

**OPEN NINTH:
CONVERSATIONS BEYOND THE COURTROOM
JACK-OF-ALL-TRADES
EPISODE 59
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HOSTED BY: FREDERICK J. LAUTEN**

(Music)

>> Welcome to another episode of “Open Ninth: Conversations Beyond the Courtroom” in the Ninth Judicial Circuit Court of Florida.

Now here’s your host, Chief Judge Frederick J. Lauten.

>> **CHIEF JUDGE LAUTEN:** Hello. Welcome to Open Ninth. I’m here today with three officers of the Judicial Assistants Association of Florida. The association just wrapped up their annual conference today. And before heading back to their various circuits, three of the judicial assistants graciously agreed to spend some time in conversation with me.

So let me introduce everyone to our listeners. With us is the Association’s President, Theresa Novak. Theresa is the judicial assistant for Judge Jeffrey Mahl in the Eighteenth Circuit. She’s been a legal assistant for 28 years, a judicial assistant for -- since 2006, and is a Florida registered paralegal with the Florida Bar since 2010.

And also with us today is the Association’s President-Elect, Robin White. She has been a judicial assistant since 2007. She’s the judicial assistant to Circuit Judge Ross Goodman in the First Circuit. Robin received her bachelor’s in legal studies from the University of West Florida, and has been working in the legal support field for over 27 years.

And our last guest is Lisa Shorten, one of the Ninth Circuit’s own JAs. And she served as the Judicial Assistants Association Treasurer since 2011, and as Membership Chair since 2010. And Lisa is the judicial assistant for Circuit Judge Lisa Munyon and formerly the judicial assistant for then Circuit Judge now Chief Judge of the Fifth District Court of Appeal Jay Cohen. She’s been in the legal field for 27 years, and she started her career as a judicial assistant in 1991.

So I want to thank all three of you for joining me today. And you all have had pretty amazing careers. And the work history of all of you combined gives us over 75 years of knowledge in the court system. So that's going to help me a lot.

But before we go into a dive that's too deep into the conversation, I think maybe it would be beneficial to everyone listening if we begin at the very beginning. And I'll start with the President, because rank has some privileges.

And, Theresa, why don't you tell our listeners just exactly what are the kinds of things that a judicial assistant does.

>> **MS. NOVAK:** We are basically the judge's personal assistant that handles most of his behind-the-scenes kind of things. A lot of people get us confused with court clerks that sit in there and actually work the docket that's been scheduled. But we're back there scheduling for the future dates that are coming up, and keeping his schedule with everything else that he does outside of court as well; speeches and all that kind of thing as well.

>> **CHIEF JUDGE LAUTEN:** Committee meetings, speeches, conferences.

>> **MS. NOVAK:** Yes.

>> **CHIEF JUDGE LAUTEN:** So really the -- I know from personal experience that I couldn't function without my judicial assistant. And, you know, so we're joined at the hip in that sense that we're a team doing this together.

And -- but tell our listeners a little bit more about what court clerks do. Because judicial assistants aren't court clerks, but you mentioned they sometimes get confused.

>> **MS. NOVAK:** Court clerks are keeping, basically, the minutes that are going on in a hearing. So they're keeping up with the rulings that are going on in Criminal Court. They'll do the paperwork that needs to be done as court is going on.

Judicial assistants create those dockets, most of them, and gets things set up for the next day, or keeps up with the monthly dockets as well so that they can -- they know what dates to pick from if they do have to schedule hearings or future dates in the courtroom, then they have something to go by there. So the judicial assistants set that up as well.

>> **CHIEF JUDGE LAUTEN:** Great. So Robin, what kind of training does someone need to effectively do the job of judicial assistant?

>> **MS. WHITE:** Well, as I understand it, currently the only requirement is a high school education.

>> **CHIEF JUDGE LAUTEN:** Okay.

>> **MS. WHITE:** So, technically, if you're working at a fast-food restaurant, have a high school education, you could be a judicial assistant. But --

>> **CHIEF JUDGE LAUTEN:** But realistically, that might be a little hard, right?

>> **MS. WHITE:** It would be very hard.

>> **CHIEF JUDGE LAUTEN:** Okay.

>> **MS. WHITE:** But -- no. The best thing for -- if you want a position in that position, you would need to get some entry level into a law office, get some background into the legal field altogether. I started out as a legal secretary.

>> **CHIEF JUDGE LAUTEN:** In a law firm, privately.

>> **MS. WHITE:** In a law firm, yes, and --

>> **CHIEF JUDGE LAUTEN:** So you must have taken a cut in pay to come to the State system.

>> **MS. WHITE:** Unfortunately, I did. But it was something I strived to achieve.

>> **CHIEF JUDGE LAUTEN:** Right.

>> **MS. WHITE:** It was one of my -- things I really wanted to do.

>> **CHIEF JUDGE LAUTEN:** Great. Great.

Lisa, maybe you can tell us, do judicial assistants tend to come from a particular background to the court system or not?

>> **MS. SHORTEN:** I know that a lot of the judicial assistants come from the Clerk's Office.

>> **CHIEF JUDGE LAUTEN:** All right.

>> **MS. SHORTEN:** They get that experience being in there where they learn the cases, or they're in the courtroom with the judge and so they get used to how the judge does things. And if the judge needs a new assistant, that a lot of times it comes from a trial clerk area because they have that experience.

And that's where I came from. I came -- I was Judge Cohen's trial clerk. I -- when he came on the bench, I was his first trial clerk. And so we got to know each other, we worked well together. And when his JA decided to leave, he called me up and offered me a job.

So a lot of that knowledge and background in the legal field really does help in getting a job as a judicial assistant.

>> **CHIEF JUDGE LAUTEN:** All right. So, Lisa, you came out of the Clerk's Office to a sitting judge.

Theresa, what was your immediate job before you became a judicial assistant?

>> **MS. NOVAK:** I was a paralegal with a law firm locally.

>> **CHIEF JUDGE LAUTEN:** With a law firm.

And then you were also a legal secretary, Robin, with --

>> **MS. WHITE:** Actually, I was an office manager, working for --

>> **CHIEF JUDGE LAUTEN:** Oh, you really took a cut in pay, then.

>> **MS. WHITE:** -- a company that deals in -- software company for the law enforcement agencies. And so I kind of -- I did work for a law firm, and then I transitioned to an office manager. And then, from there, my judge tapped me to be his judicial assistant. So I've been around different areas of the legal field.

>> **CHIEF JUDGE LAUTEN:** So did each one of you -- somehow you knew the judge who selected you to be his assistant. How did you know your judge?

>> **MS. WHITE:** My judge was a law partner in that law firm.

>> **CHIEF JUDGE LAUTEN:** In that firm, and became a judge -- got elected judge or appointed.

>> **MS. WHITE:** And eventually -- he eventually became elected --

>> **CHIEF JUDGE LAUTEN:** All right.

>> **MS. WHITE:** -- the judge, in his position where he's at now.

>> **CHIEF JUDGE LAUTEN:** Right.

And then how about your judge, Theresa; was he elected or appointed?

>> **MS. NOVAK:** He was elected.

>> **CHIEF JUDGE LAUTEN:** And what -- how did you all know each other?

>> **MS. NOVAK:** The first judge that I worked for when I started my -- judicial assistant, he was a very good friend of my father, and of the family. I sang at his wedding, actually.

>> **CHIEF JUDGE LAUTEN:** There we go.

>> **MS. NOVAK:** And he knew I was stressed out in the legal field and said, please come work for me. So I did.

>> **CHIEF JUDGE LAUTEN:** Okay. And, Lisa, you told us kind of about your relationship because you worked in the Clerk's Office.

>> **MS. SHORTEN:** Yeah.

>> **CHIEF JUDGE LAUTEN:** Okay. So you all got your job. What kind of training did you receive, well, other than sort of the training that you brought from the Clerk's Office, from a law firm, from a law-related industry? What training do you get once you realize, now, I'm going to be a judicial assistant? Who wants to take that one on for starters?

>> **MS. WHITE:** The first thing you need is a mentor JA.

>> **CHIEF JUDGE LAUTEN:** All right.

>> **MS. NOVAK:** Yeah.

>> **MS. WHITE:** Somebody that is on the job already, been there, done that, and can -- you can sit under, ask questions; hey, what do I do with this.

>> **CHIEF JUDGE LAUTEN:** Right.

>> **MS. WHITE:** I've got this piece of paper, I've got whatever -- and go to that -- I had a wonderful mentor when I came on the -- with my judge, so that really --

>> **CHIEF JUDGE LAUTEN:** All right. Great. A currently sitting assistant, obviously, who mentored you.

>> **MS. NOVAK:** And that's pretty much all you get, really.

>> **CHIEF JUDGE LAUTEN:** And is that what you got, too?

>> **MS. NOVAK:** Yeah. You've got to beg and plead for help.

>> **MS. SHORTEN:** Yes. And when I started, I was in an office with another JA and judge, and so it really did help to have somebody sitting next to you that was dealing with it all the time and could help you. And because I got that help when I was new, I have always been

there to help anyone that comes on; do the same thing and get the same kind of help that they would need.

>> **CHIEF JUDGE LAUTEN:** So, Lisa, I know, you know, the physical structure of our courthouse. So you were in one of those kind of rare, though, offices where there is sort of a reception area with two judicial assistants and the judges have private chambers. And you were in that space with the other judicial assistant.

>> **MS. SHORTEN:** Right. When I started in 1991 with Judge Cohen, we were in the Angebilt building in County Civil. I came from a traffic background, was in Traffic Court, and so I didn't know anything about County Civil. And we -- when I went in, it was at the time when the judge would do all of his hearings in his chambers, right there. And the public would come in through my office and check in and go into the judge's office. So there was a lot of interaction with the public, and court was going on right behind me.

We didn't have a trial clerk. He marked his own evidence. He sent them out of court to me to type up any judgement or order that needed to be given to them at the time of the hearing. So I was like the trial clerk and the JA at the same time that I was learning.

>> **CHIEF JUDGE LAUTEN:** Wow. Wow.

>> **MS. SHORTEN:** But luckily I had a judge and JA next door that had been doing it for so long that they were able to assist me with what I needed to do.

>> **CHIEF JUDGE LAUTEN:** And so now I know you're in a -- your office is outside of the judge's chambers, but you're, in that sense, alone.

>> **MS. SHORTEN:** Um-hum.

>> **CHIEF JUDGE LAUTEN:** I mean, the two of you are in that space. There's not another judicial assistant in your space.

>> **MS. SHORTEN:** Correct.

>> **CHIEF JUDGE LAUTEN:** And with rare exception, that's how our building is organized. But in County, there are some people who share space.

But, Theresa, do you share space or have your own space? What's your --

>> **MS. NOVAK:** We do; we share a space where there's two JAs in the same suite, but we're separated by a wall, like a full wall there. But you can still kind of scream around, you know, to ask for suggestions when you have crazy things come up. But we share a suite as well, and then the judges have their separate private offices to the side.

>> **CHIEF JUDGE LAUTEN:** How about you, Robin; what's your setup?

>> **MS. WHITE:** I have my own separate office that it joins with my judge. And then across the way, I guess, the suite -- but it's all separate -- it's kind of hard to explain -- but there's another JA and another judge on the other side.

>> **CHIEF JUDGE LAUTEN:** So, Robin, you mentioned you've got to find a mentor JA who will walk you through it. But was there a formal program; a formal training program for any of you, or was it pretty much informal?

>> **MS. WHITE:** No, no.

>> **MS. NOVAK:** I was told, if you need any help, let me know; if you need paperclips or anything like that. I'm like, I need to know how to dial out; I don't even know how to use the phone.

>> **CHIEF JUDGE LAUTEN:** Where is the phone?

>> **MS. NOVAK:** So we got nothing.

>> **CHIEF JUDGE LAUTEN:** How do I log into this computer?

>> **MS. SHORTEN:** And we did -- in the Ninth, had a mentor program at one point for the judges and JAs, where we would -- if -- and I remember probably almost 12 years ago when we had a huge influx of new judges starting, we did kind of like a boot camp --

>> **CHIEF JUDGE LAUTEN:** Right.

>> **MS. SHORTEN:** -- where we spent a Saturday here in the building, and we had all the judges and all the new JAs come in and we did breakouts where we met with the JAs and we went over things and we taught them what they were coming into. We gave them a book with all kinds of information in it. But, you know, that doesn't always get done. That was more of a -- because there's so many starting at one time, we did it.

Unfortunately, the -- you know, we can hand them a manual, but being that because we have to be in our office doing our daily job, we can't go and spend hours or days with them to teach them this information, which is so vital for them to do their jobs.

>> **CHIEF JUDGE LAUTEN:** Yeah, right. Well, I know judges have continuing judicial education credits. Like lawyers have to earn continuing legal education credit, judges have to earn continuing judicial education credits. Do judicial assistants have to earn continuing judicial assistant education?

>> **MS. WHITE:** No.

>> **MS. NOVAK:** No, not judicial assistants. We do have our educational conferences, and there are some registered paralegals that we've gotten approved for the CLEs through that --

>> **CHIEF JUDGE LAUTEN:** For the paralegals.

>> **MS. NOVAK:** -- for the paralegals. But there's no requirement as a JA.

>> **CHIEF JUDGE LAUTEN:** But not to keep your job as a JA.

>> **MS. NOVAK:** No.

>> **CHIEF JUDGE LAUTEN:** So how did your conference come into existence?

>> **MS. SHORTEN:** Well, back in 1988 --

>> **CHIEF JUDGE LAUTEN:** Right.

>> **MS. SHORTEN:** -- one of the local JAs here in the Ninth Circuit made a phone call to some JAs down in the Seventeenth Circuit who wanted to come together and form an association to assist JAs with furthering their education and the benefits for JAs. Because we are personal employees of the judge, we're in a different rate class than any other State employee. If the judge leaves, we are without a job, unlike most State employees who stay within Court Administration.

So we wanted a way to try and further our way of life, you know, and how -- what do we do -- you know, what can we do to make our jobs more appealing and, you know, make ourselves more appealing to people that may want to hire us if our judge should have to, you know, resign, retire --

>> **CHIEF JUDGE LAUTEN:** Promoted.

>> **MS. SHORTEN:** -- you know, get promoted to the DCA, like I had. You know, when my judge -- well, when Judge Cohen, I should say, was elevated to the Fifth DCA, I was in a panic because I didn't know what I was going to do. At the time, in order for me to leave Circuit Court and go to the DCA, it was a \$10,000 a year pay cut, and that's huge.

>> **CHIEF JUDGE LAUTEN:** Right. Plus you had to travel.

>> **MS. SHORTEN:** And so -- plus I would have had to travel from Orlando to Daytona every day.

>> **CHIEF JUDGE LAUTEN:** Right.

>> **MS. SHORTEN:** And so I had to figure out what I was going to do. And luckily, I was -- I had -- within, I'd say, a day, I had three or four judges come to me and say, don't worry about it, we got you. And luckily, one of those was Judge Munyon and she needed a JA and, you know, I was able to get a job rather easily. But that doesn't necessarily mean that's what would happen for another JA. It just all depends on the timing and what's going on as to whether they would be able to get picked up by someone.

We had a JA, like a few years back, whose judge just decided to retire out of the blue. There were no openings, and she was luckily picked up by Court Administration. But she didn't get back on as a judicial assistant for two years when another judge would pick her up. So you just never know.

>> **CHIEF JUDGE LAUTEN:** So limited job security. And you -- and I think -- I don't know if our listeners know this or not, but each one of your judges are elected officials.

>> **MS. SHORTEN:** Correct.

>> **CHIEF JUDGE LAUTEN:** And so someone can run against your -- you know, your boss, and they might lose an election and then you're maybe out of a job, probably likely out of a job. It would be a -- I guess it's a little odd for the judicial assistant for a judge who was defeated by a lawyer to then work for that lawyer. Maybe it's not unheard of, but it's odd.

>> **MS. SHORTEN:** We have one like that.

>> **CHIEF JUDGE LAUTEN:** We have one here.

>> **MS. SHORTEN:** Judge Shoemaker's JA.

>> **CHIEF JUDGE LAUTEN:** Oh, that's right. That's exactly right. So we have the -- but that's the exception to the rule.

>> **MS. SHORTEN:** And Judge Caraballo's JA.

>> **MS. NOVAK:** Yeah.

>> **CHIEF JUDGE LAUTEN:** But that's a little bit of the exception.

>> **MS. SHORTEN:** Correct.

>> **CHIEF JUDGE LAUTEN:** Normally, if your judge runs and is defeated, then you're looking for work and --

>> **MS. SHORTEN:** Um-hum. It's a rarity.

>> **CHIEF JUDGE LAUTEN:** Yeah. So -- and then the other -- I know the other pressure point is that salaries -- your salaries are set by the Legislature.

>> **MS. NOVAK:** Yes.

>> **CHIEF JUDGE LAUTEN:** And all of us work in a field where -- let's say we were the most productive employee in the building, at the end -- if you were in private business, you might get a bonus at the end of the year because management would recognize, wow, you're the hardest worker we've got; we never want you to leave; here's money, please stay. But that doesn't happen in our field, for judges or judicial assistants. Your salary is set; it's set by the Legislature. Your judge can't say, I'm going to give you a raise -- from State money at least. And so in that sense your salary is pretty tightly controlled. And it's not really a competitive -- I mean, let's be honest with it.

>> **MS. NOVAK:** It's not.

>> **CHIEF JUDGE LAUTEN:** It's not a competitive rate. Most judicial assistants are paid a lot less than in private practice. So why stay? What's the attraction to staying as a judicial assistant if your pay -- if you know you could get more pay in the private field?

Theresa, you want to start with that one? Tough one, huh?

>> **MS. NOVAK:** Oh, it is a tough one. I mean, we do have good benefits, so we do have to at least acknowledge that, that we have great benefits. But just -- it just depends. I mean, your lifestyle and your family situation has a lot to do with it. I know I was stressed working 6 o'clock in the morning until 11 o'clock at night sometimes at the law offices I was at. So it was a nice break to know that if you really wanted to, at 5 o'clock, you could clock out here and be done with it. Not so much these days, because everything is electronic and you are working more hours than you're actually getting paid for, but it kind of just happens. You know, I mean, even though it's not supposed to happen, it happens.

>> **CHIEF JUDGE LAUTEN:** Right. I was going to say, that's not supposed to happen.

>> **MS. NOVAK:** You can't just turn that off --

>> **CHIEF JUDGE LAUTEN:** I know that, as a Chief Judge, that's not supposed to happen.

>> **MS. NOVAK:** Yeah.

>> **CHIEF JUDGE LAUTEN:** But one nice thing, I think, about the team of judge and JA is in many ways, with some exceptions, the judge controls his or her docket. In other words, if the judge says, I've just got to stop at 5:00 today and I'm going to stop at 5:00, the lawyers can't say, oh, no, you're not.

>> **MS. NOVAK:** Yes.

>> **CHIEF JUDGE LAUTEN:** When jurors are -- juries are out deliberating, very often judges stay late, sometimes JAs; or if closing arguments are going to happen at 6:00 as opposed to 4:00 or 5:00, and the assistant's there typing up jury instructions and other things for the judge.

>> **MS. NOVAK:** Right. Yes.

>> **CHIEF JUDGE LAUTEN:** But is your sense that there is a little bit more control over your personal life than in a law firm where you have to be there whenever they --

>> **MS. NOVAK:** Oh, definitely, yes. Definitely.

>> **CHIEF JUDGE LAUTEN:** That makes it --

>> **MS. NOVAK:** Yeah. And if -- and it's easier when you're working for that one judge instead of that law firm that has other paralegals depending on you, and other attorneys -- associate attorneys, and office manager, and everybody else. When your judge says, okay, I think I can get it from here; if you need to go somewhere or you need to leave at 5:00, then go ahead and I'll keep up.

>> **CHIEF JUDGE LAUTEN:** Yeah. And, Robin, I imagine working for one person, you know, being the sole employee for one individual, you develop sort of a sense of loyalty and comradery and that you're a team. Is that true or not true?

>> **MS. WHITE:** Absolutely. And my judge will tell everybody that he nicknames me Radar, because I'll rush in -- I will --

>> **CHIEF JUDGE LAUTEN:** No kidding? From MASH; like Radar from MASH?

>> **MS. WHITE:** Yes. I will rush into the office with whatever it is that he was beginning to ask me for.

>> **CHIEF JUDGE LAUTEN:** Gotcha. Gotcha. Very good.

>> **MS. WHITE:** So we know each other pretty well.

>> **CHIEF JUDGE LAUTEN:** What are some of the limitations on your role as a judicial assistant? Why don't you share with our listeners, what are some things that you think the public thinks you can do that you know you can't do?

>> **MS. SHORTEN:** We cannot give legal advice.

>> **MS. WHITE:** Amen.

>> **CHIEF JUDGE LAUTEN:** And how many times a day are you asked for legal advice; dozens and dozens?

>> **MS. SHORTEN:** A lot, and even by lawyers.

>> **MS. WHITE:** Yes.

>> **CHIEF JUDGE LAUTEN:** Yeah. Amazing.

>> **MS. NOVAK:** Yes.

>> **MS. SHORTEN:** That's where we get -- you know, we have a problem; when the lawyer or a legal secretary call us and ask us for legal advice or --

>> **CHIEF JUDGE LAUTEN:** Like, how do I file this, or, what should I say in this --

>> **MS. SHORTEN:** What should I put in my motion.

>> **MS. WHITE:** Right.

>> **CHIEF JUDGE LAUTEN:** Oh, my goodness.

>> **MS. SHORTEN:** Yeah. And it's like, we -- you know, we don't get paid as lawyers and we don't get paid as legal assistants, and so we can't assist you with what you're supposed to do.

>> **CHIEF JUDGE LAUTEN:** Right. And plus, ethically, you can't give legal advice.

>> **MS. NOVAK:** Yeah.

>> **MS. SHORTEN:** Yeah. And, you know, it's not our role. That is not what we are there to do.

>> **CHIEF JUDGE LAUTEN:** And how much pushback do you get when you say that to people? I guess the lawyers, they might under --

>> **MS. NOVAK:** From the lawyers, you kind of get a little pushback from them sometimes, too.

>> **CHIEF JUDGE LAUTEN:** Really. That's surprising.

>> **MS. NOVAK:** Like the secretary will say, well, if you're telling us that you require a hearing for this, you should be doing the Notice of Hearing. I'm like, that is like the first thing you learn when you're a legal assistant.

>> **CHIEF JUDGE LAUTEN:** Right. Right.

>> **MS. NOVAK:** But I mean, you still get some pushback from them as well.

>> **CHIEF JUDGE LAUTEN:** Well, let me ask you this because, again, I don't know if our listeners know this. One thing we know is that you get lots of calls from pro se litigants, and especially -- and that volume increases, depending on what division you're in. So if you're in the Family division or if you're in Small Claims in County Court -- County Civil, or maybe even County Civil in general, you're going to get pro se -- that is litigants without lawyers -- calling you. And I've got to think they're asking you, you know, what should I put in this motion, what should I put in this pleading; you've got to be able to tell me.

>> **MS. NOVAK:** Yes.

>> **MS. SHORTEN:** The other one is, can I talk to the judge?

>> **MS. WHITE:** Uh-huh, absolutely, yes.

>> **MS. SHORTEN:** Because they want -- they think that they can just call up and speak to the judge and talk to her about their case.

>> **MS. WHITE:** Right. Right.

>> **MS. SHORTEN:** And, you know, of course we can't allow that.

>> **CHIEF JUDGE LAUTEN:** Right.

>> **MS. SHORTEN:** But, you know, it just becomes a little -- you have to really navigate your way around that conversation so that they aren't -- don't get upset, and so that you can, you know, push them off without giving them the -- you know, the wrong information or mislead them in any way to where they think that we can help, you know, in a way that we can't.

>> **CHIEF JUDGE LAUTEN:** What is the most challenging part of your job? Is it the area we're in right now, or is it some other area?

Robin, you want to start with that one?

>> **MS. SHORTEN:** I think pro se litigants is.

>> **CHIEF JUDGE LAUTEN:** All right. Lisa started, but that's okay.

>> **MS. SHORTEN:** I'm sorry, but I mean --

>> **CHIEF JUDGE LAUTEN:** Yeah, dealing with pro se --

>> **MS. SHORTEN:** I think, you know, pro se litigants is a difficult area to navigate, depending on, you know, what division you're in. More so Family can be worse.

>> **CHIEF JUDGE LAUTEN:** I was going to see if Robin was going to say legal secretaries because she was once a legal secretary but, you know --

>> **MS. WHITE:** No. I get along well with all the -- I won't say all -- most of all of the legal staff members that call my office, as well as attorneys.

>> **CHIEF JUDGE LAUTEN:** I'm very partial to my JA, Shirley Washington. And I've been stopped in public, you know, and complimented as a judge, like, you're doing such a great job. And I ask them, well, that's so kind but, you know, why do you feel that way. Because we love talking to Shirley. It's like, I'm not doing a thing. You know, but she has -- you probably know her. She just has a wonderful disposition.

And so, yeah, at the college for new judges -- and then I'm interested about your conference -- you know, we talk about how important this relationship is.

>> **MS. NOVAK:** It is.

>> **CHIEF JUDGE LAUTEN:** But we have stressful jobs. In many ways, as I said earlier, your job can be even more stressful than mine. And so I understand where people are like, I'm trying to get my job done and I can't get this person off the phone who just won't accept that I can't get the judge to change the order; no, you can't talk to the judge about the order; no, we don't have hearing time this week and I'm sorry. I realize that must be very taxing, because you have lots of work to do and sometimes people really want to monopolize your time. So I get that that's probably the hardest part of the job.

What do you like most about your job? What is it that --

>> **MS. WHITE:** I love serving people. I love serving the public and talking to people, talking to lawyers and their staff and the public that calls in. I like to help people.

>> **CHIEF JUDGE:** Great. Great. Great.

Lisa, same?

>> **MS. SHORTEN:** I'm one of those people that I like talking to -- I like answering the phone and talking to somebody to do what I -- my business for the judge. The emailing back and forth, yes, it's convenient, but I think it's impersonal. And I like actually speaking to the people. And so when they call me, I'm able to have that conversation with them. We're a public office, and we should be able to speak to the public and not make it all about an email or --

>> **MS. WHITE:** Be accessible.

>> **MS. SHORTEN:** Yeah, being accessible. And I like doing -- I've been doing it for a very long time, and I stay here, I like the people that I work with. I -- you know, the other JAs

that I, you know, meet yearly at the conferences, I enjoy their company, I like, you know, networking with them, knowing them. I have some very good friends here in the courthouse that I've made throughout the years, and others that I now miss because they're no longer here. And, you know, you make those relationships. And I think that's part of, you know, what I like. I think if I went to work somewhere else, it wouldn't be as comfortable, as easy, and that's part of why I stay. I stay for the people.

>> **CHIEF JUDGE LAUTEN:** Great. That's great. That's great.

Theresa, do you ever go to court with your judge?

>> **MS. NOVAK:** I do, actually.

>> **CHIEF JUDGE LAUTEN:** Why don't you tell our listeners about, you know, when you would do that and what that involves.

>> **MS. NOVAK:** Well, a lot of judges don't expect you to go, and it's nicer to be able to stay back in your office and do all of the stuff you need to get ready for that coming week and the following week. But I do like going in for -- well, when we were in Criminal, it's helpful to sit during calendar call, because that way I could take over the scheduling process instead of him just setting it off and all of these people show up on the first day of trial. I keep up with who has legitimate excuses and how many days they're going to need for the trial, and I can put it in a better order and send the whole thing out to every attorney on the docket so that they don't have to all show up on the first day. So it kind of makes it a little easier.

>> **CHIEF JUDGE LAUTEN:** Gotcha.

How about -- Robin; same thing?

>> **MS. WHITE:** Yes, I do. My judge is a Juvenile judge currently, and so I accompany him in Dependency Court because a lot of times -- we do have set dates for dependency trials,

but a lot of times we have more trials that we need dates for. And so the clerk doesn't have those extra days that I could probably squeeze in, so I like to go with my judge so that they -- if something needs to be scheduled quickly, I can, you know, check the calendar right there. I take my calendar with me to court, and I'm there ready on the spot to do whatever needs to be done.

>> **CHIEF JUDGE LAUTEN:** Lisa, when do you go to court?

>> **MS. SHORTEN:** Well, it depends on what division I'm in.

>> **CHIEF JUDGE LAUTEN:** Right.

>> **MS. SHORTEN:** If I'm in Family, I go to pretrials. I also do the Lack of Prosecution hearings with them because I want to make sure that what's happened in there is something -- if I need to act on it later when I go back to my office, I know what I've got to do. Same with Civil Court. When I was in Complex Litigation, we had foreclosures. I'd do case management conferences with her on foreclosures because I would, you know, prep the docket for her so she would know exactly where the case was at, and we'd set trial dates, and I'd give out trial orders. And it's easier to hand it to them right there when they're in court than have to mail them later. And so it just depends -- you know, and we'd do -- in Criminal, we'd do pretrials. I had a pretrial this week, but I was unable to attend it because we were at the JA conference. But typically, I'm in a pretrial, because it's easier for me to know what's going on right there when it's happening and be able to correct anything that's happening that maybe went the wrong way and got scheduled incorrectly and I'm right there to do it than have to reschedule stuff. So --

>> **CHIEF JUDGE LAUTEN:** So you all can't give legal advice. But how much law have you learned in your position as a judicial assistant? How much --

>> **MS. WHITE:** I've learned a lot of Probate law.

>> **CHIEF JUDGE LAUTEN:** Okay. All right. Okay. I hear you.

>> **MS. WHITE:** Because in addition to the Juvenile duties that my judge does, he is the only Probate judge for the county. So we're the gate -- I'm the gatekeeper for all those checklists.

>> **CHIEF JUDGE LAUTEN:** So over time you learn about deadlines, and you learn about process, and you learn about procedure.

>> **MS. WHITE:** Absolutely.

>> **CHIEF JUDGE LAUTEN:** I mean, you can't sort of really be a JA without learning all that. You probably know more law than you ever thought you'd know. Even though you don't have a law degree and you can't give legal advice, we know that the JA sometimes know about as -- and especially an experienced JA with a brand new judge might know more than the brand new judge.

>> **MS. NOVAK:** It does make it easier.

>> **MS. SHORTEN:** And, you know, even though a lawyer calls in and asks a question that's -- we usually know the answer and the lawyer doesn't.

>> **CHIEF JUDGE LAUTEN:** Interesting.

>> **MS. SHORTEN:** And so, you know --

>> **MS. NOVAK:** Just because you hear it all the time.

>> **CHIEF JUDGE LAUTEN:** Right.

>> **MS. SHORTEN:** We know what is required in a lot of circumstances. Now, we may not know the Statue number for something or the specific Rule number for why you have to do it a certain way, but we know what those rules are and we know that they have to be followed and make sure that they are so that the judge can do their jobs.

>> **MS. NOVAK:** And it's a little learning process for us as well when our judges change divisions.

>> **MS. SHORTEN:** Yes.

>> **MS. NOVAK:** You may be -- when I first started, I was a civil paralegal. So when I started in County Criminal, I didn't think it was a big deal that that guy got a bench warrant. What's that? I mean, can we fix that?

>> **CHIEF JUDGE LAUTEN:** Right.

>> **MS. NOVAK:** And you learn quickly that it's pretty important.

>> **CHIEF JUDGE LAUTEN:** Yeah, it is a big deal. Right. Somebody's getting arrested.

>> **MS. NOVAK:** Yeah.

>> **MS. SHORTEN:** And that's one of the things, is that we have to be very versatile. We, you know, may move from -- like Robin does Juvenile and Probate right now. And next month she might be doing Criminal or Domestic. You know, and we have to be able to know all the different types of courts and what's required for those courts.

>> **CHIEF JUDGE LAUTEN:** Yeah. That's an amazing breadth of knowledge.

>> **MS. SHORTEN:** And -- yeah.

>> **CHIEF JUDGE LAUTEN:** Are there division assignments that, in general, are harder than others for the judicial assistant?

>> **MS. SHORTEN:** It used to be that Civil was the -- Circuit Civil was the place to go. There -- you know, it was pretty easy, there weren't a lot of cases. And then the foreclosure --

>> **CHIEF JUDGE LAUTEN:** Tsunami.

>> **MS. SHORTEN:** -- mess happened, and that division became completely unworkable for one person.

>> **CHIEF JUDGE LAUTEN:** Yeah.

>> **MS. SHORTEN:** And we had to hire case managers, we had to bring in senior judges, and we had to do all that extra work to try and clean up that mess that happened. And it was hard. It was a lot of work. And --

>> **MS. NOVAK:** And I'm in the Civil -- Circuit Civil now, and we don't get clerks for the courtroom either.

>> **MS. SHORTEN:** Yeah.

>> **CHIEF JUDGE LAUTEN:** Oh, you don't?

>> **MS. NOVAK:** Only for trials. So for -- so all civil hearings, I like to go in with my judge for those as well, because he will get onto the next thing and forgot to make a note for -- you know, forget to make a note.

>> **CHIEF JUDGE LAUTEN:** When I -- I started in County Court when I -- and I started in the Criminal division, and my assistant did scheduling, but I did a lot of jury trials. When I was in a jury trial, she would get calls. But then we moved to County Civil, and the work seemed like three times as much for her.

>> **MS. SHORTEN:** Yep.

>> **CHIEF JUDGE LAUTEN:** Unless, a little -- well, I felt a lot of work too, but I might have a hearing where something happened in 15 minutes that would produce an enormous amount of paperwork especially.

>> **MS. SHORTEN:** And that was paperwork, because back then we didn't have computers.

>> **CHIEF JUDGE LAUTEN:** That's right. Everything was -- okay. You just told our listeners how old I am and how ancient I am, but that's okay.

>> **MS. SHORTEN:** But I was there -- I was in County Civil before you, so that ages both of us.

>> **CHIEF JUDGE LAUTEN:** There we go. But you were a child then; you were a mere child.

>> **MS. SHORTEN:** I was. But, you know, that -- computers really helped a lot. Back when we had to do everything manually, by hand, that was hard.

>> **CHIEF JUDGE LAUTEN:** Yeah.

>> **MS. NOVAK:** But it's added some work to us too, like electric file -- electronic filing and --

>> **MS. SHORTEN:** Yeah, but -- yeah. Yeah.

>> **CHIEF JUDGE LAUTEN:** And you have to be computer literate, and that was a new skill set for some people.

>> **MS. SHORTEN:** You do. You have to have a lot of skill sets, you know, and be very adaptable to changing your situation from time to time.

>> **CHIEF JUDGE LAUTEN:** Yeah. What -- if someone came up to you and said, I'm thinking about being a judicial assistant; list for me the top two skill sets that I should possess, what would you say, Robin?

>> **MS. WHITE:** Communication.

>> **CHIEF JUDGE LAUTEN:** The ability to communicate.

>> **MS. WHITE:** Yeah.

>> **CHIEF JUDGE LAUTEN:** Theresa?

>> **MS. NOVAK:** Computers and scheduling are huge.

>> **MS. SHORTEN:** Multitasking.

>> **CHIEF JUDGE LAUTEN:** Multitasking.

What assistance in your job would you list as the number one need that's unmet in the State of Florida for judicial assistants? What do you need more than anything else that you're not getting? And it could be anything. It could be salary, it could be --

>> **MS. SHORTEN:** I was going to say, are you asking if we should get more money? Yes.

>> **CHIEF JUDGE LAUTEN:** Well, I mean, it could be more money. Someone could say, you know, I don't have a computer system; I need a computer system, or --

>> **MS. SHORTEN:** I can't say computers, because the Ninth is pretty advanced as far as all of that goes.

>> **CHIEF JUDGE LAUTEN:** We're pretty -- right.

>> **MS. WHITE:** Yeah.

>> **MS. SHORTEN:** And, you know, we are right there at the top of that realm. And so I get used as a guinea pig for a lot of what we try and do. And, you know, the majority of it is very successful and it makes our jobs a little easier.

>> **CHIEF JUDGE LAUTEN:** Would you all agree salary, number one? When you have a conference, if they said, let's list our greatest needs, is -- salary is always --

>> **MS. NOVAK:** That's top --

>> **MS. SHORTEN:** Education would be --

>> **CHIEF JUDGE LAUTEN:** I was going to get to there in a minute.

>> **MS. WHITE:** That's what I was going to say.

>> **CHIEF JUDGE LAUTEN:** Is education second or first or --

>> **MS. NOVAK:** Yeah, second.

>> **MS. WHITE:** Okay. Close second to salary

>> **MS. SHORTEN:** Yeah, I think it would be.

>> **CHIEF JUDGE LAUTEN:** So you've got salaries, you've education. What else?

Those are really the top two.

>> **MS. SHORTEN:** It would be nice to have more support staff. We used to have support staff, and then Revision 7 hit, and then some pay freezes hit, and we lost a lot of positions and they were support --

>> **CHIEF JUDGE LAUTEN:** And tell our listeners what kind of position -- what do you need for that?

>> **MS. SHORTEN:** Like case managers.

>> **CHIEF JUDGE LAUTEN:** Case managers, staff attorneys.

>> **MS. SHORTEN:** And we used to have more staff attorneys, more case managers.

We had -- we -- when we have to take a day off, there is no one to cover our offices.

>> **CHIEF JUDGE LAUTEN:** That's a good point.

>> **MS. SHORTEN:** And so it would help to have some staff --

>> **CHIEF JUDGE LAUTEN:** A substitute --

>> **MS. SHORTEN:** -- that can come in and sit in our office for the period of time we need to be off.

>> **CHIEF JUDGE LAUTEN:** Right. Right.

>> **MS. SHORTEN:** You know, you get pregnant and you have to be off for three months --

>> **CHIEF JUDGE LAUTEN:** Right, that's --

>> **MS. SHORTEN:** -- it's -- there's just not that coverage. You've got to hope that there's another JA that's willing to give you the assistance that you need. And then even then, it can't be full assistance because we're not two people.

>> **CHIEF JUDGE LAUTEN:** Right.

>> **MS. SHORTEN:** It's whatever we can provide. Vacations, sick leave, doctor's appointments, anything that we need to be out, there's no one else that comes and sits at our desk when we're not there.

>> **MS. WHITE:** Right.

>> **CHIEF JUDGE LAUTEN:** All right. Anything -- so certainly support staff, salaries, education.

>> **MS. SHORTEN:** Education.

>> **MS. NOVAK:** Education.

>> **CHIEF JUDGE LAUTEN:** Anything else?

>> **MS. WHITE:** We would encourage all JAs that are in the State of Florida to join JAAF.

>> **MS. SHORTEN:** Yes.

>> **CHIEF JUDGE LAUTEN:** Talk about that a little bit. Talk about your association, what it does, what its mission is. And you're all three officers, so here's a free plug.

>> **MS. NOVAK:** It's to educate us.

>> **MS. SHORTEN:** And most of this is -- you know, would have to be the JA deciding they're willing to join the association and they're wanting to get the education that we provide. That's where we, right now, provide the education, is through this association.

>> **MS. WHITE:** Right.

>> **MS. NOVAK:** And it's a huge part -- it's 95 percent of what we do in the association is just getting education out there. Whether we're doing -- trying to do small seminars in each circuit or getting this conference, this one conference that we get a year, we have to put that on. We have to organize the whole thing, find the speakers, find the venues.

>> **MS. SHORTEN:** Do the work.

>> **MS. NOVAK:** We do everything. The State provides no assistance for that. We do all of the work 100 percent. And then --

>> **CHIEF JUDGE LAUTEN:** Does Court Administration help at all?

>> **MS. SHORTEN:** Now -- and I have -- I can say that I have recruited my Court Administration staff to help me with A/V.

>> **MS. NOVAK:** Oh, now, yeah, stuff like that, if you ask them to do it but --

>> **MS. SHORTEN:** Yeah, stuff like that. They help me with A/V --

>> **CHIEF JUDGE LAUTEN:** The judges' statewide conferences, the Office of State Courts Administrator will help us, but not necessarily your conference.

>> **MS. SHORTEN:** Yes.

>> **MS. NOVAK:** No.

>> **MS. SHORTEN:** And we have to individually go to our Court Administration and say, will you help us. And they do. They provided --

>> **MS. NOVAK:** They did. They're very helpful.

>> **MS. SHORTEN:** We had this recent conference, and they provided two wonderful people out there providing us all our A/V support. They also had people from Court

Administration that spoke for us at -- and did some education. And so -- you know, but we have to go and ask for that assistance.

>> **CHIEF JUDGE LAUTEN:** I want to go back and end in one area. Again, I'm not sure our listeners understand this. But in many ways you are restricted as employees, ethically, to the same sort of ethical standards that apply to the judge for whom you work. And so, you know, you might provide tremendous assistance to a law firm and they would like to send you flowers or cookies or something, and in essence you have to say, I don't mean to be rude, but no.

>> **MS. NOVAK:** Right.

>> **MS. SHORTEN:** Thanks, but we can't.

>> **CHIEF JUDGE LAUTEN:** Yeah, I can't do that. And you can't go out as an association very easily. I mean, there's a, you know, little bit of a debate about how you can do it, but you can't easily raise funds. Certainly from law firms, it's controversial because it would appear that maybe you're favoring, you know, the law firms for scheduling --

>> **MS. WHITE:** The appearance.

>> **MS. SHORTEN:** One over another.

>> **CHIEF JUDGE LAUTEN:** -- one over another. So that's a restriction. And certainly, you know, if your judge is running for office, people can't come by and say, here's a campaign contribution, and hand it to you in the courthouse; that's prohibited by law. And you really are restricted, not completely but pretty darn close, to what the judges' restrictions are about ethics in the -- in being a judge.

And sometimes the public misunderstands that and it gets a little difficult. Like if someone said, I just -- you know, you're so nice to deal with, here's a box of cookies, you've got to say, I really can't take those. And they think, well, now you're being rude, you know.

>> **MS. NOVAK:** Yes, it's true.

>> **CHIEF JUDGE LAUTEN:** But -- so that's touchy and a little difficult to --

>> **MS. SHORTEN:** And we learned this week that we really can't be out even campaigning for our judge in order to keep our own job.

>> **CHIEF JUDGE LAUTEN:** Is that right?

>> **MS. SHORTEN:** Yeah.

>> **CHIEF JUDGE LAUTEN:** That was one area I just don't have any knowledge. So if your judge is running, you can't go out and --

>> **MS. SHORTEN:** Yeah. You can't be out there -- you know, especially -- well, you can't be out there during work hours because you're a State employee.

>> **CHIEF JUDGE LAUTEN:** That could -- that makes sense.

>> **MS. SHORTEN:** And you have to be -- it's very specific what you can do in order to help your judge win an election. And the basis of that election is if they win, you get to keep your job. If they lose, you don't have a job. So you can't even be out there fighting for your own job.

>> **CHIEF JUDGE LAUTEN:** Yeah, that is -- yeah. That -- I bet you people don't understand that at all.

Any last words about your conference? You're the President-Elect. What's your goals?

>> **MS. WHITE:** I just want to see our education increase, get more substantive topics that's more particular to the JAs. You know, the County JAs have a different job than the Circuit JAs. So, you know, we want to be a little more attuned to that -- to their needs. And reach out to those JAs who don't really understand what the conference is about, what JAAF is all about. So just really market ourselves a little better.

>> **CHIEF JUDGE LAUTEN:** Theresa, when's your -- has your term just ended?

When does it end?

>> **MS. NOVAK:** No. It just started today, actually.

>> **CHIEF JUDGE LAUTEN:** It just started today. Oh, okay, so you're the --

>> **MS. NOVAK:** Our conference ended today, so today's --

>> **CHIEF JUDGE LAUTEN:** You are now the President.

>> **MS. NOVAK:** I am.

>> **CHIEF JUDGE LAUTEN:** You're the President-Elect.

>> **MS. WHITE:** Correct.

>> **CHIEF JUDGE LAUTEN:** So what are your goals for the upcoming year?

>> **MS. NOVAK:** To increase our membership, first of all, because we really need those JAs. We get nothing else, so you may have JAs who started 30 years ago that are still doing it the way they did it 30 years ago, thinking there's nothing else out there and scared to take that next step into something that's more up to date. So we've got to get the JAs to these conferences.

And with funding it's hard, but we've just got to convince them that this is your only education, this is the only place you're going to get it unless you can find it on your own and pay for it on your own. But it's a good conference that we put on.

>> **CHIEF JUDGE LAUTEN:** Why, Theresa, would you seek to hold what amounts to statewide office when there's no salary increase for that position? I assume you don't get paid anything more to be president of JAAF.

>> **MS. NOVAK:** No, you don't. But I really respect our girls, and I know that they work hard. And for what they're getting paid, they work way too hard than they need to. And

it's good to know that we can go in and give them that little bit of help that they can get from our conferences.

>> **CHIEF JUDGE LAUTEN:** So I was honored to ask and thrilled to welcome you all, because your conference was here, to our circuit. One observation I had, it's a gender observation, most of the room -- most of the JAs are women. How many men are there?

>> **MS. NOVAK:** We had three at this conference, actually.

>> **CHIEF JUDGE LAUTEN:** Three men.

>> **MS. NOVAK:** Yeah.

>> **CHIEF JUDGE LAUTEN:** And statewide, do you have any idea about how many judicial assistants are men?

>> **MS. SHORTEN:** Well, there's 991 JAs statewide. I would say there's probably about 10, would be my guess. So it's a very small number of them. You know, it's increasing.

>> **MS. NOVAK:** It is.

>> **MS. SHORTEN:** But right now there's three of them that are, you know --

>> **CHIEF JUDGE LAUTEN:** Members.

>> **MS. SHORTEN:** -- members and -- that attended the conference, and it was good to see because it was the first time we'd had three men at the conference.

>> **MS. NOVAK:** Yeah.

>> **MS. SHORTEN:** So we're getting there.

>> **CHIEF JUDGE LAUTEN:** All right. All right.

I want to say this because I'm honored to be able to do this podcast today, but on behalf of all of the judges in the state, we appreciate so much what you do. And as I said at your

conference, we probably don't tell you enough. And I publicly wanted to say, we couldn't do our jobs without you all.

And that, also, you make us look better because you deal with the public and lawyers and legal staff on a daily basis. Sometimes they're frustrated and sometimes they're upset. Sometimes they don't like a ruling. Sometimes things aren't moving fast enough. And you have to maintain this incredible degree of patience to make us look good, and we're very appreciative of what you do.

And I certainly wish you received more money. Year after -- I'm on the Trial Court Budget Commission, and year after year, one of our legislative budget agenda items is to get more salary for our employees because they are desperately underpaid in today's economy. And so I hope we can succeed at that because you certainly deserve it.

But I hope you know that you're appreciated by all of the judges in the circuit, and we have tremendous respect for you and for what you do.

And I want to say thank you very much for taking time out -- I'm sure you want to get back to your circuits after this week -- and letting me talk to you.

>> **MS. NOVAK:** Thanks for having us.

>> **CHIEF JUDGE LAUTEN:** So I really appreciate that you were joining us today.

Thanks again.

>> **MS. WHITE:** Thank you.

>> **MS. NOVAK:** Thank you very much.

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