

OPEN NINTH:

CONVERSATIONS BEYOND THE COURTROOM

JUDICIAL SPOTLIGHT

HONORABLE MARGARET H. SCHREIBER

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HOSTED BY: LISA T. MUNYON

(Music)

NARRATOR: Welcome to another episode of “Open Ninth: Conversations beyond the Courtroom” in the Ninth Judicial Circuit Court of Florida. And now, here’s your host, Chief Judge Lisa Munyon.

CHIEF JUDGE MUNYON: Hello and welcome to Open Ninth. I’m here today with Judge Margaret Schreiber, one of our circuit judges in the Ninth. During her eleven years on the bench, she has served in a variety of divisions in our circuit, including civil, criminal and domestic. And that’s not where her service ends. She’s also taken on the additional duties of Administrative Judge for the Osceola Circuit and County Courts and will soon be returning to the Orange County Courthouse to serve as Administrative Judge for the civil division. I’m thrilled to have you in the studio today, Judge Schreiber. Thanks for joining me.

JUDGE SCHREIBER: Well, I’m thrilled to be here. Thank you for asking me to participate.

CHIEF JUDGE MUNYON: Well, tell me a little bit about yourself. Where did you grow up?

JUDGE SCHREIBER: Well, I was raised in an Air Force family. And what that means is I was born in Paris, France because my dad happened to be stationed at the Air Force base in Paris. Actually, it was headquarters for SHAPE before France booted them out and they went into Brussels.

CHIEF JUDGE MUNYON: Oh.

JUDGE SCHREIBER: So SHAPE is the European alliance of military folks. So I had the pleasure of being born in Paris. I don't speak French. We moved back –

CHIEF JUDGE MUNYON: I was going to ask you that.

JUDGE SCHREIBER: -- when I was three months old. And I'm told my first view of the United States is when my mom held me up on the ship coming back to see the Statue of Liberty. Now, I have no idea if I actually saw it, but I suspect I didn't and it was just a great story. So I grew up around the country.

CHIEF JUDGE MUNYON: As an Air Force brat as you – as you would have it, you probably moved a lot.

JUDGE SCHREIBER: We did. We lived in upstate New York. We lived in Virginia for two tours at the Pentagon. My dad's last tour was in Albuquerque, New Mexico at Kirtland Air Force Base. And then he remained in Albuquerque for a couple of years and just as I was entering ninth grade which would have been about age 14, we moved to Miami, Florida. So I call Miami home and I'm a proud Floridian. Went to high school in Miami, in Coral Gables, and I have been here ever since, which is longer than I care to admit.

CHIEF JUDGE MUNYON: So obviously, you went to law school. So you must have been a good student. When you were in high school in Miami, did you have any extracurricular activities other than just studying to become a future lawyer and judge?

JUDGE SCHREIBER: I participated in the honors program at Coral Gables High School and so I tended to stay with the same small group of kids throughout my high school years. Interestingly, that was the time period where overcrowding was so bad. We had a morning shift and an afternoon shift and there were 820 students in my graduating class.

CHIEF JUDGE MUNYON: Wow.

JUDGE SCHREIBER: That's a lot of people.

CHIEF JUDGE MUNYON: It is a lot of people.

JUDGE SCHREIBER: So it was nice to be within a smaller group. I was very involved in the music program in high school, and I was actually the accompanist for the chorale groups, so we did a bit of touring. One of the tours was to visit a new development or attraction that had just opened up known as Walt Disney World in Orlando, Florida. So I have one of the original old paper admission tickets from Walt Disney World that I've never used and I'm curious to find out if it would still work.

CHIEF JUDGE MUNYON: Oh, well, that's interesting. So if you were an accompanist, what instrument did you play?

JUDGE SCHREIBER: Piano.

CHIEF JUDGE MUNYON: Piano.

JUDGE SCHREIBER: So I played the piano for the women's choir and the men's choir, and they were very different styles, but it was a lot of fun. Wasn't involved in all of the usual extracurricular activities but loved the high school experience. It was terrific.

CHIEF JUDGE MUNYON: And there's a lot of pressure when you're a piano accompanist to a group of people that are singing. Do you remember feeling that pressure when you were doing it in high school?

JUDGE SCHREIBER: Well, it was terrifying because if I played the wrong notes, it was obvious. At least it was obvious to me. I learned later that the sound of the voices typically

drowned out what I was playing. I was a single piano that accompanied sometimes 50 people so it wasn't as obvious to the audience as it was to me if I missed a note, but there was a lot of practicing involved.

CHIEF JUDGE MUNYON: Yeah, I did some of that in high school too, accompanying on the piano for both a single vocalist as well as a group and I can remember being terrified almost the entire time.

JUDGE SCHREIBER: It's a big role. You don't want to let them down and you don't want to let the choral teacher down.

CHIEF JUDGE MUNYON: Yeah, especially if they're in competition.

JUDGE SCHREIBER: Um-hum.

CHIEF JUDGE MUNYON: So what made you – you left Coral Gables High School. Obviously, went to college. Where did you go to college?

JUDGE SCHREIBER: I did. I went to Duke University up in North Carolina.

CHIEF JUDGE MUNYON: So what made you decide to go to Duke other than being obviously a terrific student to get into Duke.

JUDGE SCHREIBER: Believe it or not, one of our neighbors had gone to Duke. He was an older gentleman and he just talked it up. And I looked at it and thought I'll go ahead and apply. It looked beautiful. I went up and visited it.

CHIEF JUDGE MUNYON: It is beautiful.

JUDGE SCHREIBER: I could not believe how gorgeous it was in Durham, North Carolina. So I applied to three schools. Back then Florida was typically deemed the safe school.

It's not anymore. I applied to Duke and I applied to a third and got into two out of three. And got a lot of money from Duke so I went.

CHIEF JUDGE MUNYON: And while you're at Duke, what did you study?

JUDGE SCHREIBER: I started off doing the hard sciences with the thought that I would be a doctor. I quickly realized the hard sciences and my brain did not mesh. It was not a good fit. So I soon switched over to English and Political Science which I loved. Thrived in it, did well in it, ended up majoring in political science in three and a half years because I went off to Duke with some AP credits. And had some terrific opportunities there, including an opportunity to travel abroad during one of the summers. But –

CHIEF JUDGE MUNYON: So where did you go?

JUDGE SCHREIBER: Where did I go?

CHIEF JUDGE MUNYON: Yeah, when you studied abroad.

JUDGE SCHREIBER: I studied at the – there was a pre-law program at the Hague Academy of International Law --

CHIEF JUDGE MUNYON: Oh, that would be interesting.

JUDGE SCHREIBER: -- that I got to go to for three weeks. It was wonderful. And then I did the Eurail back trap route – backpack route throughout most of Europe. Never made it to Spain and never – never made it to England on that trip. I've been since but literally did the ten dollar a day travel around Europe while I was over there. It was a great experience. It was a different experience. I don't think I would let my kids do the same thing today, but you're talking a long time ago.

CHIEF JUDGE MUNYON: So you went into political science. Was that with an eye toward being a lawyer?

JUDGE SCHREIBER: No, it was actually an eye toward being in government. I thought I – not politics. That’s different but a data analyst with the state department, government of some sort. This was in the late 70’s. There were not a lot of opportunities. And it soon became apparent that I needed to advance my degree a little bit further in order to get the kind of job that I was hoping for. So applied to law school. Applied to a couple of law schools and –

CHIEF JUDGE MUNYON: Where did you go?

JUDGE SCHREIBER: I ended up picking Vanderbilt law school in Nashville, Tennessee. Again, beautiful school. Smaller school. That’s what I loved about it. At the time I went there were 200 law students. I think they’ve dropped that number because they pride themselves on being the smallest private law school in the country. So I think they’re either down to or planning to go down to 165 in the class. Another great experience.

CHIEF JUDGE MUNYON: Yeah, and they’re – they have a great reputation so it was a very smart decision on your part to go to Vanderbilt.

JUDGE SCHREIBER: It was fun. I wasn’t sure what lawyers did. I didn’t know a lot of lawyers. But I had been exposed to the legal arena through my dad who when he retired from the Air Force, and we moved to Miami, took a position as the regional director for the American Arbitration Association. At the time he wasn’t a lawyer. He never became a lawyer. But he was an administrator and would talk about the lawyers that participated in arbitration. And really pushed the concept on me of being a lawyer. So when I finally decided to actually take that step, I credit him for helping with the push.

CHIEF JUDGE MUNYON: So what did you anticipate when you were applying to law school that you would do with your law degree? Did you think you would be a litigator or did you think you would do something else?

JUDGE SCHREIBER: From the perspective of the applicant, I wasn't sure, but I knew this and that is that law school is an umbrella profession in my mind so you could do a lot. You could be a private lawyer or a public lawyer. You could work for a large law firm, a small law firm, the state attorney, the public defender. I really did not have a defined path as I entered law school. Once I left law school, it became a little clearer and I wanted to clerk. So I was really fortunate to get a clerkship with the Chief Judge for the Third District Court of Appeal down in Miami, Florida. And that was a two-year position which was really a wonderful, wonderful education.

CHIEF JUDGE MUNYON: Did you learn a lot in that position?

JUDGE SCHREIBER: I did. I learned how to think in a more defined way. In other words, really addressing the legal arguments in an abbreviated manner. Law school I think is sometimes a very large canvas and you throw paint at it and there's a lot of different laws and there's a lot of things to figure out. But when you're at the appellate court, you home in on reversible error and what is reversible error, and you don't really care about anything else. So it was – it was definitely a challenge at times.

CHIEF JUDGE MUNYON: So you did that for two years. After you were at the Third DCA, what did you decide to do and why?

JUDGE SCHREIBER: I decided to go into private practice. I accepted a position with a, at the time largest law firm in Fort Myers, essentially following family who had retired over to



Fort Myers, brothers who had moved over to Fort Myers for the opportunities. So practiced in the civil arena. Did a lot of construction litigation. Some mortgage foreclosures, but that was a defense-oriented firm. And it was a wonderful, but challenging opportunity.

CHIEF JUDGE MUNYON: How long did you stay there?

JUDGE SCHREIBER: I was there for three years. Enjoyed it. It was the type of law firm and the time where every Friday the senior partners would take the associates of which there were only about three of us, to lunch and tell war stories so it was truly a time where we learned how to be a lawyer, what it meant to be a lawyer, not the rules and regulations but the camaraderie and the gamesmanship has a negative connotation but gamesmanship from a strategy standpoint. So I learned a lot but I also met my husband in Fort Myers. And he had dreams of being a pilot so he quickly got a job in Fort Lauderdale. He went to Embry-Riddle and we tried to commute across Alligator Alley for a little while.

CHIEF JUDGE MUNYON: Oh, that would not be good.

JUDGE SCHREIBER: It wasn't. It was not the style of marriage I wanted so I dutifully followed him to Fort Lauderdale.

CHIEF JUDGE MUNYON: And you got another job with another firm?

JUDGE SCHREIBER: Got another job with another great firm doing primarily insurance defense. And about a year and a half later he got on with an organization that was based in Orlando, a large commercial organization, flight organization so I followed him to Orlando. Fell so in love with Orlando that I told him this is the end of my travels and he could commute from thereon.

CHIEF JUDGE MUNYON: So he decided to stay here as well then I guess.

JUDGE SCHREIBER: He did and it's very different with airline pilots. You can commute to go to work so if your flight starts in Dallas, Texas, you hop on a plane the night before. You ride the jump seat and you go catch your flight. It was a lot easier for him to do that than for me to consider picking up and potentially changing states every time he got a new job.

CHIEF JUDGE MUNYON: Yeah, especially with the bar exam.

JUDGE SCHREIBER: Exactly.

CHIEF JUDGE MUNYON: So when you came to Orlando, where did you land?

JUDGE SCHREIBER: I landed at again a large law firm doing primarily construction litigation. This firm was instrumental in helping some very large commercial companies get off the ground. They did all the legal work for some of those, so I ended up switching a little bit from litigation to transactional work and did a lot of complex transactional work buying and selling and handling the due diligence for example of multiple restaurant deals that were bought and sold across the country.

CHIEF JUDGE MUNYON: You were a shareholder.

JUDGE SCHREIBER: I was a shareholder. I reached shareholder status in two years so after I was there for two years, I wanted a shortened path because of my prior experience and they gave it to me. So I was a shareholder and again great experience, great opportunity, great lawyers. Older lawyers that adopted me and mentored me. I was the second woman partner at that law firm. And there's – that was a very different time. About a third of my law school class

were women. Now it's more than half so there were some things to learn and I was very lucky to have the men mentor me because there really weren't a lot of women to mentor me.

CHIEF JUDGE MUNYON: So when did you start getting an eye toward the bench?

JUDGE SCHREIBER: Well, there's one more step and that is after my shareholder – after being with that law firm for roughly thirteen years, I left to serve as general counsel for a family business. My brother had opened a construction company down in Fort Myers and I opened another branch of it here in Orlando and served as general counsel, if you will, for both of the businesses. But I also ran the business so I was exposed to negotiating the lease as the lessee and it was a commercial lease dealing with the licenses, dealing with marketing, sales, a whole side of just life that I had never really been exposed to so it was very much a hands-on opportunity for me.

CHIEF JUDGE MUNYON: Which is invaluable experience for a lawyer.

JUDGE SCHREIBER: I didn't realize until I ran a business how much I didn't know, and I was very surprised because I advised businesses of their legal responsibilities. It's very different from running a business so yes, I think it really enhanced my understanding of what businesses need. Unfortunately, we hit what was it, 2008 and what happened in the bubble in 2008, so at that point I turned over the Orlando business to my brother because it was his livelihood for his family, and I had law to go back to and did. Practiced law and thought I had finally reached the point where I was seasoned enough to put my name in to be a judge. I had the legal background. I had the education. I had the practical experience and I thought it was time.

CHIEF JUDGE MUNYON: So you applied for appointment?

JUDGE SCHREIBER: I did. I applied for appointment. The very first time I didn't get it. My second application for a circuit judge, I was lucky enough to get it. Then Governor Rick Scott appointed me. I think I was one of his early appointments and took off running in 2011 and have been running ever since.

CHIEF JUDGE MUNYON: So when you came to – when you were appointed to the bench in Orange County, what was your first assignment because we generally put you in place where you don't have any experience whatsoever.

JUDGE SCHREIBER: You did. Not you directly and it was the circuit criminal division in Orange County.

CHIEF JUDGE MUNYON: We have a well-established tradition of doing that, don't we?

JUDGE SCHREIBER: So in addition of having to learn how to be judge, I had to learn substantive criminal law and I had to learn it quickly. In fact, I remember first meeting then Chief Judge Belvin Perry and he had asked me when I wanted to start. And I think I gave him a two-week deadline answer and he looked at me over the top of his glasses and he said you realize the first day you're a judge, you walk into a courtroom and it's yours. And I said well, I'll push that back a couple of weeks which I did and I had the opportunity to sit with him and learn from him as he ran my courtroom because I wasn't yet invested.

CHIEF JUDGE MUNYON: Well, that must have been a unique experience because I also remember learning from Judge Perry.

JUDGE SCHREIBER: It was unique, but it was wonderful. He was a fountain of knowledge.

CHIEF JUDGE MUNYON: Yes.

JUDGE SCHREIBER: And the beauty of starting as judge is you suddenly have all of these instant mentors and all of the criminal judges are more than happy to step up and took me under their wing and were available for back hall questions and support. You get through it.

CHIEF JUDGE MUNYON: So you served in the criminal division, then you went to family.

JUDGE SCHREIBER: Then I went back to civil.

CHIEF JUDGE MUNYON: Oh, then you went to civil.

JUDGE SCHREIBER: I went to civil in Orange and felt like I was coming home. One of the things I love about civil is it was so diverse. You could be doing riparian rights dispute one day, personal injury of course, was a lot of that.

CHIEF JUDGE MUNYON: Contract disputes.

JUDGE SCHREIBER: Contracts, negligence, you name it. And then you would have bond disputes, construction disputes. There were a lot of those. So it was a lot of fun. It was diverse and I really did feel like I had come home in many respects. And after that I went to family. And I went to family for a short period of time because I was asked to pick up a division in Osceola County after the passing of one of our colleagues.

CHIEF JUDGE MUNYON: All right. And that was, you went down to Osceola civil after Judge Polodna passed away.

JUDGE SCHREIBER: Correct.

CHIEF JUDGE MUNYON: He was a hard act to follow.

JUDGE SCHREIBER: He was so hard. He was entrenched down there. He was so well loved, so well respected, was such a good judge and I was stepping into his shoes. And he wasn't there to answer questions about cases in his division. Probably the saddest part of me having to step into his cases was he died before he could rule on two bench trials that he had had and I was – I can't rule on the transcripts so the attorneys had to redo the trials so I could rule on the evidence before me. But I muddled through those first couple of months of trying to figure out where his docket was left and luckily for me, it was in really good shape with a couple of exceptions that he had no control over.

CHIEF JUDGE MUNYON: And you went down to Osceola and you have stayed there.

JUDGE SCHREIBER: I have. I've been spoiled in Osceola County. It is a wonderful environment to be a judge in. It's a smaller group of judges and every office that I've dealt with has been terrific, from the clerk's office to law enforcement to court admin. It's just been a great place to practice law and the benefit is, I get a courtroom 100% of the time. I get a hearing room 100% of the time and as you know in Orange County, we have to share the courtrooms because of space needs.

CHIEF JUDGE MUNYON: Right. That is – you do get spoiled down in Osceola and everyone that goes there loves it.

JUDGE SCHREIBER: I loved it. I stayed until the one and a half to two hours of driving every day cumulative to and from Osceola just got to be tiresome and outweighed the benefits of being down there.

CHIEF JUDGE MUNYON: Well, while you were there, you followed another legal giant, Jon Morgan, as administrative judge.

JUDGE SCHREIBER: I did.

CHIEF JUDGE MUNYON: Those are also big shoes to fill.

JUDGE SCHREIBER: They were very big shoes to fill and when I was asked to do that, it was because Judge Morgan was planning to retire. And I thought about it and could not believe I was probably the most senior judge down there at the time. So I agreed to do it knowing that I would have Judge Morgan only a phone call away. And as you well know, within 30 days of retiring, he also passed and it was a tremendous loss. I was so happy to see the courthouse naming after him was done quickly and collectively and unanimously.

CHIEF JUDGE MUNYON: Yes, and you got to watch all of that happen from a front row seat.

JUDGE SCHREIBER: I did. I did. And I had the pleasure of going into the Jon B. Morgan Courthouse every single day.

CHIEF JUDGE MUNYON: So what will you miss most about your time in Osceola or about Osceola County in general?

JUDGE SCHREIBER: Unequivocally the people. The people are phenomenal. The diversity of the cases in civil is something I will also miss. Because it's got fewer judges, we don't – the two civil judges that are in Osceola County also handle and split between them all the probate, the guardianship, the mental health and the complex business cases. So you have a more diverse docket than you would in Orange County or that I'm coming back to because in Orange County we have a whole division that handles probate, guardianship and mental health. And we have a separate business court. And one of the things I'm proud to see happen is the expansion of business court to include a business division in Osceola County. So the Osceola County business

cases are not being transferred to the Orange County Business Court, but there will be a new business court division in Osceola. It will simply be run by the same judge that will handle both counties and I think that's a really good move. I'm excited to see that happen.

CHIEF JUDGE MUNYON: You were instrumental in seeing that that occur.

JUDGE SCHREIBER: I had a bit part, I think. But I think there were a lot of people, you as the chief approved it and ran with it. Judge John Jordan, who is the business court judge embraced the concept, so I think there were a lot of folks that wanted to make this happen. The lawyers wanted to see this happen because business court is run by different rules than non-business court and there are many fewer hearings. It's more on the paper and as a result you have some additional staff support to help analyze the papers that do come in. So I think it's going to be good for the circuit all around.

CHIEF JUDGE MUNYON: Well, you're coming back to Orange and you're going to be the administrative judge of the circuit civil division in Orange. What are you most excited about with regard to that expanded role?

JUDGE SCHREIBER: I am thrilled to be coming back to Orange County to work with my colleagues in Orange. I think sometimes folks don't realize that you get a little bit isolated down in Osceola County and you have to work to stay connected to your colleagues. Simple things, like going to the Orange County bar luncheons. I can't do that from Osceola County because it ends up being a three-hour lunch, an hour to get there, an hour for the lunch, an hour to get home. And that's not serving the people of Osceola County to not having hearing time because I'm taking three-hour lunches. It just doesn't work. The civil division has greatly expanded since I left it and includes the civil guardianship and probate folks and I think my



experience in that will perhaps help me to understand some of the challenges they're facing. I look at being the administrative judge for a division as being the head cheerleader. Tell me what you need, I'll try and get it for you. We're all in this together, let's back each other up. If you're running into a conflict, if you have an issue, come talk about it with me. Come talk about it with your colleagues, let's see if we can solve it. There are a variety of issues that come up, not just with the law but with procedures. I've got another trial for example that I might need to finish, can you cover my short matters in the morning. A lot of that goes on so I think to foster collegiality is important. The more we foster collegiality and problem solve among the different divisions, the more time you have to handle – you have as the chief judge to handle the bigger problems and not need to have all of us come to you perhaps with them.

CHIEF JUDGE MUNYON: And I appreciate everything that the administrative judges do. You have made my life so much easier in Osceola because you're so engaged down there with everyone, so thank you for that.

JUDGE SCHREIBER: It's been my pleasure.

CHIEF JUDGE MUNYON: So we talked a lot about your legal career and about your judicial career. What do you do for fun?

JUDGE SCHREIBER: Well, I have three children and stay probably more involved in their lives than they would like me to but luckily, I do know my boundaries. I have my first granddaughter who just turned a year old.

CHIEF JUDGE MUNYON: That's exciting.

JUDGE SCHREIBER: It's fun to have a granddaughter to dote on. I stay involved with bar functions on a social level. So for example, I finished up – I had the opportunity to serve on

the board of, and I'm still on the board of the American Inns of Court, and I just finished up serving as the presidency of that organization about a year or two ago. I was the COVID President. I had the distinction of having been president for an entire year and never having had a live meeting, but I enjoyed those types of opportunities. We also – we have a small place that we like to go to. It's just a cabin in the woods and enjoy all of the water sports that go with that, the kayaking, the boating, so I'm a big nature person and I love getting out there and seeing the beauty of Florida.

CHIEF JUDGE MUNYON: Florida is a great place to do those sorts of things.

JUDGE SCHREIBER: It really is.

CHIEF JUDGE MUNYON: And we spend so much time inside, it's necessary for our mental health to get outside a little.

JUDGE SCHREIBER: So we plan a lot of activities with the kids at the cabin. We go down to Fort Myers, which is where my family and my husband's family all live. And we have a lot of nieces and nephews and there seems to be something in the air, suddenly they're all having babies so it's a new generation and it's a lot of fun to see happen.

CHIEF JUDGE MUNYON: Well, it was fun to learn a little bit about you and your life as a lawyer and your life outside of the law. So thank you for joining me.

JUDGE SCHREIBER: It's been my pleasure. Thank you for having me.

NARRATOR: Thank you for listening to "Open Ninth: Conversations beyond the Courtroom" brought to you by Chief Judge Lisa Munyon and the Ninth Judicial Circuit Court of

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