
THIRD DISTRICT COURT OF APPEAL

**Location:
2001 S.W. 117 Avenue
Miami, Florida 33175-1716**

(Comprising the 11th and 16th Circuits)

Chief Judge Gerald B. Cope, Jr. 305/229-3200 Annette Cil, Monica Cronin, and Ryan Harrington, Law Clerks	Judge Juan Ramirez, Jr. 305/229-3200 Mercy Sarria-Sanchez and Monserrat Bond, Law Clerks	Senior Judge Alan R. Schwartz 305/229-3200 Susan Faerber, Law Clerks
Judge David L. Levy 305/229-3200 Jessica Fonseca-Nader and April Veilleux, Law Clerks	Judge Linda Ann Wells 305/229-3200 Gale Bramnick and Kyle Nichel, Law Clerks	Mary Cay Blanks, Clerk 305/229-3200 Ann Hearin, Deputy Clerk 305/229-3200 Dorothy Monro, Marshal 305/229-3200
Judge David M. Gersten 305/229-3200 Margaret Brenan Correoso and Erin Kenney, Law Clerks	Judge Frank A. Shepherd 305/229-3200 Erin Loeb and Michael Hirschowitz, Law Clerks	Al Sadowski, Deputy Marshal . 305/229-3200 Fax: 305/229-3206 Joanne Sargent, Court Counsel 305/229-3200
Judge Melvia B. Green 305/229-3200 Ila Klion and Mercedes Prieto Alonso-Knapp, Law Clerks	Judge Richard J. Suarez 305/229-3200 Diane Kuker and Christopher Ambrosio, Law Clerks	Oral Argument Days: Monday through Wednesday.
Judge John G. Fletcher 305/229-3200 Sara Reyes Garcia and Melanie Trexler, Law Clerks	Judge Angel A. Cortiñas 305/229-3200 Maria Gonzalez and Yelena Shneyderman, Law Clerks	
	Judge Leslie B. Rothenberg ... 305/229-3200 Rosa Rodriguez and Peter Brown, Law Clerks	

Filings

Night Box: None at the Court, but a night box is available for filing at the 11th Circuit Court in and for Miami-Dade County, located at 73 W. Flagler Street, Miami, FL. This night box is operated by the Dade County Bar Association. Please contact the Dade County Bar Association for more information.

Filing by Facsimile: Not permitted unless specifically authorized in advance by the Court.

Motions

Number: File original.

Motions for extension of time to file briefs: see "Notice to Attorneys and Parties"

Envelopes: Include pre-addressed, stamped envelopes for all parties including the movant.

Briefs

Number: File original and three copies.
Briefs should be securely bound on the left-hand side or upper left-hand corner and in a manner that will allow them to lie flat when opened.

Certificate of Interested Persons: Not required.

Docketing Statement: Not required.

Rehearing

Motion for Rehearing: File original.

Motion for Rehearing En Banc: File original.

FOR ADDITIONAL LOCAL RULES AND PROCEDURES, SEE THE FOLLOWING ATTACHED "NOTICE TO ATTORNEY AND PARTIES" THE COURT SENDS TO COUNSEL DURING AN APPEAL.

IMPORTANT NOTICE
EFFECTIVE IMMEDIATELY

**The docket of the Third Court of Appeal is available on-line at
www.3dca.flcourts.org**

THIRD DISTRICT COURT OF APPEAL
 NOTICE TO ATTORNEYS AND PARTIES

STREET ADDRESS: 2001 S.W. 117th Avenue, Miami, Florida 33175-1716.

TELEPHONE: (305) 229-3200

ON-LINE DOCKET available at www.3dca.flcourts.org

To access specific areas in the clerk's office, dial the following extensions:

<u>Docketing & Front Desk</u>	Ext. 3261 Ext. 3260	<u>New Cases</u>	Ext. 3253 Ext. 3255
<u>Opinions</u>	Ext. 3256	<u>Rehearings</u> <u>Mandates</u>	Ext. 3266 Ext. 3266
<u>Scheduling Oral Argument</u>	Ext. 3258 Ext. 3248	<u>Orders</u>	Ext. 3254 Ext. 3265
<u>Fees</u>	Ext. 3255	<u>Supreme Court</u>	Ext. 3249

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in proceedings at the Third District Court of Appeal should notify the Marshal, Kenneth F. Potter, (305) 229-3200; or 1-800955-8771 (TDD); or 1-800-955- 8770 (V); via Florida Relay Services.

In order to assist the Court in orderly consideration and disposition of matter under appellate review, compliance with the following is respectfully requested.

NOTICE OF APPEAL: File the original in the lower court with \$300.00 filing fee payable to Clerk, Third District Court of Appeal. Include the lower court number and judge's name in the upper right hand corner. There is a fee for the lower court, payable to the lower court. In the certificate of service, please indicate the name of the attorneys, their firms and who represents whom. Also include the Florida Bar number of the filing attorney.

PETITIONS: All original writs: file an original and three copies with \$300.00 filing fee payable to Clerk, Third District Court of Appeal. Petitions should be securely bound on the top. Include the lower court number and judge's name in the upper right corner. In the certificate of service, please indicate who represents whom and the Florida Bar number of the filing attorney. Include pre-addressed, stamped envelopes for all parties including yourself. Habeas Corpus or appeals therefrom do not require a filing fee.

APPENDIX: Original and three copies, securely bound on the top or upper left hand corner AND SHOULD BE FILED SEPARATE FROM THE BRIEFS.

RESPONSE: ORIGINAL WRITS: Original and three copies. **Motions:** original only.

MOTIONS FOR EXTENSION OF TIME FOR BRIEFS ONLY: Original and copies, for all parties in the certificate of service, including yourself. Include pre-addressed, stamped envelopes for all parties including yourself.

BRIEF: Original and three copies, securely bound on the left hand side and **in a manner that will allow them to lie flat when opened.** No specific color folder is required.

RECORD: When providing directions for inclusion of exhibits in the record on appeal, do not designate any tangible evidence without prior permission of the Court. This applies especially to drugs, firearms, explosives, x-rays and heavy or bulky items such as large maps, photographs and graphs.

NOTICE TO INVOKE TO THE SUPREME COURT: Original with two copies and a copy of the opinion and order denying rehearing with \$300.00 filing fee payable to Clerk, Supreme Court of Florida.

COPIES: Copies are made by court personnel only. Please call to be sure file is available for viewing. The copying fee is \$1.00 per page. We require exact cash or law firm check. We do not mail copies unless both copies and postage have been prepaid. We prefer that you come in the afternoon to make copies.

MARY CAY BLANKS
 Clerk District Court of Appeal
 Third District

Inside the Third District Court of Appeal

The Third DCA¹

Introduction

Known for its long standing custom of granting oral argument in every appeal when it is requested, its liberality in granting extensions of time, and its low-key approach to enforcement of mere procedural technicalities, the Third District's credo is that each case should be decided on its merits instead of by some "gotcha" device. Practitioners before the Third District can be certain of three things: oral argument in any appeal (final and non-final) in which it is requested; adequate time to research the issues and to prepare their briefs; and consideration of the substance of their arguments, absent a jurisdictional impediment or flagrant or repeated procedural violations. This article will discuss those characteristics of the Third District in greater detail, provide a glimpse of the Court's history, provide practice pointers for attorneys who may appear before the Court, and look ahead to some areas of possible future concern for the Court.

This article was updated with the assistance of Joanne Sargent, whose title is Court Counsel, but whose job description includes two distinct functions. As Court Counsel, Ms. Sargent serves as the attorney for the Third District, handling day-to-day legal and administrative matters. She also serves as the law librarian.

As remarked by the original author of this article, Roy D. Wasson, I found the Third District to be exceptionally helpful and open in updating the information contained in this article. On behalf of all appellate attorneys, I thank the entire Court for their sage instruction and guidance in the art of appellate advocacy, which they freely dispense at frequent seminars and in countless opinions throughout the year. I also thank Mr. Wasson for writing such an exceptional article, and Ms. Sargent for her assistance in its update.

History and Jurisdiction of the Third District

The Third District Court of Appeal was one of the original three District Courts created by the Florida Legislature in 1957. The first judges on the Court were Tillman Pearson, Mallory Horton, and the late Charles Carroll. The Court convened in classroom facilities at the University of Miami while waiting for a new building the original judges thought was to be constructed with funds approved by the Legislature. However, the early Third District found itself caught in the cross fire between the faction that wanted the *Second* District to be located in Lakeland and the one that wanted the Court to be headquartered in Orlando. Fears arose among the pro-Lakeland faction that — unless the money that the Legislature had set aside for building an appellate courthouse was used for constructing the Second District's building in Lakeland (instead of the Third District's building) — political pressures would result in the Second District being situated in Orlando. So the funds that the Third District had expected to be available for its building were used for the Second District instead, and the Third District convened in borrowed quarters at the University of Miami until 1961.

In 1961, the Third District moved into the top floor of the State Office Building on Northwest 12th Avenue in Miami, where it remained until 1976. There was discussion for a time of the Court moving in or near the County Courthouse in downtown Miami, but the judges decided against the move. In 1972, interested parties prevailed upon Dade County to donate to the State of Florida land in Tamiami Park, along Southwest 117th Avenue, next to the southern campus of Florida International University. A year or so later, the State budgeted funds for construction of a permanent building for the Court, and the Third District moved to its present

location on July 1, 1976. A new wing was added to the building in 1990.

While the Court's mailing address is 117th Avenue, a short turn onto Thomas Barkdull Way will take you into the Court's parking lot. The Third District is the only structure on Barkdull Way, the intersection of which with 117th Avenue is marked by a traffic signal and a distinctive street sign erected in celebration of Judge Barkdull's 30th anniversary with the Court.

Although the State's largest single metropolitan area of Greater Miami is within its jurisdiction, the Third District comprises only two counties, Miami-Dade and Monroe, the fewest of any of the five districts. The Court does not have any permanent location other than in Miami. However, cases arising in Monroe County are sometimes set for argument in Key West or at Plantation Key and oral argument calendars are sometimes set at an area law school. Eleven full time judges now sit on the Court. A brief sketch of the historical background of all the district courts of appeal and the Florida Supreme Court may be found on the internet at "<http://www.flcourts.org>".

Practice Before the Third District

Appellate attorneys who practice before the Third District regularly should take pride in the response Roy D. Wasson received from the judges responding to the interview questions about what made the Third District unique among the DCAs. Of six judges who expressed a belief that there was some distinguishing characteristic about their Court, three said it was the superior quality of the appellate Bar practicing before it. The other three judges responding on that point mentioned the Court's liberality in granting oral argument and extensions of time, and the Court's greater focus on the merits of the issues over mere

technicalities.

A look at caseload statistics for the last three years shows the steady challenge met by the Third District. In 2002, 2003 and 2004 new filings and reinstatements totaled 10,508, 10,286 and 11,022 respectively.

Cases disposed of by opinion are by judge-authored opinion, PCA opinion, or PCA without opinion. In 2004, 831 cases were disposed of by judge-authored or PCA opinion, and 1,185 by PCA without opinion. There were also 110 concurring or dissenting opinions filed, 44 non-dispositive opinions filed and 893 motions for rehearing/clarification filed.

Cases are assigned to a merits panel upon receipt of the record, the initial brief and the answer brief. You can find out who is on your merits panel when you arrive for oral argument on the morning it is scheduled and not before. Prior to that time, matters relating to cases are handled by the Chief Judge, a motion panel assigned to rule on matters arising before assignment to the merits panel, or the Clerk of the Court. Motions of a procedural nature (for example, motions to consolidate cases or for extensions of time) may be decided by the Chief Judge. Motions of a substantive nature (for example, motions to dismiss) are decided by a three-judge motion panel.

The Clerk of the Third District has the authority to dispose of certain unopposed routine motions for extensions of time. However, all matters of substance are ruled upon only by judges. For example, while research assistants summarize the parties' briefs, they are not permitted to opine on the merit (or lack thereof) of a party's position. The judges assigned to the case are sole decision makers on the question of the correctness of a given proposition of law.

The practitioner before the Third District will enjoy enough time to adequately review the record, research the issues and prepare his or her principal brief, although the Court has taken steps to limit abusive delays in briefing cases, such as criminal cases involving short sentences. Absent

abuse, the Third District recognizes time constraints imposed by other courts and other difficult circumstances under which appellate attorneys operate, and seems to view reasonable requests for extensions as in keeping with the policy of deciding cases on their merits. The Third District has admonished counsel for opposing without good cause reasonable requests for additional time. Therefore, attorneys "directed" by their clients to oppose all requests for extension would do well to consent to reasonable requests for extension (especially the first).

Further reflective of the Third District's policy of deciding cases on their merits, briefs will not be stricken — nor will appeals be dismissed — for harmless or trivial deviations from the Florida Rules of Appellate Procedure. Unlike some other districts, the Third does not screen briefs for compliance with the typeface and spacing requirements of the Florida Rules of Appellate Procedure. Therefore, readers are encouraged to overlook minor missteps by their adversaries and to address the substance of their cases, instead of cluttering the Court's files with motions for sanctions and the like, which seek final decisions on matters other than the merits.

However, the Third District's seemingly relaxed approach to such matters should not be misconstrued as a license, (much less an invitation) to ignore the Florida Rules of Appellate Procedure. One of the judges from the Third District counseled practitioners that the technical requirements for briefs and other provisions of the appellate rules generally are written to ease the judges' task of reading and understanding the briefs, and that practitioners would be well-advised to follow the Rules' requirements to facilitate the Court's consideration of each case on its merits. Compliance with such requirements carries with it the practical advantage of enhancing the judges' consideration of the substance of the case, so the Rules should be followed if for that reason alone.

Although appreciative of the caliber of the appellate Bar and the quality of work generally before

them, several of the Third District judges provided a number of useful hints in brief writing, presentation of oral argument, and other areas that may be of aid to the practitioner appearing before the Court. Meeting the Third District's judges' expectations in brief writing is not much different from writing briefs for any of the other District Courts of Appeal.

Those judges of the Third District expressing an opinion on the subject share the belief held by appellate judges from other courts that shorter briefs are generally preferable over longer ones. More than one of the Third District judges discussing the subject agreed that three points on appeal are enough in the typical case.

Aside from the length of briefs and the number of issues addressed, judges made other suggestions for making briefs more readable. One practical suggestion is that the practitioner review each of the copies of a brief filed with the Court, not just the original. It is not an uncommon experience for copies of briefs to be filed with missing or juxtaposed pages, notations not intended for review by the Court, and other conditions not conducive to persuading the reader.

Two judges noted that the Third District is liberal in permitting appellees to restate facts in their answer briefs. The practitioner should not just correct erroneous facts, but restate enough of the uncontested facts to place corrections in context.

One judge has expressed his suggestion in numerous seminars that the most important section of the brief remains the summary of the argument. It should be written first, partly because it serves as an outline for the balance of the brief, and partly because it serves to sharpen the focus of the writer thereby enhancing persuasion. Finally, on the topic of briefs, a reminder that the practitioner must state with precision each form of relief sought and not assume that the Court knows what he or she wants to occur after a decision is reached.

In addition to preparing succinct and polished briefs, there are other practical ways of assisting the judges in performing their function.

One practical pointer is that attorneys should be selective about what materials are requested to be included in the record. There is no need in most cases to direct the Clerk to include all papers filed in the lower tribunal. The weight and bulk of unnecessary filings renders it unduly burdensome for a judge to review the pertinent materials. The longer the judge spends wading through irrelevant documents, the less time remains to consider the part of the record that supports the position of the advocate.

Similar suggestions from more than one of the judges are that the practitioner use discretion in including items in the appendix, and to separate the appendix from the brief, rather than filing both documents in a single bound volume. That request makes it easier for the judges to carry your brief with them and easier to find important papers in the appendix, thereby increasing the likelihood that they will be read at a convenient time and place, and increasing the impact of the written presentation.

The Third District's policy on brief-binding is that briefs should be securely bound on the left-hand side or upper left-hand corner and in a manner that will allow them to lie flat when opened. No specific color cover is required. In a long dissenting position set forth at a meeting of the Appellate Rules Committee (obviously intended to poke good-natured fun at all the time and energy being expended on the great brief-binding controversy), Judge Schwartz expressed his preference for a single large staple inserted through the dead center of each copy of the brief.

Joanne Sargent reminds the readers that filing requirements of the Third District are either spelled out in the Rules of Appellate Procedure or the notices herein. However, she notes the following, based on frequently encountered trouble spots:

1. In all filings, include a certificate of service, indicating the names of the attorneys, their firms and who represents whom. Also, include The Florida Bar number of the filing attorney.

2. When filing a motion for

extension of time, provide the Court with the original and copies of the motion for all counsel involved, including addressed, stamped envelopes. The purpose of the copies on a motion for extension is to enable the Court to note the disposition of the motion directly on the copy and to mail it to record counsel, without tying up the Clerk in preparing separate orders.

3. All motions other than motions for extensions require only the original to be filed. The Third District prepares its own orders. Do not provide proposed orders when filing motions, but do include addressed, stamped envelopes for all counsel involved.

4. When filing motions, recite whether your opponent has an objection to the motion.

5. On motions to withdraw, the attorneys filing the motion must serve the party being represented.

6. Filing by facsimile is not permitted in the absence of a genuine emergency not self-created. The title should reflect that it is a genuine emergency matter, and a telephone call to the Chief Deputy Clerk is warranted prior to filing by facsimile where the moving party believes a true emergency exists.

Oral argument is virtually a matter of right in the Third District. The judges frequently comment that oral argument helps the Court keep current in its disposition of cases, providing a point in time at which each judge on the panel is simultaneously familiar with the case and the law applicable to it. Merits panels at the Third District do not "pre-conference" cases; that is, they do not meet to make a preliminary decision on the case before oral argument. Thus, while the individual judges no doubt have some preliminary opinions at the time of argument, there has been no tentative vote taken and the appellate attorney has a clean slate upon which to draw for the panel as a whole at the time of oral argument.

The Chief Judge screens each case in which a request for oral argument is made — not to determine which appeals will be set for argument, but to determine the amount of time that will be allotted (ten, fifteen, or twenty minutes) —

depending upon such matters as the complexity of the case and the number of issues presented. Other cases in which no argument has been requested by either party may be set for argument anyway.

The practitioner can expect that each case in which argument is requested will be scheduled for the next available argument calendar following the time the answer brief is filed. Sometimes the next available date is less than a month away, so the appellant's attorney should plan on filing his or her reply brief (if any) at least several days before any scheduled oral argument.

Oral argument before the Third District should be viewed as a welcome opportunity to answer questions from the bench, rather than a mere regurgitation of the contents of the written presentation. Judge Schwartz relates that the Third District has evolved from one of the "coldest" benches in Florida (asking few questions during argument) to one of the "hottest." The advocate must view each question as an opportunity to educate not only the questioner, but the other panel members for whose benefit the question may have been posed in the first place. One of the sources for the article quoted another member of the Third District as counseling oral advocates as follows: "Your task is to capture the imagination of one of the members of the panel . . . and make him [or her] your advocate."

Other good advice provided for conducting oral argument before the Third District: "Your oral presentation should be an informal matter. Just imagine that you are standing at your backyard fence, talking to three fairly intelligent neighbors, and tell them how your client has been aggrieved and what should be done about it."

Judge Levy also suggests that counsel avoid using a great deal of time on the facts of the case. Each of the judges on your panel has read the briefs and is familiar with your case, so a short recitation of the nature of your case is generally sufficient to remind the panel what case you are arguing and to set the stage for discussion of the legal issues. If you should run out of time

before you are finished due to questions from the bench and not because you have wasted your time, the Court generally will allow you more time to make your final points, but it is preferable to limit the factual recitation to a minimum to conserve your available minutes.

The Future and Concerns of the Court

Florida boasts the largest number of appeals filed as a matter of right of any state, behind only California. Rapidly changing laws seem to be as much a factor underlying the large number of appeals as any factor. For example, the enactment of and amendments to sentencing guidelines is said to have increased appellate filings by fifteen percent. The Third District has the physical space to cope with future growth, although the maximum number of judges thought to be able to operate as a collegial body is fifteen.

The Third District is positioning itself to be aware of and have input in proposals for change in the appellate process being discussed across the state. Indeed, Judge Barkdull, now retired, served on the Florida Constitution Revision Commission. Judge Barkdull was also a member of the Article V Task Force created by the 1994 Legislature to study and recommend changes to the judicial system, proposed changes that will assuredly impact the appellate courts. The Court also boasts a former Attorney General in Judge Shevin, now retired, which only increases the already lofty stature of the Court. These are just a few examples. It must be noted that the other judges are equally involved in myriad committees seeking as a goal the improvement of the administration of justice in Florida. Thus, with a keen eye on the future, this Court has truly placed itself on the forefront of impending changes in the appellate process.

The Judges of the Third District

This section of the article will introduce readers to the judges of

the Third District and provide glimpses of each judge's background. Space constraints prohibit the listing of numerous significant accomplishments in the life of each judge. This is simply a sampling of activities and attainments to help readers gain a better understanding of each judge. The author apologizes for omitting many material matters. The judges are listed in alphabetical order.

Chief Judge Gerald B. Cope, Jr.

Chief Judge Cope was born in Orangeburg, South Carolina in 1946. In 1951, his family moved to Melbourne, Florida. He is married to Carol Soret Cope, an attorney and author. They have one daughter.

Judge Cope received his undergraduate degree *cum laude* from Yale University in 1968. He received his J.D. degree with highest honors from Florida State University College of Law in 1977, where he was elected to the Order of the Coif and served as Editor-in-Chief of the Florida State University Law Review. He earned an LL.M. degree from the University of Virginia School of Law in 1992.

Before becoming a judge, Gerald Cope was an AV-rated attorney in private practice with Greer, Homer, Cope & Bonner, P.A. and Arky, Freed, Stearns, Watson, Greer, Weaver & Harris, P.A. Judge Cope also held administrative positions with the Florida Division of Youth Services and the Florida Department of Health and Rehabilitative Services.

Governor Bob Martinez appointed Judge Cope to the Third District Court of Appeal in December of 1988. He was retained in merit retention elections in 1990, 1996 and 2002. He began serving as Chief Judge of the Third District on July 1, 2005.

Judge Cope is very active in voluntary bench and bar activities. He has served on the Florida Conference of District Court of Appeal Judges in roles from member of the Education

Committee to president of the Conference. He has been a member of the Appellate Court Rules Committee, and is a past chairman of that committee. He is a member of the Eugene P. Spellman Chapter of the American Inns of Court. From 1993 to 1999 he was on the Executive Council of the Florida Bar Appellate Practice Section. He has been a member of the Florida Juvenile Justice Task Force, the Dade County Bar Association Task Force on Jury Selection, and is a member of other professional organizations.

Judge Cope has published articles including *Discretionary Review of the Decisions of Intermediate Appellate Courts: A Comparison of Florida's System with Those of the Other States and the Federal System*, 45 Fla. L. Rev. 21 (1993); *A Quick Look at Florida's New Right of Privacy*, 55 Fla. Bar. J. 12 (1981); *To Be Let Alone: Florida's Proposed Right of Privacy*, 6 Fla. St. U. L. Rev. 671 (1978); *Note, Toward a Right of Privacy as a Matter of State Constitutional Law*, 5 Fla. St. U. L. Rev. 631 (1977).

Judge David L. Levy

Judge David L. Levy was born in Miami and graduated from Miami Senior High School. He and his wife Betty were married in 1969 and have three children. Judge Levy received a B.A. from the University of Miami, where he majored in Government with a minor in History. He attended the University of Tulsa College of Law, where he was named to the Dean's Honor Roll and received his J.D. in 1968.

From 1968 through April, 1970, Judge Levy was a full-time junior high school teacher. In 1970 he became an Assistant State Attorney, where he became Chief Prosecutor in both the Criminal Division and the Organized Crime and Public Corruption Unit. In 1976 he was appointed as Executive Assistant to State Attorney Richard E. Gerstein. From 1977 to 1978 he was Legal Advisor to the Dade County Grand Jury.

Judge Levy has been admitted to practice by the Florida Bar, the United States Tax Court, the United States District Courts for the Southern District and the Middle District of Florida, the United States Court of Appeals for the Fifth Circuit, and the Eleventh Circuit Court of Appeals. Governor Askew appointed him to the Eleventh Judicial Circuit bench in 1978, where he served until 1989. While a circuit court judge, he sat in the Criminal Division, the Appellate Division, and the General Jurisdiction (Civil/Family) Division. Judge Levy also on three occasions was appointed by the Chief Justice to serve temporarily as an Associate Judge on the Fourth District Court of Appeal. In January, 1989 Governor Bob Martinez appointed Judge Levy to the Third District Court of Appeal, where he has served ever since. He was elected to the position of Chief Judge of the Third District in March of 2004 and began serving in January of 2005.

Judge Levy has held positions on numerous professional committees and groups. He has been a member of the Supreme Court Committee on Standards of Conduct Governing Judges and is a member of the Florida Conference of District Court of Appeal Judges, where he has served on the Education Committee. He previously served on the Florida Conference of Circuit Court Judges. In addition to his judicial duties and other professional activities, Judge Levy is an Adjunct Professor of Law at St. Thomas University School of Law, as well as an Adjunct Professor teaching undergraduate courses at St. Thomas including Constitutional Law, Government, and Law and the Justice System. He also is an Adjunct Professor at Florida International University, and has been an Adjunct Professor at the University of Miami, Miami-Dade College, and in the Criminal Justice Program at Nova University. He has served since 1992 on the Advisory Board of the Miami-Dade College Legal Assistant Program. Judge Levy was

an Adjunct Lecturer who taught law enforcement officers on a *pro bono* basis at the Institute of Organized Crime, under the auspices of the former Dade County Public Safety Department.

Judge Levy has received many awards and accolades, including an honorary membership in the Phi Delta Phi legal fraternity bestowed by members of the fraternity who attended St. Thomas Law School, three Certificates of Appreciation for service to Florida International University and its Legal Studies Program, a Certificate of Merit from the Dade County Bar Association for teaching Appellate Practice and Procedure, and Public Service Recognition Awards from several civic clubs, schools, and other institutions. His many lecture presentations include the Key Note Address to the St. Thomas University School of Law Annual Law Review Banquet, on the topic of Professional Ethics.

Judge David M. Gersten

Judge Gersten was born on May 14, 1951 in Miami Beach. He attended the University of Florida, where he was admitted to the Florida Blue Key Honor Society, earned his B.A. in 1973 and his J.D. in 1975. He continued his education with courses and seminars at the University of Nevada and Harvard University.

In private practice from 1975-80, he was elected to the Dade County Court in 1980, elected to the Eleventh Judicial Circuit in 1982, and appointed to the Third District Court of Appeal in 1989.

He was admitted to the Florida Bar in 1975, the United States District Court Southern District of Florida in 1976, and the Colorado Bar in 1989.

Judge Gersten has been a member of The Florida Bar's Judicial Administration Selection and Tenure Committee, the Government Lawyers Section, the Florida Association for Women Lawyers, the American Trial Lawyers Association, and B'Nai

B'rith's Bench and Bar Division. He served as Associate Dean, Appellate Division, of the Florida College of Advanced Judicial Studies (1995), and became a member of the Florida Court Education Council in 1996.

He regularly judges the moot court and trial advocacy programs at the University of Miami and Nova Law schools and is an adjunct professor at St. Thomas University School of Law. Judge Gersten has published articles on various legal topics. His lecture topics have included: "Appellate Advocacy," "The Economic Loss Doctrine," "Lawyers on the Judicial Selection Process," "Peremptory Challenges," "Motions for Post Conviction Relief," and "Elderly Offenders - Their Frequency and Patterns, and What to Do with Them." His publications in the Florida Bar Journal include: "The Doctrine of Lis Pendens: The Need For Balance" (1995), "A Consensus of Morality in Ethics—Toward a Comprehensive Code of Professional Ethics" (1991), and "Manifest Necessity—A Trial Judge's Responsibility to Assure Justice" (1989). Judge Gersten was selected by Matthew Bender to edit the Florida Forms of Jury Instruction and the Florida Civil Practice Guide. Judge Gersten has been honored by receiving the Boy Scouts of America's service award, "The Silver Beaver" in 1995 and the Scouting District Award of Merit in 1991. He has also been presented with the Deed Club Children's Cancer Clinic's Award (1978- 1984); Grand Founders' Award (1988); the Benjamin Franklin Society's Library Award (1987); and South Florida Magazine's Best Judge Award (1985). He has served in various positions with the Temple Beth Sholom School Board, the Bicentennial Constitution Committee, and the Boy Scouts of America.

Judge Melvia B. Green

Judge Green was born in Miami on November 13, 1953. She is the mother of three children, and active

in many professional and community organizations. She earned her B.S. from Northwestern University in 1975, where she was a member of Alpha Lambda Delta, the Collegiate Women's Honor Society, and on the Dean's List each year. She received her J.D. in 1978 from the University of Miami School of Law, making the Dean's List in her third year.

She was a Staff Attorney at Florida Power Corp. (1978-80), an Assistant U.S. Attorney (1980-83), and in private practice as a Senior Litigation Associate at Morgan, Lewis & Bockius (1983-87). She was appointed to the Dade County Court in 1987 and to the Circuit Court for the Eleventh Judicial Circuit in 1989. Judge Green was appointed to the Third District in 1994. Judge Green joined the Florida Bar in 1978, was admitted to the U.S. District Courts for the Southern District and the Middle District of Florida, and to the U.S. Courts of Appeals for the Eleventh Circuit and the Fifth Circuit.

Her bench and bar service includes the Florida Supreme Court Civil Jury Instruction Committee (1998-2001), the Judicial Management Council's Operational Planning Workshop (1998), and the JMC's Constitution Revision Committee Workshop (1997). She served as a bencher for the Eugene P. Spellman Inn of Court, University of Miami School of Law (1993-97) and for the Peter Fay Inn of Court at St. Thomas University (1991-92). Judge Green has been a Faculty Advisor in the General Jurisdiction Division of the National Judicial College. She served a three-year term on the Florida Parole Commission Nominating Committee. She is a member of the National Association of Women Judges; the Women Lawyers Division of The National Bar Association; and the Dade Black Lawyers Association.

Among her honors and awards are the 2003 Pacesetter award, from Southern Women in Public Service; the 1997 Women Making A Difference award; the 1996

Nelson Mandella Award, presented by the Black Law Students' Association of the U.M. School of Law; 1990 Outstanding Government Role Model; the 1990 Outstanding Community Leader in the Judicial System; and the 1989 Achievement Award from the African-American Business and Professional Women's Association. She was recognized as an Outstanding Young Woman of America, 1985.

Judge Green has been a speaker for many continuing legal and judicial education programs including the Stetson University Appellate Advocacy Program (1999-present); Hot Topics in Appellate Practice, The Florida Bar Appellate Practice Section (2002); Appellate Ethics, Florida Bar Appellate Practice Section, (2001); panelist, View from the Appellate Bench, Florida Conference of Circuit Judges (1998); panelist, Inter-Court Collegiality, College of Advances Judicial Studies (1998); and panelist, Seminar on Professionalism, Florida Bar Trial Lawyers Section (1997). She serves on the Board of Directors, ARISE Foundation (Non-Profit): Mentoring Services to At-Risk Youth; and is a member, Jack and Jill, Inc.-South Dade Chapter.

Judge John G. Fletcher

Born in Philadelphia, Pennsylvania, in 1937, Judge Fletcher moved with his parents to Dunedin, Florida in 1952. He married Donna Gould Fletcher in 1965 and they have two children, John G. Fletcher, III and Rebecca L. Fletcher.

He graduated from Clearwater High School in 1955, received his B.A. from the University of Miami in 1959, and his law degree from the University of Florida in 1962.

After release from active military duty in March, 1963, John G. Fletcher, who had been admitted to the Florida Bar in 1962, joined the Pinellas County Attorney's office where he practiced as an Assistant County Attorney (and Chief Assistant) until August, 1967.

While in the Pinellas County Attorney's office he was admitted to the United States District Court for the Middle District of Florida and the Florida Public Service Commission. In August, 1967, he joined the Dade County Attorney's office as an Assistant County Attorney (later a First Assistant), practicing there until August, 1973.

While practicing law John Fletcher was admitted to the United States District Court for the Southern District of Florida, the United States Fifth Circuit Court of Appeals and the United States Supreme Court.

Judge Fletcher began his own private practice in 1973, remaining a sole practitioner until Governor Lawton Chiles appointed him to the Third District Court of Appeal in 1996. During his private practice, he was the City Attorney for the City of Naples and the City of Sweetwater and represented various governmental agencies as special counsel, including the municipalities of North Miami, Miami Beach, Hialeah, Hialeah Gardens, Miami Springs, and North Bay Village. He was also special counsel to the Dade County School Board and to the Broward County Expressway Authority. Judge Fletcher practiced throughout the state representing private clients in matters related to governmental law, including eminent domain, land use, election, and property tax matters. He was general counsel to the Sanibel-Captiva Island Water Association from 1978-85.

Judge Fletcher taught state and local taxation as an Assistant Adjunct Professor at the University of Miami (1971-73). He also lectured at various continuing legal education seminars on local government, environmental law, land use law and professional ethics. He has been honored by selection by his peers to be listed as one of The Best Lawyers in America.

Judge Juan Ramirez, Jr.

He was born in Havana, Cuba, on September 11, 1945. He has

been married to Josie since 1979. They have two children, Juan Luis and Julian.

Judge Ramirez earned a B.A. and an M.A. degree from Vanderbilt University, followed by two years at the University of Florida, where he worked on a Ph.D. in Latin American History. He graduated with honors in 1975 from the University of Connecticut School of Law.

Juan Ramirez, Jr. has been a judge in the Third District Court of Appeal since January 2, 2000. He previously served as a Circuit Court Judge (1990-99) and as a County Court Judge (1988- 90). As a trial judge, he served in the Criminal, Family and General Jurisdiction Divisions and, during his last year, was the Administrative Judge of the Appellate Division of the Circuit Court. He was elected as the Third District Court representative to the Conference of Circuit Court Judges, and also served as Civil Section Chair and Education Program Chair. Judge Ramirez has taught numerous law school courses as an adjunct professor at St. Thomas University School of Law and Nova Southeastern University School of Law, including medical malpractice, criminal procedure, evidence and family law. He has been a member of the Civil Procedure Rules Committee and currently serves on the Appellate Court Rules Committee.

As a district judge, he is currently the Associate Dean of the College of Advanced Judicial Studies and is serving in the Florida Courts Education Council, which makes all the policy and funding decisions for the judicial education in the state. He is also serving in the education committee of the Conference of District Court Judges.

Judge Ramirez is the author of "Florida Civil Procedure," a two-volume set published by Michie/Lexis Publishing in 1997 and a three-volume set entitled "Florida Evidence Manual" published in 2000, also by Lexis. He has also written for a number of Florida Bar

publications. He has previously lectured at various meetings of the Conference of Circuit Judges on civil topics.

He is also active in the community, participating in School-Based Mentoring with Big Brothers/Big Sisters of Greater Miami.

Judge Linda Ann Wells

Judge Wells was born on April 3, 1947 in Independence, Louisiana. She is married to Robert W. Wells, Jr. The couple has two children.

She attended the University of Florida, where she received a B.S.M.T. degree, with high honors in 1969. She attended law school at Florida State University, where she was Notes and Comments Editor of the Florida State University Law Review, and received her J.D. in 1976, with honors.

Linda Wells in 1977 joined the firm of Fine, Jacobson, Schwartz, Nash & Block as an associate. She advanced to partnership in that firm, leaving in 1994 to become an equity partner in Holland & Knight, LLP. From 1996 to 1999 she was a named partner in the appellate firm of Russo, Wells & Associates. Judge Wells joined the Florida Department of Children & Families, where she served from 1999 to 2002 as Chief District Legal Counsel, District 11. She was appointed to the Third District in 2003.

Admitted to The Florida Bar in 1977, Judge Wells became board certified in Appellate Practice 1996. She was admitted to practice before the United States District Court for the Southern District of Florida.

Her voluntary Florida Bar activities include service as Chair of the Membership Committee of the Family Law Section of the Florida Bar (1985-87); member of the Rules Committee of the Family Law Section of the Florida Bar, (1987-88); member of the Appellate Rules Liaison Committee of the Appellate Practice and Advocacy Section of the Florida Bar (1994-96). She has been a member of the American Bar Association since

1977, and a Fellow of the American Bar Association from 1998 to the present. Judge Wells' local bar activities include membership in the Dade County Bar Association since 1977, where she sat on the Board of Directors from 1995-98, during which she was a member of the Executive Committee (1996-97). She was appointed to the Dade County Bar Association, Judicial Campaign Practices Commission (1998-2002), and served as a member (1995-99) and Vice-Chair (1996-97) of the Dade County Bar Association, Appellate Court Committee.

Judge Wells received an AV rating, which is Martindale-Hubbell's highest rating. She has been an adjunct professor of law, St. Thomas University Law School from 1991-2003. Her civic and community activities include service as Chair, Chairman's Counsel, Miami Heart Research Institute (1991- 93); and as a board member, Chairman's Counsel, Miami Heart Institute/Miami Heart Research Institute (1986-95). Her volunteer activities include work with Head Start, Reading is Fun (1995-98); and service to Informed Families of Dade County. She is a former member of the Miami Museum of Science and Space Transit Planetarium; a past-member of the Miami Youth Museum; past-member of the volunteer Vizcayans, member; and a past-member of the Zoological Society of South Florida.

Judge Frank A. Shepherd

Judge Shepherd was born and raised in Palm Beach County, Florida. He is married to Anne Elizabeth Ferguson-Shepherd and has four children.

He received his B.A. cum laude from the University of Florida (1968). He has an M. A. Degree in Government from the University of Massachusetts (1970), and he was awarded his Juris Doctor from the University of Michigan Law School in 1972.

Frank Shepherd began his legal career with Bradford, Williams,

McKay, Kimbrell, Hamann and Jennings in Miami, where he maintained both a trial and appellate practice for more than 18 years. In 1981, he was appointed by President Reagan as Associate Administrator for Legal Counsel and Enforcement for the U.S. Environmental Protection Agency. In 1990, he became the founding managing partner of the national law firm of Popham, Haik, Schnobrich and Kaufman, P.A. He was a partner in the firm of Weissman, Dervishi, Shepherd, Borgo & Nordland, P.A., from 1997-98, and from January 1, 1999, until he was appointed to the Third District, he was the Florida senior attorney for the Pacific Legal Foundation. Judge Shepherd assumed his position as a Judge of the Third District Court of Appeal on September 22, 2003.

Judge Shepherd has been admitted to the Florida Bar, the District of Columbia Bar, the United States District Courts for the Southern, Middle and Northern Districts of Florida, the Eleventh Circuit Court of Appeals, and the United States Supreme Court. He is a member of the Dade County Bar Association.

In 1985, he was recognized by the Florida State-Federal Judicial Council for his representation of Raleigh Porter, an inmate then serving on Death Row. A year later, he received the Radio Station WRHC award for Special Recognition in the Latin Community for his contributions to the Hispanic community of Miami-Dade County, including his assistance and contribution to the establishment of WRHC as the first Cuban-exile-owned radio station in South Florida.

His publications include: *Personal Injury Claims and Defenses—Some Particular Considerations*, §9.15-9.20, Manual of Dispute Resolution, ADR Law and Practice, Vol.1, McGraw-Hill, Inc. (1996); *Tahoe-Sierra Preservation Council v. Tahoe Regional Planning Agency: The Supreme Court's Latest Word on*

Regulatory Takings, The Fee Simple: The Newsletter of the Virginia State Bar Real Property, Volume XXIII, Number 1 (Nov. 2002).

His community and professional activities have included service as a director of the James Madison Institute in Tallahassee, Florida (1987-1995), a member of the research advisory board of the Foundation for Florida's Future (1995-1998), and participation in the Miami-Dade County Guardian Ad Litem program.

Judge Richard J. Suarez

Judge Suarez was born and raised in Miami, Florida. He graduated from Miami Palmetto Senior High School.

He received a Bachelor of Music degree, cum laude, from the University of Miami. During his senior year, he was awarded a Presidential Scholastic Scholarship. He also was named as one of the outstanding graduating seniors by the Ibis Yearbook and was named outstanding graduating senior by Phi Mu Alpha. He went on to receive a Master of Music degree also from the University of Miami. Judge Suarez was awarded his J.D. degree, cum laude, from the University of Miami School of Law where he was a member of the Moot Court Board and on the Dean's List.

Upon graduation from law school, Rick Suarez joined and became a shareholder in the law firm of Corlett, Killian, P.A., where he remained until 1991. In 1991, he became a member of the law firm of Hardeman & Suarez, P.A. While in practice Judge Suarez concentrated in civil litigation and appeals in both state and federal courts.

His Honor has been admitted to practice by The Florida Bar, the United States District Court for the Southern District of Florida, the United States District Court for the Middle District of Florida, and the United States Eleventh Circuit Court of Appeals.

In 2002, Richard Suarez was

appointed to serve as a County Court Judge for the Eleventh Judicial Circuit by Governor Jeb Bush and was elected, unopposed, to that position in 2004. In 2004, Governor Bush appointed Judge Suarez to serve as a Judge on the Third District Court of Appeal.

Judge Suarez has been a member of the Dade County Defense Bar Association, the American Bar Association, and the Cuban American Bar Association. His professional service activities include being appointed to the Florida Bar Standing Committee on Ethics, and the Florida Bar Standing Committee on Unlicensed Practice of Law.

He earned recognition as a scholar by being inducted into Phi Kappa Phi National Scholastic Honor Fraternity, which is open only to the top 10% of the university graduating class. Judge Suarez also was invited to join and became a member of the Phi Kappa Lambda National Scholastic Honor Fraternity.

His civic and community service activities have included being elected to the Board of Directors of The Ronald McDonald House of South Florida (1991-2002); service as a member of the Board of Directors of WLRN Public Television Station (1997-2002); and election to the Board of Directors of the Florida Humanities Council (1998-2002).

Judge Angel A. Cortiñas

Judge Cortiñas was born on October 2, 1962 in La Habana, Cuba. He and his wife, Maria Elena Almeida, are the parents of three daughters.

His Honor is a graduate of Miami Senior High School. He is a magna cum laude graduate of Brown University, where he was selected for membership in Phi Beta Kappa, earning his A.B. degree in Latin American Studies and an A.B. in Political Science. He attended Harvard Law School, where he was awarded his Juris Doctor, cum laude, in 1987.

After graduating from law

school Judge Cortiñas accepted a position as a law clerk for U.S. District Court Judge William M. Hoeveler (1987-88). He joined the firm of Steel, Hector & Davis as an associate in 1988. From 1990-94 and 1995-2003, His Honor worked as an Assistant U.S. Attorney in the Public Corruption, Economic Crimes, Environmental Crimes and Appellate Sections of the Southern District of Florida office. From 1994-95 he was a named partner in the law firm of Lehtinen, O'Donnell, Cortiñas, Vargas and Reiner. Immediately before taking the bench, he served as Chief of the Economic Crimes Section in the U.S. Attorney's Office for the Southern District of Florida (2003-05). He was appointed by Governor Bush to the Third District in 2005.

Angel Cortiñas was admitted to The Florida Bar and to the United States District Court for the Southern District of Florida in 1989. He was admitted to the Trial Bar of the Southern District in 1993. He has served as a member of professional organizations including the Dade County Bar Association, the Cuban American Bar Association, and the St. Thomas University Law School Inn of Court.

Judge Cortiñas was honored as the recipient of the President's Council on Integrity and Efficiency Award for Successful Prosecution of Interstate Moving Company Cases in 2004. He received the Attorney General's Award for Exceptional Service given by Attorney General John Ashcroft (2001). Attorney General Janet Reno awarded him the National Crime Victims Award (2000). He has served as a lecturer and instructor for the American Bar Association White Collar Crime National Institute; the Florida Bar International Law Section. He also has taught U.S. Department of Justice courses on subjects including anti-corruption, trial advocacy, complex case management and narcotics prosecution.

Judge Cortiñas' civic and community affairs activities have

included service as an officer and member of the Board of Directors of Legal Services of Greater Miami (1991-2001). He has been a mentor in the Miami Senior High Legal and Public Affairs Program (2000-02). He was a member of the Governor's Commission for a Sustainable South Florida (1994-95); a member of the Brown University Alumni Board of Governors (1994-95); and was elected President of the Brown University Club of Dade and Broward Counties (1989-95).

Judge Leslie B. Rothenberg

Judge Rothenberg is a black belt Tae Kwon Do practitioner, a marathon distance and competitive 10-K runner, and served as a volunteer in the Israeli Army during Operation Desert Storm (the first Gulf War). She has been married for thirty-four years to Dr. Stephen Rothenberg, a dentist. The Rothenbergs have two sons (an attorney and an orthodontist), both of whom are married. They also have two grandchildren, and another one "on the way."

Judge Rothenberg comes to the Court with an extensive history as a litigator, trial attorney, and trial judge and has handled a large variety of criminal, civil, and appellate matters. Prior to her appointment to the Third District Court of Appeal, she tried nearly 400 jury trials, authored numerous orders and opinions and both argued and ruled upon thousands of motions.

Judge Rothenberg began her legal career in 1986 as a prosecutor in the Miami-Dade State Attorney's Office prosecuting drunk drivers as a member of the federally funded DUI Task Force. After a year, she was promoted to the Felony Division and then the Career Criminal Unit where she prosecuted repeat and violent offenders. During her last two years in the State Attorney's office, she served as a Felony Division Chief where she supervised a Felony Division while trying first degree murder and capital sexual battery cases.

In 1992 Judge Rothenberg was elected to the Circuit Court Bench where she served for eleven years in the criminal, civil, and the appellate divisions. After eleven years on the Circuit Court, Judge Rothenberg stepped down from the Bench in October of 2003 and became a partner with the international law firm of Steel Hector & Davis, where she handled a variety of civil matters. Leslie Rothenberg rejoined the Bench in January of 2005 after Governor Jeb Bush appointed her to the Third District Court of Appeal.

Her Honor has been actively involved in community and civic organizations. She has served as a Big Sister/Big Brother program participant; volunteered her time to serve as a Guardian Ad Litem; and worked with at-risk, inner-city youths and first time juvenile offenders with the Manhood Development Council, the Police Explorers of Homestead, and the Nova Law School sponsored Juvenile Diversion Program.

Senior Judge Alan R. Schwartz

Judge Schwartz was born in Pittsburgh, Pennsylvania in 1934. He is the father of two children and has two grandsons.

Judge Schwartz received his undergraduate degree, magna cum laude, from Harvard College in 1955. He was awarded his L.L.B., cum laude, from Harvard Law School in 1958.

He practiced law as an associate and partner with the firm of Nichols, Gaither, Gren, Frates and Beckham and successor firms from 1958 to 1965. Thereafter he was a named partner in the appellate firm of Horton, Schwartz and Perse from 1965 until 1973.

His judicial career began when Alan Schwartz was appointed by Governor Reubin Askew to the Dade Circuit Court bench in 1973. He was re-elected without opposition in 1974. His Honor was elevated to the Third District in 1978. Judge Schwartz was elected Chief Judge by the other members of the Third District in 1983, and

was continually re-elected to that position until his mandatory retirement in 2004. During his long tenure as an appellate judge, he was nominated to four vacancies on the Florida Supreme Court by the Judicial Nominating Commission.

Throughout his career Judge Schwartz was actively involved in many professional groups and Bar committees. As an attorney he was a member of the Board of Directors of the Dade County Bar Association and editor of the Academy of Florida Trial Lawyers Journal. He was elected President of the Harvard Law School Association of Florida. He was a member of the American Law Institute, the Florida Commission of Matrimonial Law, and the Judges Consultative Group on Principles of the Law of Family Dissolution. Judge Schwartz was a longtime member of the Florida Bar Civil Procedure Committee, the

Appellate Court Rules Committee, and the Family Law Rules Committee. He served as President of the Florida Conference of District Court of Appeal Judges.

Judge Schwartz has been a frequent lecturer at continuing legal education seminars on subjects including evidence, civil procedure, constitutional law, damages, products liability, and appellate practice. He served for more than ten years on the University of Miami School of Law Visiting Committee. His many awards and honors include the Outstanding Jurist Award from the American Academy of Matrimonial Lawyers.

While an active appellate judge, Alan R. Schwartz was a true student of the law. His regularity of visits to the court's law library make it fitting that the facility was named the "Alan R. Schwartz Law Library" in his honor upon his

retirement.

Conclusion

Whether you are one of the "regulars" often seen in the mornings turning from 117th Avenue onto Thomas Barkdull Way for an oral argument before the Third District, or as yet a stranger to Court, this article should provide more of an understanding of the composition and unique characteristics of the Third District Court of Appeal. Easygoing on extensions and technical requirements, yet no-nonsense when it comes to addressing the merits of each case, the Third District is truly one of a kind.

¹ The original version of this article appeared in the August 1994 edition of *The Record* and was prepared by Roy D. Wasson of Miami with assistance from Joanne Sargent, Third DCA Court Counsel. This version of the article was updated by Elizabeth Rodriguez, a shareholder at the law firm of Kubicki Draper in Miami, Florida.

JUDGES OF THE THIRD DISTRICT COURT OF APPEAL

NAME	TERM OF OFFICE
Charles A. Carroll	1957-74
Mallory Horton	1957-65
Tillman Pearson	1957-80
Thomas H. Barkdull, Jr.	1961-96
Norman Hendry	1961-88
Richard H.M. Swann	1965-72
Robert M. Haverfield	1972-80
Raymond G. Nathan	1974-78
Phillip A. Hubbart	1977-96
James W. Kehoe	1977-79
Alan R. Schwartz	1978-2005
Joseph Nesbitt	1979-99
Natalie Baskin	1980-96
Daniel S. Pearson	1980-89
Wilkie D. Ferguson, Jr.	1980-93
James R. Jorgenson	1981-2003
GERALD B. COPE, JR.	1988 to Present
DAVID L. LEVY	1989 to Present
DAVID M. GERSTEN	1989 to Present
Mario P. Goderich	1990-2005
MELVIA B. GREEN	1994 to Present
JOHN G. FLETCHER, II	1996 to Present
Robert L. Shevin	1996-2005
Rodolpho Sorondo	1997-2002
JUAN RAMIREZ, JR.	2000 to Present
LINDA ANN WELLS	2003 to Present
FRANK A. SHEPHERD	2003 to Present
RICHARD J. SUAREZ	2005 to Present
ANGELA A. CORTIÑAS	2005 to Present
LESLIE B. ROTHENBERG	2005 to Present

THIRD APPELLATE DISTRICT: Dade and Monroe. Counties comprising the 11th and 16th Circuits.