

OPEN NINTH:

CONVERSATIONS BEYOND THE COURTROOM

JUDICIAL SPOTLIGHT

MEET HONORABLE BRIAN F. DUCKWORTH

EPISODE 173

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HOSTED BY: CHIEF JUDGE 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 Brian Duckworth, one of our Orange County Judges in the Ninth Circuit. Judge Duckworth got his start in the legal field in the Ninth State Attorney’s Office. But he would go on to work in private practice for 16 years before deciding to run for a seat on the Orange County bench. In 2014 he successfully won the election for his seat and has been with us ever since. I’m thrilled to have you in the studio today, Judge Duckworth. Thanks for joining me.

JUDGE DUCKWORTH: Thanks for having me.

CHIEF JUDGE MUNYON: So tell me a little bit about yourself. If I recall, you grew up here.

JUDGE DUCKWORTH: I grew up about two miles away and in fact, when my folks retired, we – my wife and I, we just celebrated our 25th wedding anniversary.

CHIEF JUDGE MUNYON: Congratulations.

JUDGE DUCKWORTH: Thank you. We bought the house that I grew up in.

CHIEF JUDGE MUNYON: Wow.

JUDGE DUCKWORTH: And we still live and we’ve raised our three kids. And we’re getting ready for our youngest of three to move off to college here, probably this summer or in the fall.

CHIEF JUDGE MUNYON: So growing up here, I'm sure you've seen lots of changes in Orlando and in Orange County over the years.

JUDGE DUCKWORTH: Oh, absolutely.

CHIEF JUDGE MUNYON: What stands out to you most?

JUDGE DUCKWORTH: It's, you know some good and some bad. It's so interesting remembering the buildings from my youth that I remember that are now long gone, you know, they've been replaced by something you know bigger and better or a parking lot. But having grown up close by, I went to junior high school right down the street at Howard and it's – how downtown has changed so much, so many of the buildings up and down Robinson and Central are now gone and a lot of high rises, things like that. So that's a little disappointing but the – I can say for example the neighborhood behind Howard, that when we would sometimes walk home, was a, I would call less than desirable –

CHIEF JUDGE MUNYON: A little sketchy.

JUDGE DUCKWORTH: It was then and now Thornton Park is an absolute – it's a fantastic neighborhood, and restaurants and all that, it's really turned into something else. And it's been like that for a while but it's – so the good and the bad.

CHIEF JUDGE MUNYON: So where did you go to high school?

JUDGE DUCKWORTH: I graduated from Boone.

CHIEF JUDGE MUNYON: And when you were at Boone, I know you were a good student because ultimately you went to law school. But did you do anything else?

JUDGE DUCKWORTH: At Boone, I was somewhat active in sports. Probably more active when I was younger, football injury so football was done by the time I was at Boone. But always loved playing sports and running which is – one thing I remember my dad saying when I was a kid was you know when you get older, the only things you're going to be able to play are tennis and golf. And I don't play any tennis or golf, but I still run some so that's what I enjoy doing.

CHIEF JUDGE MUNYON: So you enjoyed football when you were young?

JUDGE DUCKWORTH: Oh, I loved football, basketball, and baseball.

CHIEF JUDGE MUNYON: Which one was your favorite, or did you like them all equally for different reasons?

JUDGE DUCKWORTH: I liked them all. It was you know the season; you know you had football in the fall and typically basketball was over the winter. And then baseball was in the spring.

CHIEF JUDGE MUNYON: Sounds like your dad and mom believed in keeping you busy.

JUDGE DUCKWORTH: You know, and that's true and we all – all the kids in the family – I'm the youngest of four kids and it was everybody kind of had to play a sport. And we've done that with our kids. Everybody had to play a sport. You had to.

CHIEF JUDGE MUNYON: Yep, we did the same thing.

JUDGE DUCKWORTH: I think that it's a – you know team sports, it's a character builder and you kind of learn the team ethic and the work ethic. I think it's so important and I

think that it's a disservice – it doesn't necessarily have to be sports. It can be – but it's got to be an activity. I think if – kids left alone, you know when left alone, it's you know idol hands. And you don't want that.

CHIEF JUDGE MUNYON: Yeah. Right.

JUDGE DUCKWORTH: And I think we've – I've been very happy with how our kids have turned out.

CHIEF JUDGE MUNYON: So you injured yourself and couldn't play football anymore.

JUDGE DUCKWORTH: Yeah.

CHIEF JUDGE MUNYON: So how did you fill your extracurricular time in high school then?

JUDGE DUCKWORTH: Well, I couldn't play football anymore but I could lift weights and I could run. So the – kind of the running sports, moving left to right, those things had to stop but you know running straight was fine. So – and swimming. And I swam also.

CHIEF JUDGE MUNYON: Kept you busy during high school.

JUDGE DUCKWORTH: Yes. It was – and there was a lot of social aspect of that too.

CHIEF JUDGE MUNYON: So I assume that you were a good student.

JUDGE DUCKWORTH: You know, I'd like to say I was a good student. I was a – I don't want to lie. I think I was probably an average to maybe above average. I was never a great student but I think that's more – I was not a – I don't think I pushed myself so much in high school and it wasn't until maybe later in college and law school that I really put forth the effort that I probably should have been the whole time. And it's – and as much as I love my parents, I

was the youngest of four and I think they were tired of kids when I got around so I don't think they pushed me as hard to be a student. And it's not – it's not a fault, you know everybody's got a path and it's worked out just fine. You know I was – it was good enough at the time which is not a ringing endorsement but it was –

CHIEF JUDGE MUNYON: It was good enough to get into the University of Florida for undergrad.

JUDGE DUCKWORTH: Yeah. Yeah, University of Florida undergrad and then Mercer Law School and it was – I became a more serious student as time went on and maybe matured some.

CHIEF JUDGE MUNYON: I like to ask judges how they decided to be a lawyer. I suspect I know your answer but I'm not sure, so why did you decide to be a lawyer?

JUDGE DUCKWORTH: Well, my dad was a lawyer and he was – he had – my folks both grew up in Polk County and they met here in Orange County. My dad had gone to the University of Florida and then he had gone to George Washington Law School in Washington, D.C. and he was – worked at the patent office and he got a call from a friend from high school, turned out to be Bill Frederick who was later Mayor of Orlando. But Bill Frederick was – had been appointed when they first started the Office of the Public Defender, Bill called my dad and said, hey, maybe you should come to Orlando. It's really growing. And I don't think my dad was so interested in that, but he was interested in doing patents and trademarks and he had passed the patent bar and he moved to Orlando. And this was in 1962 and he worked – he had a regular full-time job as an attorney with the Maguire firm which was an old Orlando law firm. But they let him work part time as an assistant public defender. And that was to get basically trial experience.

And so he did that for just a few years and he really enjoyed it, and he always had great stories about – because then the circuit, our circuit now here in the Ninth is Orange and Osceola. Well, in the sixties it stretched all the way down to Okeechobee so he would –

CHIEF JUDGE MUNYON: I didn't realize that.

JUDGE DUCKWORTH: Yeah, he would – he would tell me he would get in the car and they would drive down and he had an investigator go the day before and interview witnesses. And he would show up and just try cases. And he tells a story that at one time in Osceola County, he had three juries out at once. Pick a jury and try a case. And the jury would go out to deliberate and he would pick another jury and they would try another case. It was definitely shooting from the hip, a lot of that. Not so much as the preparation today, but that was the times. But he would also – he talked about the camaraderie and how much he enjoyed those days when he would – they would have lunch and they would break. And the prosecutor and he and the judge would all go down, and they would eat, and typically in those days, the jail was attached or in close proximity to the courthouse. And they would eat in kind of the mess hall with inmates. Everybody would eat at the same place. And they'd eat the same lunch. And I mean, times certainly have changed but he was certainly the – absolutely the reason why.

CHIEF JUDGE MUNYON: I guess it makes sense that the circuit was different back in the early sixties because I believe the entire state court system was revamped in the late sixties to early seventies to its present configuration. We did away with municipal court judges –

JUDGE DUCKWORTH: Yep.

CHIEF JUDGE MUNYON: And redrew circuit lines and – wow, that's some great history.

JUDGE DUCKWORTH: Yeah, it was interesting when he would talk about it. And it certainly made an impression on me. I've got a sister who is also a lawyer so it certainly made an impression on her too.

CHIEF JUDGE MUNYON: Does she practice here?

JUDGE DUCKWORTH: She practices in Georgia. She works in bankruptcy court.

CHIEF JUDGE MUNYON: So I know that while you were growing up too, your dad at one point was President of the Orange County Bar.

JUDGE DUCKWORTH: I think in the mid-seventies, '75, '76, I think he was –

CHIEF JUDGE MUNYON: So that had to have an impression on a young man.

JUDGE DUCKWORTH: I was very young. Let's see, I was maybe seven or eight so that not so much. It was – what was, it was interesting growing up. You know like most kids, then we mowed yards and I would mow the yard at his office over on Colonial Drive and would go inside the office and I still have somewhat of a relationship with some of his old partners. You know Ava Doppelt who's very active in the bar and Herb Allen was a partner. And the – it's interesting having known, you know I think I've known Ava since I was pre-teen and now all these years later, still – and I still see her you know probably once a month. So it's – it's very interesting and it's been a – so all that kind of culminated in I saw that they seemed to work hard and seemed to make a good life and seemed to be happy and that's what we all want.

CHIEF JUDGE MUNYON: So did you know from a young age that you wanted to be a lawyer?

JUDGE DUCKWORTH: Yes, I think so. I think I remember, a friend of mine sent a – the friend I grew up with, she sent a picture on Facebook, I want to say from 4th grade, we had a play in 4th grade and I was the lawyer. So I think that was always kind of – if you would have asked me what I wanted to do when I grow up, that’s what I would have said from the first time I ever really gave a whole lot of thought.

CHIEF JUDGE MUNYON: So you went to UF. What did you study there? Did you do any sort pre-legal?

JUDGE DUCKWORTH: No, I studied communications and that was – I had several friends that were – some guys that were older that were in that program that went on to law school. Two of my good friends are attorneys. One is actually on the court of appeals in Georgia. She was in the major with me and we all went to law school together. It was – so I don’t really remember there being a “pre-law.” They really didn’t seem to do that.

CHIEF JUDGE MUNYON: Yeah, they didn’t do that at Florida when I was there.

JUDGE DUCKWORTH: No, not that I – not that I recall.

CHIEF JUDGE MUNYON: But I think communication – I mean, it’s so vital for lawyers to be able to communicate well so that’s a great major as is I think English because writing well is really important too.

JUDGE DUCKWORTH: It absolutely is. That’s a necessity.

CHIEF JUDGE MUNYON: Yes. So why did you – where did you go to law school?

JUDGE DUCKWORTH: I went to law school at Mercer.

CHIEF JUDGE MUNYON: In Georgia, in Atlanta.

JUDGE DUCKWORTH: Macon, Georgia. About an hour and a half south.

CHIEF JUDGE MUNYON: And why did you decide to go there?

JUDGE DUCKWORTH: I mean I guess the easy answer was that's where I got accepted so that's where I went. I did not get accepted at Florida, so I got accepted at Mercer so that's the easy answer and it's the truth.

CHIEF JUDGE MUNYON: So you went away to Georgia for a while.

JUDGE DUCKWORTH: I went to Georgia for three years and I was – I was two classes behind my sister who was also at Mercer. And she stayed and she's been married – she married an old University of Georgia football player and she stayed in Macon and I came right back to Orlando.

CHIEF JUDGE MUNYON: You made your way back home.

JUDGE DUCKWORTH: Yeah.

CHIEF JUDGE MUNYON: Was that always the plan to come back home?

JUDGE DUCKWORTH: You know I think it was – there was a big emphasis everybody wanted to go to Atlanta. Atlanta was the big city and that was kind of the focus. I thought I wanted to come back to Orlando and I interned at the Ninth – I interned with the circuit court my first summer and the second summer, I interned with the State Attorney's Office and I knew I was definitely coming back to Orlando. And they offered me a job and that's where I met you.

CHIEF JUDGE MUNYON: Yes, we met when we were both at the State Attorney's Office.

JUDGE DUCKWORTH: Yes.

CHIEF JUDGE MUNYON: So tell me about your first job as a prosecutor. I loved that job because we had such great colleagues and there was a lot of camaraderie, but it was different for everybody.

JUDGE DUCKWORTH: It was interesting. The first summer I interned, and I was what they call a certified legal intern so if I had an attorney sitting with me, I got to try cases. So I think I had four jury trials that summer and it was a very positive experience. And you know honestly, I probably would have stayed a prosecutor –

CHIEF JUDGE MUNYON: But for the pay.

JUDGE DUCKWORTH: But for the pay. And you know with student loans, and if you ever want to buy a house, it was – that was not in the cards.

CHIEF JUDGE MUNYON: And if you wanted to send your kids to college.

JUDGE DUCKWORTH: All that. And it was – and the other good thing was I met my wife because she was one that had to sit at the table with me to try cases. So we – she sat and worked with me on that and ultimately everything has worked out just fine.

CHIEF JUDGE MUNYON: Yeah, I would say so. So how long did you stay at the state?

JUDGE DUCKWORTH: I was there for my three years. Lawson Lamar said everybody stays three years if you want a recommendation and so I said, I'll stay my three years. And I was happy to and I got – an opportunity just happened to come up right after I think maybe a month or two after I hit my third year and I went off and worked at a small civil – worked with an old Orlando attorney, Sid Barish and I worked with him for a couple of years and did – at first, I didn't – I didn't think I wanted to do anything criminal. I felt I'd you know done that being a

prosecutor. And I worked, and he did civil, plaintiff's civil trial work and I did that for a couple of years with him and then I partnered up with actually a friend that I had grown up with since we were younger. Gone to high school together, went to the University of Florida together. And he and I partnered up and had a firm for probably seven or eight years and then I –

CHIEF JUDGE MUNYON: Did you do plaintiff's work then too?

JUDGE DUCKWORTH: Plaintiff's civil work, um-hum. And you know I enjoyed it and the – it was certainly financially rewarding. You know the money was good. It was – but I took a couple of – and it just so happened to be civil clients had some criminal issues come up and traffic type stuff. And I took some of those cases and I really found that that's what I enjoyed. And I – so I phased out the civil work and it didn't make sense to remain partners. We're still friends, it's not like that. And I opened my own firm and still stayed in the same spot and shared space, but it was – but we were just separate and I ultimately phased out the civil altogether and did nothing but criminal trial work, criminal defense for probably seven or eight years before running for the bench.

CHIEF JUDGE MUNYON: So at what point did you decide you know I want to be a judge?

JUDGE DUCKWORTH: You know, it happened really quick. And sometimes you know it's those – like the opportunity when I left the state to go work with Sid, the opportunity to run for judge, I honestly, things were going great. I really didn't give it a whole lot of thought, serious thought. And then the spot that I ran for, the judge announced her retirement and so I said, well, I talked to my wife and talked to some friends and I said, okay, I'm in. It went from there and it happened really quick.

CHIEF JUDGE MUNYON: Did you have opposition when you ran?

JUDGE DUCKWORTH: Yes.

CHIEF JUDGE MUNYON: So you ran a full campaign.

JUDGE DUCKWORTH: Oh, yeah.

CHIEF JUDGE MUNYON: And campaigning is pretty tough.

JUDGE DUCKWORTH: You know campaigning as a judge is very difficult because unlike traditional politicians, a judge can't ask for money. You can have a committee. And the committee can ask for money but it's – how to phrase it in such a way, you know judges don't make policy and so in the sense of trying to raise money, a lot of times special interests come in and they – in the traditional sense, they want to put money behind politicians that are going to support the proposals and the policies they want and it's not like that because all I can do is be me and do the best job I can do.

CHIEF JUDGE MUNYON: And follow the law.

JUDGE DUCKWORTH: And follow the –

CHIEF JUDGE MUNYON: That's all you can do.

JUDGE DUCKWORTH: That's what I do so in a traditional sense, it's non-partisan, I can't ask for money. I can't promote a policy for anybody.

CHIEF JUDGE MUNYON: You can't make promises.

JUDGE DUCKWORTH: That's right. I can't make promises and it's – so it's –

CHIEF JUDGE MUNYON: And I think what frustrates citizens the most is they want to know what we'll do in you know a particular situation. They'll want to give us the hypothetical so if you have this sort of situation in front of you, what would you do? And we are prohibited by the judicial canons from answering that question.

JUDGE DUCKWORTH: That's right. That's right. It's kind of as frustrating as I would have – when I was a criminal defense attorney, they'd say, well, aren't you – don't you have an issue, if you know your client is guilty and I said, I never asked a client if they did it or didn't do it. That's not the point of my job. We all have jobs in the system and we're constrained by rules and there's a reason for that because it's not – decisions aren't to be made emotionally. They're to be made objectively with the law in mind.

CHIEF JUDGE MUNYON: Yep, absolutely. So you won your election obviously, because we're sitting here.

JUDGE DUCKWORTH: And I was re-elected without opposition.

CHIEF JUDGE MUNYON: Yes.

JUDGE DUCKWORTH: In 2020.

CHIEF JUDGE MUNYON: So do you remember your first day on the bench?

JUDGE DUCKWORTH: I was – my first day on the bench, I was at the – I was initially assigned to the Orange County Jail. At the time we had judges, two judges out at the Orange County Jail doing the initial appearances. In Orange County there's such a volume of folks, at the time we had – and that was a regular assignment and we since kind of tinkered with the system and moved things around so we don't have a regular judge out there now. We rotate but

at the time we had regulars. I don't really remember my first day. It was – you know having been a criminal practitioner for several years and tried lots of cases, it was kind of a fish to water –

CHIEF JUDGE MUNYON: Right, probably your warm shallow pond.

JUDGE DUCKWORTH: Yeah, it was not – you know, I've, over the years it seemed like we would in practicing, when I was practicing, and we'd get a new judge, a judge elected or a judge appointed, inevitably you'd get a judge that came from a civil background and they'd get thrown into felony court, in circuit court. And it was their first day and it was like a deer in the headlights, something they'd never practiced and it was a –

CHIEF JUDGE MUNYON: It's almost like we planned it that way or something.

JUDGE DUCKWORTH: You know it was – it really was something else. I was – I was lucky in that I had had experience in civil and criminal, more in criminal but none of it's really been a shock to me. I've been lucky as far as that goes but everybody seems to land on their feet.

CHIEF JUDGE MUNYON: But you have been now, since you've been on the bench, you have been in every county division.

JUDGE DUCKWORTH: Yes.

CHIEF JUDGE MUNYON: Correct. Domestic violence, criminal and civil.

JUDGE DUCKWORTH: I've not been in the domestic violence. That was – well, I practiced my fair share of that. As a judge, I've not done that.

CHIEF JUDGE MUNYON: But civil and criminal.

JUDGE DUCKWORTH: Yes, in civil and criminal, I've done that. And civil, criminal, the jail, the old jail. But that spot has now gone.

CHIEF JUDGE MUNYON: So how have you seen things change over the course of your time on the bench?

JUDGE DUCKWORTH: It's – the criminal is the criminal. I don't think that has really changed. Obviously, the one thing that's changed now, because of COVID, we have seen the ability to use remote – some hear – and we've kind of phased a lot of that out. I still will do non-evidentiary hearing, simple scheduling, I'll do – I can do remotely over Teams or Zoom. But the majority of my stuff is now live in the courtroom. I find that's quite – I find it more effective, but I was in civil at the beginning of COVID, for the first two years of COVID and we really had to adjust to, you know at first we didn't know.

CHIEF JUDGE MUNYON: Right.

JUDGE DUCKWORTH: Thought maybe it's going to last a week or two weeks, maybe like a bad flu and you know we know where we are now. So it was – it's been quite an undertaking because a lot of stuff was simply put on hold for – some of it more than a year, maybe almost two years. And having to play catchup to get a lot of folks their day in court, to get back in and get them rescheduled and pick up the pieces, that took a while. That's really changed. I think that – it's – but in general the criminal is the same. I think the civil is – has kind of become a – a lot of it that used to be live is now just done virtually. That whole system has kind have been upended.

CHIEF JUDGE MUNYON: And it may have changed forever at this stage.

JUDGE DUCKWORTH: Oh, I think it has. I think that people you know, Zoom seemed to be just kind of getting on its feet when, or being used, and now it's the format of doing video conferencing, I think has got a place now. I think a lot of attorneys, you know, right before

COVID, I would have a lot of – some of the practice in civil, county civil, you would have – there’s a lot of consumer debt and you’ll have a lot of firms that do nothing but consumer debt. There’s a lot of credit card cases. And they would always have to hire attorneys, local attorneys to come in and do either mediation or something live and all that changed. And now when they’re in Miami or in Jacksonville or in Tampa, they’re not having to hire those attorneys. They can do – most of the things can now be done remotely. And I think they probably believe it’s much more efficient and it probably is more efficient in a lot of ways. The thing –

CHIEF JUDGE MUNYON: It’s more time consuming for the court.

JUDGE DUCKWORTH: Yes. And I think that it’s – we have to strike a balance because the – while being efficient and being convenient is important, it’s – you can’t lose sight of somebody’s due process and for the sake of getting it done faster is not necessarily better if somebody’s you know wanting their right and their day in court. Because especially in county civil, a lot of the cases, you have unrepresented folks and it’s not the court’s job necessarily to act as an attorney versus the other side that may have an attorney. You got to give them a fair shake. Everybody deserves a fair shake. So I find that’s important. So it strikes a balance but I think there’s definitely been changes.

CHIEF JUDGE MUNYON: And I think in some respects too, the virtual hearings have done a disservice to the young lawyers and maybe the young judges that have come in since COVID.

JUDGE DUCKWORTH: Yeah.

CHIEF JUDGE MUNYON: Because I know you and I learned a lot by watching other people in the courtroom while we were waiting for our hearings and that doesn't really happen so much anymore.

JUDGE DUCKWORTH: That's true. That's true. I've – I think that the more time that the attorneys can spend in court and you have to practice, you know, they call it practice for a reason. Watching tv is not going to get you there. Watching it over the, you know – and it's – and what I tell my young prosecutors and public defenders that – most of them are all brand new. We're only a few months in before they get moved onto somewhere else, that it's – you're working at an extremely low wage in the job that you're doing and you – but to make it worthwhile you want to have the experience and it's trying cases and picking juries, and it's not just settling cases. Settling cases as a young prosecutor or a public defender is – that's what everybody does. You want to – you need to get that experience if you want to, like most will move onto some type of private practice. It's picking juries and arguing motions and that's the, if you want to be a trial – if that's what you want to be is a trial attorney. You're going to have to do that and it's – you're not really going to learn how to do that over Zoom or Teams or one of those video formats.

CHIEF JUDGE MUNYON: So you have been a judge now over eight years.

JUDGE DUCKWORTH: Yeah, just over eight years.

CHIEF JUDGE MUNYON: And I'm sure it seems like it was just yesterday that you took the bench.

JUDGE DUCKWORTH: You know it feels like it some days.

CHIEF JUDGE MUNYON: But what advice would you have for our new judges that are coming into the court and into this new world?

JUDGE DUCKWORTH: It's – don't be afraid to ask questions. An issue that I sometimes see is docket management and it's the ability – I kind of liken it to you know the waves at the beach, especially in Orange County. We have such a high volume of cases coming in and that's – it's not going to stop. We kind of have a pretty good idea month to month of the number of new cases that come in. And I'm not saying it terms of you just need to get rid of cases for the sake of getting rid of cases. It's not that. But you have to be able to manage the docket in such an efficient way so as everybody gets their day in court, and that the time that you spend on the case is time well spent. And that's always easier said than done. But you – I tend to see trends and it may be because when I deal with a lot of the same, and I'm used to a lot of the private attorneys I've been dealing with for years and years, but I'll have the same public defender, same prosecutor generally on most cases, that I tend to see trends. And if you realize that, I think that that's where you can be you know, you can kind of plug in that efficiency so we're not spending – you know, we're not having to do things twice. I want to do it once.

CHIEF JUDGE MUNYON: I must say that I can compliment the Orange County judges because there was a tremendous backlog in both county criminal and county civil due to COVID.

JUDGE DUCKWORTH: Oh, yeah.

CHIEF JUDGE MUNYON: And that backlog has pretty much been wiped out because of the hard work of the judges.

JUDGE DUCKWORTH: I think that it's our county admin judge, Tina Caraballo, she's you know, we all have our strengths and her – I think her ability to figure out logistics of how to

address an issue, obviously she spent time in the military, her brain works like that. And I – my hat's off to her. She was –

CHIEF JUDGE MUNYON: Well, I know you've helped her as the associate administrative judge.

JUDGE DUCKWORTH: I'm along for the ride. I'll help but I can't take any credit. She – I think she kind of figured out a game plan in talking with you and with other court administration to try to figure out a game plan to address all those cases that had been put on hold because of COVID.

CHIEF JUDGE MUNYON: And now I think everything in county court is almost back, well actually better than it was before COVID in many respects.

JUDGE DUCKWORTH: Yeah. And I think we've rearranged the judges and added more civil judges to make the system work better and not have such an overload. I know civil is – I can say it all day until I'm blue in the face, but until you're really in there and you really see the numbers in Orange County, it's very difficult to appreciate how Orange County has grown. It's just – and all of Florida has grown but Orange County is, and compared to when I talk to other county judges around the state, a lot of them only have one judge. You know we have seventeen. So it's – and that's just the one county, so it's really something else if you really give it the thought to think about the number of cases, criminal and civil, that we get in on a monthly average is really something else.

CHIEF JUDGE MUNYON: Yeah, I was astonished when I started as chief 18 months ago that I think the county civil judges had 18,000 cases each.

JUDGE DUCKWORTH: Yeah.

CHIEF JUDGE MUNYON: I can't even imagine trying to get my arms around 18,000 cases.

JUDGE DUCKWORTH: It was – it's somewhat daunting and that's why I think hats off to Tina, how she kind of figured out a game plan to address, how to attack and I can't give all the credit to her, but she's I think probably owed the lion's share of it how, and then executed a plan to kind of get that – you know, and it's – the ability to deal with a back log, you have to have a plan or you're really spinning your wheels and it was – but as you said, I think we're caught up.

CHIEF JUDGE MUNYON: Yeah. I know it helps too, I'm sure most lawyers don't recognize that we are so large now as a circuit that many times we are not fully judged up. We don't have all the judges because somebody's retired or that sort of thing. And county court in Orange County has been a judge down for the last, until very recently, for the last six months.

JUDGE DUCKWORTH: Yes.

CHIEF JUDGE MUNYON: And it's been I think – right now in Orange County, county court is fully staffed with judges and that hasn't happened in quite – several years that it's been fully staffed with judges.

JUDGE DUCKWORTH: Yeah. Constantly having to – having to pick that up but I think going forward I feel very confident things are going to be moving smooth.

CHIEF JUDGE MUNYON: Yeah, I hope so.

JUDGE DUCKWORTH: Yeah.

CHIEF JUDGE MUNYON: Well, thank you for joining me here today. It's been a pleasure talking to you and about your journey to the bench.

JUDGE DUCKWORTH: I appreciate you having me. Thank you.

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 Florida. Follow us on Facebook, Twitter, or Instagram @ninthcircuitfl for updates on new episodes and subscribe to Open Ninth on your favorite podcast service.

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