted to permit cameras in the courtroom during judicial proceedings, including jury