

OPEN NINTH:

CONVERSATIONS BEYOND THE COURTROOM

JUDICIAL SPOTLIGHT

MEET HONORABLE ERIC J. NETCHER

CIRCUIT COURT JUDGE

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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 Eric Netcher, one of our circuit judges in the Ninth Circuit. Judge Netcher is a fellow double Gator, Go Gators, who graduated from the University of Florida College of Law in 2013. After law school, he spent some time as a law clerk to the Honorable David A. Faber in the U.S. District Court for the Southern District of West Virginia before entering private practice. Over the years he’s worked for firms such as Boyd & Jenerette, P.A., Dean, Ringers, Morgan & Lawton, P.A., and Walker, Revels, Greninger and Netcher, PLLC. Then in 2021 he was appointed to the circuit bench here in the Ninth Circuit. I’m thrilled to have you in the studio today, Judge Netcher. Thanks for joining me.

JUDGE NETCHER: Thank you for having me. I’m thrilled to be here.

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

JUDGE NETCHER: Sure, I was born and raised in Jacksonville. I lived in Jacksonville my entire life in the same house until I went to Gainesville for college. And my father still lives in that house. My father was a health inspector for the state but he also had a passion for antiques. And he had an antique store on the side and when I was really young, he said you know I’m going to do this full time, and so for the better part of my childhood, he was an antique dealer. My mother was a stay-at-home mom. And I had an older brother. We shared a room the

entire time that I was in the house and so that's one way to gain the type of patience needed to be on the bench.

CHIEF JUDGE MUNYON: I bet – I bet it is, wow. I can't imagine sharing a room for that long. So your dad was a – finally ended up being a full-time antique dealer. I bet he carted you around to garage sales, antique fairs –

JUDGE NETCHER: Every – every Saturday morning – I was actually with my mom every Saturday morning because my dad went to the shop on Saturdays. Every Saturday morning we were up early and garage sale after garage sale after garage sale. We went – we were not big travelers, but we went on one vacation every year and that was over to Cedar Key off – and for folks that don't know, Cedar Key is not in South Florida. It's off – it's west of Gainesville on the Gulf Coast, a small island, small fishing town. That was our one vacation but always on the way over, we'd stop at the Waldo Flea Market so that was – you're absolutely right, that was a major part of my upbringing and I think it probably – I have a passion for history and I think maybe some of that is where I get that from.

CHIEF JUDGE MUNYON: Yeah, I grew up in Gainesville so I spent my own time at the Waldo Flea Market.

JUDGE NETCHER: Yes. Yes.

CHIEF JUDGE MUNYON: It is famous around the world, I think.

JUDGE NETCHER: Famous, infamous, one or the other.

CHIEF JUDGE MUNYON: One or the other, absolutely. So you grew up in Jacksonville. Obviously went to high school there. Did you play any sports in high school?

JUDGE NETCHER: I did. I played baseball. I played baseball all throughout middle school and through high school.

CHIEF JUDGE MUNYON: So what position?

JUDGE NETCHER: I was a pitcher. I was a submarine pitcher. If you know anything about baseball, sort of a side arm pitcher.

CHIEF JUDGE MUNYON: Oh.

JUDGE NETCHER: I was a three-quarters, meaning my arm was kind of three quarters and then my junior year, my pitching coach said, you know let's just drop you down a little bit and so I was a side arm guy.

CHIEF JUDGE MUNYON: And did that throw the batters off?

JUDGE NETCHER: It did. I didn't throw the ball very hard, I just threw a bunch of junk which you know – which I like to think worked. I don't know, ask my teammates. They might think differently but it was – it was a lot of fun. My high – I went to public high school in Duval County and my high school, we had a magnet program. It wasn't – it wasn't – it was a law magnet. I didn't go there for that. I actually lived in the district but our baseball coach utilized that program to be able to recruit outside of the district. And so we always had very, very good baseball teams.

CHIEF JUDGE MUNYON: Oh.

JUDGE NETCHER: My sophomore year, we had two guys go in the first round to the major league drafts. We went to the state championships twice so it was a lot of fun playing baseball at Wolfson.

CHIEF JUDGE MUNYON: So did you entertain playing baseball when you left high school?

JUDGE NETCHER: I don't think – I think I had more brains than – than I did athletic prowess so it didn't – it didn't go that far but I think in some respects having an athletic background, you have sort of a competitive nature. And where the athletic prowess begins to weigh in the intellectual prowess, I think steps in, and I think that is kind of what led me toward the path of litigation.

CHIEF JUDGE MUNYON: Being in high school that was a law magnet high school, did that spark your interest in the law?

JUDGE NETCHER: It did not. I didn't – I have no lawyers in my family. I'm the first lawyer in my family and it's not something – I'm not one of those, and I know you probably hear some folks that say I knew from the age of five I was an arguer. That was never me. My sort of path towards the law as I indicated earlier, I really have a passion for history. I have a history minor at the University of Florida and we – I had a class there with, I think it was Professor Joseph Spillane who taught history and public policy. We did a whole section on the Supreme Court and I thought this was really fascinating. I said, okay, this is pretty interesting stuff and is kind of what sort of turned me in the direction of law.

CHIEF JUDGE MUNYON: And you know as a profession lawyers' kind of live in history. We apply precedence and we tend to look backward for our advice rather than forward.

JUDGE NETCHER: That's absolutely true. We are – we do – we don't – we do legal history which is a different beast and history is you know playing a more prominent role in the law these days as well so it's one of those things that I still enjoy reading some good history.

CHIEF JUDGE MUNYON: So what was your undergraduate degree in at UF?

JUDGE NETCHER: So I started – I changed my major three times. I started in public relations and I switched to advertising, and then I found – I just found that I wasn't engaged and I said you know if I'm going to be here, I found that those classes they gave sort of names to topics that might be considered common sense and then tested you on them. So I changed to political science. I always had an interest in public policy, so political science and history is what I ultimately graduated in.

CHIEF JUDGE MUNYON: Yeah, the first two sound so similar to marketing which sounds so antithetical, at least to my personality.

JUDGE NETCHER: Yeah. In my mind my thought process was well I feel like I'm an okay writer, at least I enjoy writing. And I thought that that was the way to sort of monetize or make yourself marketable with a skill like that. But I just didn't find myself engaged in the work and I realized that there are other ways to be engaged as a reader and a writer which is ultimately what we do in law.

CHIEF JUDGE MUNYON: That is what we do. So had you decided to go to law school before you changed to political science?

JUDGE NETCHER: I had not. I had not. I –

CHIEF JUDGE MUNYON: Because there's not a whole lot you can do with a political science degree.

JUDGE NETCHER: There's really not. It's funny. You either go to DC or you go to law school and after undergrad I went to DC so I had interned for a congressman in Gainesville and

really enjoyed that experience. He invited me to join him as an intern in DC and I spent close to six months in DC after I graduated from undergrad and I was close to staying. I thought about staying. I also really seriously thought about becoming a teacher of history and it's probably ultimately what I would have done if I hadn't gone to law school, but I decided to apply. And I was fortunate enough to get in at the University of Florida.

CHIEF JUDGE MUNYON: So tell me about your time in Washington as an intern in Congress. What was that like?

JUDGE NETCHER: It was – it was a fascinating experience. I really enjoyed it. I was living on Capitol Hill so I walked to the Capitol every morning. As an intern I fielded calls from constituents. I interacted with the congressmen. I did a little bit of everything, helped with some policy stuff. I recall vividly on my first day on the job, I got up there and it was one of the worst snowstorms in 100 years in DC, and I literally –

CHIEF JUDGE MUNYON: For a Florida boy that's an interesting thing.

JUDGE NETCHER: Exactly. Never except for in 1989 when it snowed in Jacksonville, that was –

CHIEF JUDGE MUNYON: Oh, I remember that year.

JUDGE NETCHER: Yeah.

CHIEF JUDGE MUNYON: It snowed in Gainesville too.

JUDGE NETCHER: Yeah, except for that I had never interacted with snow so it was my first day. If you've ever been to the Capitol, they have – the House office buildings are connected to the Capitol underground and so I got off, I said, well, this will be cool. I'm here, I

have access, let me just go underground. So I'm underground, I go underground, I walk – I'm walking through the Capitol and I'm mesmerized by just the grandeur of it all, and I'm still – I'm leaving, I'm walking down the Capitol steps, still kind of oh my gosh, this is so cool and then I just – I go flying. I slip, I go – I bust it and my glasses go flying off. I think I was talking to my girlfriend, my now wife, at the time. My girlfriend at the time, now wife on the phone and my phone goes flying and I look around to see if anybody sees me. I see a gentleman, security with an automatic weapon just kind of smirking, you know, he saw me so he was the only one but I think he was bound by some secret service not to say anything. So it was an excellent experience. I was there when they were debating health care, when health care was – ultimately got passed under the Obama administration. And so there was a period of time where I worked like 15 days straight because it was just phone call, phone call, phone call and then I was actually in the House chamber when it passed which was kind of a, you know if nothing else, a cool experience to be there for what was a lot of political theater and you know so I enjoyed it.

CHIEF JUDGE MUNYON: So tell me, what does a congressional intern do on a day-to-day basis when they're there?

JUDGE NETCHER: It's answering phone – you know it depends a lot on the – on the member of congress. I was fortunate with the congressman I was working for that it was a paid internship which was rare on the Hill. It wasn't a lot but it helped me to eat. And it was phone calls, drafting responses to constituents. They get a lot of letters so a lot of responses. And I was fortunate enough to work – they have a team of you know five or six staffers that handle particular areas, health care, and so I got a chance to work with some of them on a little more substantive legislative work. So it really ran the gamut. I was – I will say as I indicated, DC is



expensive. I was out of undergrad, didn't have a lot of money, but I will say there's a lot of banquets on Capitol Hill and so –

CHIEF JUDGE MUNYON: A lot of places to eat.

JUDGE NETCHER: I found – I found a way to stay fed in DC which was fun.

CHIEF JUDGE MUNYON: So when you finished in DC, that was just an internship over the summer, or between –

JUDGE NETCHER: It was –

CHIEF JUDGE MUNYON: -- college and law school?

JUDGE NETCHER: Sure, I graduated in three-and-a-half years so I graduated in December and then I was there from January until I think May or June and then I started law school in the fall of 2010.

CHIEF JUDGE MUNYON: Okay. And so you were the first lawyer in your family.

JUDGE NETCHER: Yes.

CHIEF JUDGE MUNYON: Did you spend some time before you went to law school trying to figure out what kind of law you wanted to practice?

JUDGE NETCHER: Not really. I – I'm an on-the-job learner and I mean that – I don't mean that I don't prepare. I mean that I feel that the best – you know, you don't know what you don't know and I feel like I kind of – I settled in. You know the first year is the first year. It's a challenge. It's a whirlwind but I found law school, I enjoyed it immensely. It really fit my style of learning where it's sort like it's on you, you know, you do the reading, you do the work and then you're tested at the end of the year.

CHIEF JUDGE MUNYON: Right.

JUDGE NETCHER: I didn't feel babysat. You know sometimes it's like, oh, pop quiz this, pop quiz that.

CHIEF JUDGE MUNYON: Yeah, there's none of that in law school, people probably don't realize.

JUDGE NETCHER: There's none of that and for some people –

CHIEF JUDGE MUNYON: That's a problem.

JUDGE NETCHER: That's a massive challenge because if you don't do the reading, you're going to show up at the exam and be like, I don't know what I'm talking about so I engaged with it. I mean, what other opportunity do you have to like learn these interesting ideas with very smart people all around you and to engage. And I truly enjoyed law school. I knew after my first year, I said, okay, I think I made the right call.

CHIEF JUDGE MUNYON: It's such a different experience than college. I can remember before I started, you got – at UF you got a reading assignment to be prepared your first day of class. And I'm sure they probably still did that when you were there and I can remember the case and having to read it and re-read it. And it took me probably ten days to really digest that one case and I said, wow, I'm going to be in big trouble if I can't get a little faster at this.

JUDGE NETCHER: Yeah. Yeah, it's you know learning by example. I know that there's a change, a shift in the way that – you know, I like Socratic method. I thought there was no better way to kind of get to the bottom of things and you know the classes where they tell people who's being called on, I always found were much less engaging because you know you knew

everybody else hadn't really read the stuff. So I enjoyed law school. You know it's one of those things where you just kind of – you take on opportunities as they arise and things have a way of working out. You know that's kind of been my motto. You do the best job you can right now. Everybody's – a lot of people are thinking about what if I do this, am I going to get here. What if I do that, what about what I did yesterday, you know, we have one opportunity and it's today and we do the best we can and things have a way of falling into place if you show up and do a good job.

CHIEF JUDGE MUNYON: So did you work during the summers when you were in law school or intern at any law firms?

JUDGE NETCHER: I did. I've actually been working basically since I was 14. I worked at Winn-Dixie as a bagger from the age of 14 until I went to college. And in college I worked at the UF bookstore –

CHIEF JUDGE MUNYON: Oh, I worked there too during college. That was a lot of fun.

JUDGE NETCHER: Yep, yep, it's a great – great part time gig. I did – I was a radio DJ for a little while at UF and in law school I continued – I was actually still a radio DJ in law school and then one day they told us they were changing formats and were hiring all professional people so students didn't have jobs anymore. But I worked at some law – my first summer I interned at the Institute for Justice in Washington, DC which is a public interest law firm that specializes in constitutional litigation. They've had several cases before the U.S. Supreme Court and the class of clerks, they do an annual clerk class, was made up of some of the brightest people I've had a chance to work with. Another opportunity where you're picking up things from people, you're being exposed to different concepts, ideas, and learning from really good lawyers

so that was 1L. And 2L summer I was with Dean, Ringers, Morgan and Lawton here in Orlando which is how I ultimately wound up in Orlando. And that was a tremendous experience. They really prided themselves on giving – on letting the young lawyers do a lot early. I mean, I did a trial – I didn't try a case, I went to a trial my summer that I was there, did a lot of fun work. And then my third year of law school, third summer, I – what did I do my third summer?

CHIEF JUDGE MUNYON: Probably took your bar exam and started working.

JUDGE NETCHER: Obviously. Well, no, what I think what I was getting at is my third year of law school, I externed with Judge Conway –

CHIEF JUDGE MUNYON: Oh, okay.

JUDGE NETCHER: -- a federal judge. I was like wait a minute, that wasn't in the summer. It was – it was in the fall of my third year of law school and rather than commute back and forth from Gainesville, I did a semester at FAMU law and lived in Orlando, worked for Judge Conway and that was a tremen – that was what kind of sparked my interest in the judicial process. I never thought about clerking for a judge until working in her chambers and it was at that point that I just kind of started applying broadly and wound up in West Virginia of all places.

CHIEF JUDGE MUNYON: All right. That was going to be my next question. When you graduated from law school, you became an intern in West Virginia for a Federal judge.

JUDGE NETCHER: That's right. I clerked with Judge Conway – or excuse me, Judge Faber who he as it turned out had been appointed or confirmed by the Senate on the same day as Judge Conway.

CHIEF JUDGE MUNYON: Oh.

JUDGE NETCHER: And when I applied you know he called Judge Conway. She had some good words to say and I had the opportunity to clerk. And it was just such a tremendous experience.

CHIEF JUDGE MUNYON: How long did you clerk for him?

JUDGE NETCHER: It was a one-year clerkship. I – the – you know, where I was at was a place called Bluefield, West Virginia which is right over the boarder of Virginia so I lived in Virginia. I worked in West Virginia. Spent a little time in Charleston, West Virginia too because Judge Faber had chambers up there and the cases, you know they ran the gamut, criminal, being on a boarder, there was a fair amount of diversity cases.

CHIEF JUDGE MUNYON: Right.

JUDGE NETCHER: State law cases that would come in and then of course regular Federal claims jurisdiction. And another experience which kind of sparked my interest in the judicial process, you know, because the whole – the beauty of this job is we're just, we have no dog in the fight. It's getting it right. And sometimes it's harder, you know, it's much easier to be an advocate sometimes where you know the answer and then it's go find the cases. But being the neutral is something I've enjoyed because I don't – you know I just want to get it right.

CHIEF JUDGE MUNYON: Yeah. So after you interned in West Virginia, you came back to Orlando and started working for Dean, Ringers?

JUDGE NETCHER: Not quite. I – after I clerked, I wasn't sure where we wanted to wind up so I –

CHIEF JUDGE MUNYON: We being, you and your wife?

JUDGE NETCHER: Yes, correct, my wife – my fiancé at the time. We actually got engaged while I was in West Virginia. She was at UCF finishing her Ph.D. She's has a Ph.D. in environmental engineering so she's the true brains of this operation. She was still in that process. I thought I wanted to be back in Jacksonville long term. That's where our families were and are so I wound up at Boyd & Jenerette in Jacksonville and had a good experience there, learned under some really good lawyers. My wife was, as I said, finishing her Ph.D. We – she wound up getting a job in Orlando. Fortunately I had the experience with Dean, Ringers and they were able to bring me on and we wound actually working in the same building. My wife's firm that she went to work with was in the same building as where Dean Ringers so we went from a long distance to commuting together.

CHIEF JUDGE MUNYON: Wow. Yeah, that's amazing. How long did you stay with – well, what kind of law did you practice at Dean Ringers?

JUDGE NETCHER: Sure. So they do civil litigation, a log of local government clients, so it – liability work but they also do some you know commercial work. A lot of Federal 1983 civil rights work. I got really fortunate at a young age at Dean Ringers to get an opportunity to handle a lot of appellate work because Lamar Oxford who was board certified in appellate practice was nearing the end of his career and took me under his wing and I got a chance to dive in and that led me fortunately down a path which to become board certified in appellate practice which I eventually became shortly before getting appointed. So it was – it was probably, you know to answer your question, it was civil litigation broadly speaking.

CHIEF JUDGE MUNYON: And if you were doing the appellate part of it, you were probably in almost every aspect of civil law.

JUDGE NETCHER: My favorite is when someone comes around and says I got just a quick question for you and there's no such thing. That's actually – and my second favorite is you know there's a case –

CHIEF JUDGE MUNYON: I don't remember the name –

JUDGE NETCHER: Yeah.

CHIEF JUDGE MUNYON: Yeah.

JUDGE NETCHER: It's never there. There's never a case that says that but being sort of the resident legal nerd of the firm, I got to work with a lot of lawyers and it's a role that I really enjoyed. You know it's – it's just part of the process that you know I still miss some of that advocating today but it's part of the process that I enjoy being replied upon like that and so that was a tremendous experience. I was there for six, seven years maybe.

CHIEF JUDGE MUNYON: Oh, wow.

JUDGE NETCHER: Made partner at Dean Ringers.

CHIEF JUDGE MUNYON: Yeah.

JUDGE NETCHER: And I love it.

CHIEF JUDGE MUNYON: And you left Dean Ringers and opened your own firm with several other people.

JUDGE NETCHER: That's right. Me and three other partners, we were able to start our own firm in January of 2020 which is an odd time to start a business.

CHIEF JUDGE MUNYON: Oh, yeah. Considering COVID started in March.

JUDGE NETCHER: Yeah, and so if we had the crystal ball and could see that we might not have made that choice but as it turns out the, you know, litigation did not slow down at all and we had – it was the four of us that started the firm in January of 2020 –

CHIEF JUDGE MUNYON: And you were probably young enough to adopt the technology that would be needed.

JUDGE NETCHER: We – that – I didn't have anything. I had my Mac book and my iPad. Those are the two things that I had with me all the time. I had all my files, everything I needed and we tried to be really forward thinking with respect to technology. We had four lawyers when we started. By the time I got appointed we had 15.

CHIEF JUDGE MUNYON: Wow.

JUDGE NETCHER: It was – it was an interesting process to be at sort of the ground floor of a new firm. It taught me a lot of things about the business management and practice that you don't necessarily think about when you're just trying to find the right case for your case.

CHIEF JUDGE MUNYON: So when did you make the decision and you wanted to try to become a judge?

JUDGE NETCHER: That's a really good question. It's always something that I thought I would like to do, you know down the road. And you know, but every – the advice I always got was you know well, if it's something you want to do you got to put your name in the hat any



time there's an opening. I figured well, and there was an opening and so I decided to put my name in the hat. It's not – it's sort of, to be frank, maybe this – I don't know. You know to be frank, I don't know – I applied sort of last minute. I was really on the fence about it because as I said we were starting our firm. Everything was going really well.

CHIEF JUDGE MUNYON: And I know you enjoyed practice because you appeared in front of me when I was in business court.

JUDGE NETCHER: That's right. I enjoyed practice. Ultimately, I like law more than I like clients. Maybe I should be more discreet about it. I like law more than I like the business of law.

CHIEF JUDGE MUNYON: The business of law is quite hard.

JUDGE NETCHER: You know managing, billing, collecting, it's a lot that goes into it. And I always enjoyed the purity of when I was clerking or there's a purity in the process. It's just, all right, we're doing law and now the beauty of it is my job is I do law all day long and I enjoy it immensely and it's an extreme challenge but it's something that I strive everyday to be up for the challenge. And so it's really hard to say when I – it's one of those things, I was on the fence about it and I said, well, I'll give it a shot. And here –

CHIEF JUDGE MUNYON: And here you are.

JUDGE NETCHER: Yeah, I know, careful what you wish for I guess, right.

CHIEF JUDGE MUNYON: Yeah, I can remember when I was practicing law, the business of law is all consuming. You could ask me at any given time what percentage is your overhead and I could tell you what percentage was my overhead.

JUDGE NETCHER: Come up with formulas –

CHIEF JUDGE MUNYON: Yeah.

JUDGE NETCHER: And you know it's a –

CHIEF JUDGE MUNYON: And now you don't have to worry about that.

JUDGE NETCHER: I don't.

CHIEF JUDGE MUNYON: You just have to worry about making the right decisions.

JUDGE NETCHER: And the struggle in a profession like ours is making sure as lawyers, and it's incumbent upon lawyers to make sure that those considerations don't enter into the obligations you have to clients, the oath that you've taken to become a lawyer and that's a hard thing sometimes. It's just the practical realities of the day-to-day life. Everybody's got employees to pay and so I hope in our profession we can remember that ultimately that we are a profession.

CHIEF JUDGE MUNYON: So I know when we take the bench there are things that we really didn't anticipate. It's different than what we might have thought it would be like when we were either running or applying to become a judge. What did you find that was different when you took the bench than what you anticipated?

JUDGE NETCHER: Well, I started in a family division so everything. I had not done any family law so it was learning a whole new area which frankly I found invigorating you know – you know working on appeals I kind of tried to be a generalist anyways and so law is ultimately law. And I really enjoyed my time in the family division. On any given day usually the most important thing happening in the courthouse is probably happening in a family division in terms of affecting lives and families for years, generations perhaps and so that was – that was one of

those, kind of you're here, you're making decisions that matter immensely. And you know there's no on the job training. I mean – I don't mean to suggest there's not any training. Everybody helps immensely but the moment you're invested and you're sitting on a case, you have to be ready and prepared. And so the responsibility of it all kind of hit me. You know in terms of things that I might not have anticipated is from a practical standpoint is just the volume. You know it is – it is – I could work every minute of every day and –

CHIEF JUDGE MUNYON: With no sleep, yeah.

JUDGE NETCHER: -- with no sleep and my caseload, I might get a dent in it. But it's, especially now in the civil division, the volume is a lot and you know I like to write. I'm a writer by nature. That's how sometimes I rule quite frankly. I rule when I write and usually my saying is if it doesn't write, it's not right.

CHIEF JUDGE MUNYON: Yeah.

JUDGE NETCHER: That's my – how I – and there's just not a lot of time for it. There's just not a lot of time for it. In the family division and now in the civil division I rely on settlements to have time to write. And if there's not a settlement it's a one two punch because not only am I not writing what I have to write, I'm listening to something that I'm also going to have to write on. And so I – I mean weekends and evenings are still around so – and I'm not immune to that having come from private practice. But the volume is a lot and I also you know in private practice you prepare for a big hearing that you have maybe one or two a week, you do a lot of buildup. You know it's a lot of work getting to that moment. You go into the hearing. It's 30 minutes, 45 minutes maybe an hour and then you kind of have a catharsis, okay, now I can wait. On the bench it's okay, you got one of those, up next and so it's multiply that by seven. And so

it's a lot, now it's – the rule's different. It's not – I'm not – I'm preparing myself as the judge. I'm not – I don't have the obligation to think of every possible problem with my case but at the same time it's – it can be a gauntlet.

CHIEF JUDGE MUNYON: Yeah. Absolutely and I think it would surprise people to know that if a judge isn't on the bench it doesn't mean they don't have anything to do. There is more work in chambers than there is on the bench so if you see a judge on the bench for six hours a day or eight hours a day, they're going to be working at least that long in chambers trying to stay caught up.

JUDGE NETCHER: Right. My orders queue, I will get to the bottom and then I'll go for a hearing and I'll come back and more orders, public service announcement you don't need an order on an agreement to amend the complaint or an extension of a deadline. The rules permit you just to agree. We don't need to sign an order for everything.

CHIEF JUDGE MUNYON: But we do.

JUDGE NETCHER: We wind up doing and it's a lot – the order queue is a lot but that's the name of the game, that's what we signed up for and you know our job is to get it right with the resources we have. And that can be a challenge but it's one that we can't complain too much about because it's a real – it's a responsibility but also an honor.

CHIEF JUDGE MUNYON: All right. And are you still enjoying your time on the bench? I know you've only been on the bench for a couple of years but –

JUDGE NETCHER: I am. I've just come to civil in May of this year and so I'm really enjoying jury trials. It's nice getting the verdict at the end and knowing that –

CHIEF JUDGE MUNYON: That it's pretty much done.

JUDGE NETCHER: They've done their job. The jury's done their job and I don't have to go write a 25-page order in addition to that and it's nice seeing the public, be engaged in this process. I'm truly amazed by the – the system works. It really works and you know I think sometimes we do a lot in our civil justice system to avoid a trial. There's a lot of discovery. There's – you know, we do so much stuff and you know once we go to the trial, it's – it's hard work but it's not – I think people think too much of the trial but we should be trying cases. That's how – we need trial lawyers not discovery lawyers.

CHIEF JUDGE MUNYON: I will tell you that what is always heartening to me is the number of people that show up for jury duty that truly want to be here and are willing to give up their time to serve on jury trials.

JUDGE NETCHER: Right. Yeah, I haven't had anybody not show up yet. I haven't had to do anything drastic with the jurors. It's been – I've been really encouraged by the level of participation and you know, everybody has a sense of oh, it's jury duty, everybody wants to say something to get out of it. But I haven't found it – I mean –

CHIEF JUDGE MUNYON: But that's not the reality. That's just a myth.

JUDGE NETCHER: It's really not, yeah.

CHIEF JUDGE MUNYON: Yeah.

JUDGE NETCHER: It's really not.

CHIEF JUDGE MUNYON: And I've had cases that have actually, you pick a jury for a three-week tobacco trial or something and then it settles and the jurors are like but we were interested. Do you have something else that we can do? No, you really have to go home now.

JUDGE NETCHER: I had that experience recently on a case that I ended prematurely, that's what I'll say about it and you could tell the disappointment on the jurors' face because they had engaged, they committed and they were ready to do their civic duty. And for one reason or another it didn't quite get to them.

CHIEF JUDGE MUNYON: Well, I appreciate getting to know something about you today. Thank you for joining me in the studio, Judge Netcher.

JUDGE NETCHER: Thank you so much for having me, Chief.

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.