

APPLICATION FOR NOMINATION TO THE CIRCUIT COURT

(Please attach additional pages as needed to respond fully to questions.)

DATE: August 16, 2018 Florida Bar No.: 0911021

GENERAL: Social Security No.: ---

1. Name Robert A. Segal E-mail: robsegal828@gmail.com

Date Admitted to Practice in Florida: 11/1991

Date Admitted to Practice in other States: N/A

2. State current employer and title, including professional position and any public or judicial office.

Brevard County -- General Magistrate

3. Business address: 2825 Judge Fran Jamieson Way

City Viera County Brevard State FL ZIP 32940

Telephone (321) 637-5429 FAX () -

4. Residential address: _____

City _____ County _____ State FL ZIF _____

Since 2006 Telephone () -

5. Place of birth: Philadelphia, PA

Date of birth: _____ Age: 51

6a. Length of residence in State of Florida: 27 years

6b. Are you a registered voter? Yes No

If so, in what county are you registered? Brevard

7. Marital status: Married

If married: Spouse's name _____

Date of marriage _____

Spouse's occupation _____

If ever divorced give for each marriage name(s) of spouse(s), current address for each former spouse, date and place of divorce, court and case number for each divorce.

N/A

8. Children
Name(s) *Age(s)* *Occupation(s)* *Residential address(es)*

9. Military Service (including Reserves)

Service *Branch* *Highest Rank* *Dates*

N/A

Rank at time of discharge N/A Type of discharge N/A

Awards or citations N/A

HEALTH:

10.

11a.

11b.

12a.

12b.

13.

14.

15.

16.

17.

EDUCATION:

18a. Secondary schools, colleges and law schools attended.

<i>Schools</i>	<i>Class Standing</i>	<i>Dates of Attendance</i>	<i>Degree</i>
George Washington University	Top 2/3	1984 - 1988	BA - Political Science
Vermont Law School	Top 2/3	1988-1991	JD

18b. List and describe academic scholarships earned, honor societies or other awards.

N/A

NON-LEGAL EMPLOYMENT:

19. List all previous full-time non-legal jobs or positions held since 21 in chronological order and briefly describe them.

<i>Date</i>	<i>Position</i>	<i>Employer</i>	<i>Address</i>
1987	File-room assistant	Porter, Wright, et al	20 th Street, NW, Washington, DC

PROFESSIONAL ADMISSIONS:

20. List all courts (including state bar admissions) and administrative bodies having special admission requirements to which you have ever been admitted to practice, giving the dates of admission, and if applicable, state whether you have been suspended or resigned.

Court or Administrative Body *Date of Admission*

Please see attached

LAW PRACTICE: (If you are a sitting judge, answer questions 21 through 26 with reference to the years before you became a judge.)

21. State the names, dates and addresses for all firms with which you have been associated in practice, governmental agencies or private business organizations by which you have been employed, periods you have practiced as a sole practitioner, law clerkships and other prior employment:

Position *Name of Firm* *Address* *Dates*

Please see attached

22. Describe the general nature of your current practice including any certifications which you possess; additionally, if your practice is substantially different from your prior practice or if you are not now practicing law, give details of prior practice. Describe your typical clients or former clients and the problems for which they sought your services.

I currently serve as a General Magistrate in the family division of the Circuit Court. Prior to this appointment, I represented and counseled clients in domestic relations/family law matters; I represented parties at both the trial and appellate levels. I was also certified by the Florida Supreme Court to conduct family law mediations.

23. What percentage of your appearance in courts in the last five years or last five years of practice (include the dates) was in:

<i>Court</i>		<i>Area of Practice</i>	
Federal Appellate	_____ %	Civil	_____ 1 %
Federal Trial	_____ 1 %	Criminal	_____ 2 %
Federal Other	_____ %	Family	_____ 97 %
State Appellate	_____ 2 %	Probate	_____ %
State Trial	_____ 97 %	Other	_____ %

State Administrative _____ %

State Other _____ %

_____ %

TOTAL _____ 100 %

TOTAL _____ 100 %

24. In your lifetime, how many (number) of the cases you have tried to verdict or judgment were:

Jury? 100 (est.)

Non-jury? 150 (est.)

Arbitration? _____

Administrative Bodies? _____

25. Within the last ten years, have you ever been formally reprimanded, sanctioned, demoted, disciplined, placed on probation, suspended or terminated by an employer or tribunal before which you have appeared? If so, please state the circumstances under which such action was taken, the date(s) such action was taken, the name(s) of any persons who took such action, and the background and resolution of such action.

No

26. In the last ten years, have you failed to meet any deadline imposed by court order or received notice that you have not complied with substantive requirements of any business or contractual arrangement? If so, please explain in full.

No

(Questions 27 through 30 are optional for sitting judges who have served 5 years or more.)

27a. For your last 6 cases, which were tried to verdict before a jury or arbitration panel or tried to judgment before a judge, list the names and telephone numbers of trial counsel on all sides and court case numbers (include appellate cases).

Please see attached

27b. For your last 6 cases, which were settled in mediation or settled without mediation or trial, list the names and telephone numbers of trial counsel on all sides and court case numbers (include appellate cases).

Please see attached

27c. During the last five years, how frequently have you appeared at administrative hearings?
1 average times per month

27d. During the last five years, how frequently have you appeared in Court?
10 average times per month

27e. During the last five years, if your practice was substantially personal injury, what percentage of your work was in representation of plaintiffs? N/A% Defendants?
N/A%

28. If during any prior period you have appeared in court with greater frequency than during

the last five years, indicate the period during which this was so and give for such prior periods a succinct statement of the part you played in the litigation, numbers of cases and whether jury or non-jury.

Prior to 1996, I was employed by the Office of the Public Defender during which time I appeared in court every day as lead counsel representing parties charged with both misdemeanors and felonies. The scope of my representation was from initial appearance through acquittal or sentencing. With rare exception, cases were tried before a jury. While serving in the County Court as an assistant public defender, I prepared and argued appeals before the Circuit Court. Between 2006 and approximately 2008, I appeared before the Circuit and County courts approximately 3-4 times per week for non-substantive criminal proceedings, e.g. docket soundings.

29. For the cases you have tried to award in arbitration, during each of the past five years, indicate whether you were sole, associate or chief counsel. Give citations of any reported cases.

N/A

30. List and describe the six most significant cases which you personally litigated giving case style, number and citation to reported decisions, if any. Identify your client and describe the nature of your participation in the case and the reason you believe it to be significant. Give the name of the court and judge, the date tried and names of other attorneys involved.

Please see attached

31. Attach at least one example of legal writing which you personally wrote. If you have not personally written any legal documents recently, you may attach writing for which you had substantial responsibility. Please describe your degree of involvement in preparing the writing you attached.

Please see attached

PRIOR JUDICIAL EXPERIENCE OR PUBLIC OFFICE:

- 32a. Have you ever held judicial office or been a candidate for judicial office? If so, state the court(s) involved and the dates of service or dates of candidacy.

No

- 32b. List any prior quasi-judicial service:

<i>Dates</i>	<i>Name of Agency</i>	<i>Position Held</i>
11/14 - Present	Brevard County	General Magistrate

Types of issues heard: Domestic relations matters that fall within the purview of Fla. Fam. L. R. P. 12.490 and 12.491, Baker Act and Marchman Act proceedings

32c. Have you ever held or been a candidate for any other public office? If so, state the office, location and dates of service or candidacy.

No

32d. If you have had prior judicial or quasi-judicial experience,

(i) List the names, phone numbers and addresses of six attorneys who appeared before you on matters of substance.

Please see attached

(ii) Describe the approximate number and nature of the cases you have handled during your judicial or quasi-judicial tenure.

I have handled 4,500 (approximately) family law cases (evidentiary hearings, procedural hearings, uncontested matters) -- types of cases include: dissolutions of marriage (contested and uncontested), paternity cases, support enforcement, and name changes. I have conducted approximately 500 Baker Act proceedings and 30 Marchman Act hearings.

(iii) List citations of any opinions which have been published.

None

(iv) List citations or styles and describe the five most significant cases you have tried or heard. Identify the parties, describe the cases and tell why you believe them to be significant. Give dates tried and names of attorneys involved.

Please see attached

(v) Has a complaint about you ever been made to the Judicial Qualifications Commission? If so, give date, describe complaint, whether or not there was a finding of probable cause, whether or not you have appeared before the Commission, and its resolution.

No

(vi) Have you ever held an attorney in contempt? If so, for each instance state name of attorney, approximate date and circumstances.

No

(vii) If you are a quasi-judicial officer (ALJ, Magistrate, General Master), have you ever been disciplined or reprimanded by a sitting judge? If so, describe.

No

BUSINESS INVOLVEMENT:

33a. If you are now an officer, director or otherwise engaged in the management of any business enterprise, state the name of such enterprise, the nature of the business, the nature of your duties, and whether you intend to resign such position immediately upon your appointment or election to judicial office.

N/A

33b. Since being admitted to the Bar, have you ever been engaged in any occupation, business or profession other than the practice of law? If so, give details, including dates.

I was a Supreme Court Certified Family Law Mediator and have engaged in the practice of mediation.

33c. State whether during the past five years you have received any fees or compensation of any kind, other than for legal services rendered, from any business enterprise, institution, organization, or association of any kind. If so, identify the source of such compensation, the nature of the business enterprise, institution, organization or association involved and the dates such compensation was paid and the amounts.

My only income for the past five years, other than from the practice of law, has been fees from my mediation practice.

POSSIBLE BIAS OR PREJUDICE:

34. The Commission is interested in knowing if there are certain types of cases, groups of entities, or extended relationships or associations which would limit the cases for which you could sit as the presiding judge. Please list all types or classifications of cases or litigants for which you as a general proposition believe it would be difficult for you to sit as the presiding judge. Indicate the reason for each situation as to why you believe you might be in conflict. If you have prior judicial experience, describe the types of cases from which you have recused yourself.

None

MISCELLANEOUS:

35a. Have you ever been convicted of a felony or a first degree misdemeanor?

Yes _____ No If "Yes" what charges? _____

Where convicted? _____ Date of Conviction: _____

35b. Have you pled nolo contendere or pled guilty to a crime which is a felony or a first degree misdemeanor?

Yes _____ No If "Yes" what charges? _____

Where convicted? _____ Date of Conviction: _____

35c. Have you ever had the adjudication of guilt withheld for a crime which is a felony or a first degree misdemeanor?

Yes _____ No If "Yes" what charges? _____

Where convicted? _____ Date of Conviction: _____

36a. Have you ever been sued by a client? If so, give particulars including name of client, date suit filed, court, case number and disposition.

No

36b. Has any lawsuit to your knowledge been filed alleging malpractice as a result of action or inaction on your part?

No

36c. Have you or your professional liability insurance carrier ever settled a claim against you for professional malpractice? If so, give particulars, including the amounts involved.

No

37a. Have you ever filed a personal petition in bankruptcy or has a petition in bankruptcy been filed against you?

Yes

37b. Have you ever owned more than 25% of the issued and outstanding shares or acted as an officer or director of any corporation by which or against which a petition in bankruptcy has been filed? If so, give name of corporation, your relationship to it and date and caption of petition.

Yes -- Law Offices of Robert A Segal, PA; In Re Law Offices of Robert A. Segal, P.A. -- 6:11-bk-03563-KSJ -- filed 3/15/2011

38. Have you ever been a party to a lawsuit either as a plaintiff or as a defendant? If so, please supply the jurisdiction/county in which the lawsuit was filed, style, case number, nature of the lawsuit, whether you were Plaintiff or Defendant and its disposition.

Yes -- Brevard County; Law Office of Robert A Segal, PA and Robert A Segal v Jonathan Harlow; case number 05-2015-CC-024649-XXXX-XX. I was the plaintiff in this breach of contract action for nonpayment of fees; I voluntarily dismissed the case.

39. Has there ever been a finding of probable cause or other citation issued against you or are you presently under investigation for a breach of ethics or unprofessional conduct by any court, administrative agency, bar association, or other professional group. If so, give the particulars.

Yes -- finding of probable cause by FL Bar. This matter arose in 2007 when I transferred trust funds from one bank account to another. The bank removed a service charge from this account rather than my operating account. While I addressed the issue with the bank, and made a correction in my accounting software, I failed to recognize that the problem recurred. I changed banks and withdrew what I believed was the correct sum, rather than the sum that accounted for the service charge. This resulted in the account being overdrawn. The overdraft was automatically reported to the Florida Bar. The problem was fairly quickly realized, but the Bar recommended I switch accounting programs in order to, among other things, generate reports compliant with the rules regulating the Bar. I had no staff at the time, and it took me a relatively long time to switch accounting programs. The Bar's investigating committee, understandably, lost patience with my progress and entered a finding of probable cause. Subsequently: I corrected the software program, brought myself into compliance, and participated in a diversion program. Following the completion of diversion, the case was dismissed, and the file sealed. At no time were any client funds implicated in this problem, nor did the Bar accuse me of doing so.

40. To your knowledge within the last ten years, have any of your current or former co-workers, subordinates, supervisors, customers or clients ever filed a formal complaint or formal accusation of misconduct against you with any regulatory or investigatory agency, or with your employer? If so, please state the date(s) of such formal complaint or formal accusation(s), the specific formal complaint or formal accusation(s) made, and the background and resolution of such action(s). (Any complaint filed with JQC, refer to 32d(v).

No

41. Are you currently the subject of an investigation which could result in civil, administrative or criminal action against you? If yes, please state the nature of the investigation, the agency conducting the investigation and the expected completion date of the investigation.

No

42. In the past ten years, have you been subject to or threatened with eviction proceedings? If yes, please explain.

No

43a. Have you filed all past tax returns as required by federal, state, local and other government authorities?

Yes No If no, please explain. _____

43b. Have you ever paid a tax penalty?

Yes No If yes, please explain what and why. _____

43c. Has a tax lien ever been filed against you? If so, by whom, when, where and why?

No

HONORS AND PUBLICATIONS:

44. If you have published any books or articles, list them, giving citations and dates.

None

45. List any honors, prizes or awards you have received. Give dates.

None

46. List and describe any speeches or lectures you have given.

I gave a lecture on paternity issues before the Florida Paralegal Association in 2014. I presented a lecture on paternity issues and the evolution of such issues to the Brevard County Family Law Attorney Association in 2014.

47. Do you have a Martindale-Hubbell rating? Yes If so, what is it? ___ No

PROFESSIONAL AND OTHER ACTIVITIES:

48a. List all bar associations and professional societies of which you are a member and give the titles and dates of any office which you may have held in such groups and committees to which you belonged.

Vassar B. Carlton American Inns of Court -- Master since 2014

Family Law section of the Florida Bar, member since 2006

Nomenclature Committee of the Florida Bar, member since 2015

General Magistrates and Hearing Officer Committee of the Florida Bar, member since 2015

Member -- National Association of Criminal Defense Lawwers -- 1991 - 2006

48b. List, in a fully identifiable fashion, all organizations, other than those identified in response to question No. 48(a), of which you have been a member since graduating from law school, including the titles and dates of any offices which you have held in each such organization.

Boy Scouts of America, Troop 285 -- Assistant Scoutmaster, 2013-2016; Committee Chair, 2016-2017; Outdoor/Activities Chair, 2017 - present.

48c. List your hobbies or other vocational interests.

Hiking, camping, scuba diving, skiing, leathercraft, exotic plants. I am actively involved as a leader and organizer in my son's Boy Scout troop.

48d. Do you now or have you ever belonged to any club or organization that in practice or policy restricts (or restricted during the time of your membership) its membership on the basis of race, religion, national origin or sex? If so, detail the name and nature of the club(s) or organization(s), relevant policies and practices and whether you intend to continue as a member if you are selected to serve on the bench.

Boy Scouts of America, prior to 2015, forbid nomination of openly gay individuals to

positions of leadership. This restriction has, since, been abolished. I intend to continue my involvement with the Boy Scouts.

48e. Describe any pro bono legal work you have done. Give dates.

Represented a number of active-duty military servicemembers at no charge throughout my practice since 2006. Volunteered to staff Legal Aid advice clinic in 2013 and 2014. Served as mentor through Legal Aid in 2013 and 2014. Represented clients, in 2014/2015/2016, pursuant to referral from United States Department of State, in proceedings brought pursuant to the Hague Convention on Civil Aspects of Child Abduction and International Child Abduction Remedies Act.

SUPPLEMENTAL INFORMATION:

49a. Have you attended any continuing legal education programs during the past five years? If so, in what substantive areas?

I attended phases I and II of the Judicial College and one session of the College of Advanced Judicial Studies; all other continuing education was in the areas of family law and family law mediation.

49b. Have you taught any courses on law or lectured at bar association conferences, law school forums, or continuing legal education programs? If so, in what substantive areas?

I have presented 2 lectures in the area of paternity (please see response to #46).

50. Describe any additional education or other experience you have which could assist you in holding judicial office.

My experience as a General Magistrate has given me the opportunity to engage in virtually all of the day-to-day functions of a judicial officer.

51. Explain the particular potential contribution you believe your selection would bring to this position.

I have practiced family law for more than 25 years. I have a thorough knowledge of the substantive and procedural aspects of that field of the law which encompass many others: contract interpretation and enforcement, criminal law, corporate law, international law, etc. I have actively participated in the review, drafting, and amendment of various guidelines, adopted by the courts, concerning timesharing and other issues important to Florida families. Having tried cases before juries and judges, and served as the presiding adjutant at many evidentiary hearings, I am well-versed in the various rules of procedure and evidence necessary to effectively execute the judicial role. As an active practitioner of both civil and criminal law, I understand the many issues faced by pro se litigants and attorneys when they are called on to appear before the court. I understand the importance of time management to litigants, attorneys, and court staff. I have argued at every level of the judicial branch in the State of Florida, and understand the value of allowing the parties to make their record as well as the role of the Judge in ensuring that the record is properly made and preserved. I have prepared and argued a number of appeals before the 5th District Court of Appeals, 4th District Court of Appeals, and the Florida Supreme court; as a Circuit Judge, I will be able to exercise that experience while serving on appellate panels for County Court cases under review. I have established numerous procedures that have been implemented by the Circuit Court which have streamlined the flow of cases through the Court. I understand the value of

ruling quickly and conscientiously; as of the date of this application, I have no cases under advisement.

52. If you have previously submitted a questionnaire or application to this or any other judicial nominating commission, please give the name of the commission and the approximate date of submission.

Applications submitted to this JNC in 2015 and 2016.

53. Give any other information you feel would be helpful to the Commission in evaluating your application.

REFERENCES:

54. List the names, addresses and telephone numbers of ten persons who are in a position to comment on your qualifications for judicial position and of whom inquiry may be made by the Commission.

Please see attached.

CERTIFICATE

I have read the foregoing questions carefully and have answered them truthfully, fully and completely. I hereby waive notice by and authorize The Florida Bar or any of its committees, educational and other institutions, the Judicial Qualifications Commission, the Florida Board of Bar Examiners or any judicial or professional disciplinary or supervisory body or commission, any references furnished by me, employers, business and professional associates, all governmental agencies and instrumentalities and all consumer and credit reporting agencies to release to the respective Judicial Nominating Commission and Office of the Governor any information, files, records or credit reports requested by the commission in connection with any consideration of me as possible nominee for appointment to judicial office. Information relating to any Florida Bar disciplinary proceedings is to be made available in accordance with Rule 3-7.1(l), Rules Regulating The Florida Bar. I recognize and agree that, pursuant to the Florida Constitution and the Uniform Rules of this commission, the contents of this questionnaire and other information received from or concerning me, and all interviews and proceedings of the commission, except for deliberations by the commission, shall be open to the public.

Further, I stipulate I have read, and understand the requirements of the Florida Code of Judicial Conduct.

Dated this 16 day of August, 2018.

ROBERT SECAL

Printed Name



Signature

(Pursuant to Section 119.071(4)(d)(1), F.S.), . . . The home addresses and telephone numbers of justices of the Supreme Court, district court of appeal judges, circuit court judges, and county court judges; the home addresses, telephone numbers, and places of employment of the spouses and children of justices and judges; and the names and locations of schools and day care facilities attended by the children of justices and judges are exempt from the provisions of subsection (1), dealing with public records.

SUPPLEMENTAL RESPONSES TO JUDICIAL APPLICATION FOR ROBERT A. SEGAL

20. **Professional Admissions:**

<i>Court or Administrative Body/</i>	<i>Date of Admission</i>
Florida Bar	11/1991
US District Court, Southern District Florida	5/1993
US District Court, Middle District Florida	1993
FL Dispute Resolution Center	2007

21. **Law Practice:**

<i>Position</i>	<i>Name of Firm</i>	<i>Address</i>	<i>Dates</i>
Law Clerk	Porter, Wright, et al	20 th St, NW, Washington, DC	1988
Associate	Jeffrey Weiner, Esq.	Coral Way, Miami, FL	1991-1993
Assist. Public Defender	Office Public Defender	18 th Judicial Circuit	1993-1996
Partner	Golub & Segal, PA	US 1, Melbourne, FL	1996-2006
Partner	Law Offices Robert A Segal	Pineda Cswy, Melbourne, FL	2006-2008
Partner	Law Offices Robert A Segal	Eau Gallie Blvd, Melbourne, FL	2008-2011
Partner	Law Office Robert A Segal	Eau Gallie Blvd, Melbourne, FL	2011-2014

27a. **Last 6 cases tried to verdict/judgment:**

<i>Counsel</i>	<i>Telephone Number</i>	<i>Court case number</i>
Curtis N. Flajole, Esq.	(321) 242-9777	05-2013-DR-068607-XXXX-XX (Harlow v. Harlow)
Cheryl Abraham, Esq.	(321) 984-8000	05-2012-DR-061769-XXXX-XX (Carrion v. Carrion)
Carl Wasileski, Esq.	(321) 269-4328	05-2003-DR-048594-XXXX-XX (Hammond v. Hammond)
David Wolfman, Esq.	(321) 259-4293	05-2012-DR-028268-XXXX-XX (Conroy v. Conroy)
Michael Jones, Esq.	(407) 648-5742	5D09-3559 (TMH v DMT) SC12-261
Michelle Studstill, Esq.	(321) 259-4444	05-2009-DR-026859-XXXX-XX (Wilson v. Wilson)

27b. **Last 6 cases settled:**

<i>Counsel</i>	<i>Telephone Number</i>	<i>Court case number</i>
Richard Feinberg, Esq.	(321) 951-4545	05-2013-DR-040400-XXXX-XX (Ham v. Ham)
Jacob H. Speicher, Esq.	(321) 637-9937	05-2009-DR-010028-XXXX-XX (Henderson v. Henderson)
Elise Singer, Esq.	(321) 722-3060	05-2014-DR-022304-XXXX-XX (Hoppe v. Alford))
Charles Dorfman, Esq.	(321) 259-0560	05-2006-DR-052328-XXXX-XX (Wey v. Wey)
J. Rudi Trader, Esq.	(321) 723-6731	05-2009-DR-053611-XXXX-XX (Knerick v. Kulak)
Thomas Yardley, Esq.	(321) 633-0400	05-2014-DR-049141-XXXX-XX (Bishop v. Bishop)

30. **Significant cases:**

- a. TMH v. DMT

1. Case Nos. 05-2008-DR-025125-XXXX-XX; 5D09-3559; SC12-261
2. TMH v. DMT, 79 So.3d 787 (Fla. 5th DCA 2011)
3. DMT v. TMH, 129 So.3d 320 (2013)
4. Date tried: this case never proceeded to trial; oral argument before 5th DCA occurred on 7/13/2010; oral argument before the Florida Supreme Court occurred on 8/3/2012
5. I was lead counsel at the trial level in the Circuit Court, and appellate level in the 5th District Court of Appeals. I was co-counsel when the case went to the Florida Supreme Court. This case was personally significant in that it gave me the opportunity to present oral argument to the Florida Supreme Court. This case has significant precedential value in that it represented the first time that the State of Florida recognized that a child could have two legal parents of the same sex. While the case heralded a turning point in the jurisprudence concerning same-sex couples, for me, it served to reinforce and expand one of the most important concepts in Florida law, that of the best interests of a child. In this case, two individuals engaged in a very deliberate series of events to bring their child into existence. This child deserved, and ultimately won, the right to have the love, support, and companionship of both of her parents. The identity of my client, TMH, has been sealed by court order.
6. Trial Judge: Hon. Charles Crawford
7. Opposing counsel: Michael Jones, Esq.
8. Co-counsel at the Florida Supreme Court: Christopher Carlyle, Esq.

b. Yocom v. Yocom

1. Case No. 6:05-cv-00590-JA-DAB; US District Court, Middle District Florida
2. Date tried: 8/5/2005
3. This case invoked the authority of the courts of the United States to order the return of a child to a foreign country after that child had been wrongfully removed from her other parent, my client – Bryant Yocom – living abroad. I represented an active-duty servicemember of the United States Air Force stationed in Germany. His wife, without his knowledge or consent, removed the child to the State of Florida. Following a trial on the merits of the petition brought pursuant to The Hague Convention on the Civil Aspects of International Child Abduction and the International Child Abduction Remedies Act, the Hon. John Antoon, II, ordered the child be returned to my client. Following the entry of the judgment, I continued to offer my services, pro bono, to other parents facing similar problems, and have been referred similar cases by the United States Department of State. I am one of only two or three local attorneys who have handled these sorts of cases and understand the unique facts and burdens of proof presented.
4. Trial Judge: Hon. John Antoon, II
5. Opposing counsel: Robert McCall, Esq.

c. State v. Lunsford

1. Case No. 05-1994-006174-AXXX-XX
2. Date tried: disposed before trial
3. This criminal case involved very serious allegations of aggravated sexual battery against my client, Jerry Lunsford. Through discovery, it was discovered that the allegations were brought to obfuscate the fact that the alleged victim had been

sexually active with another individual. More importantly, for me, was the manner in which the case was brought to a resolution. Through discovery, meticulous motion practice, and an intimate understanding of the rules of evidence, the State was convinced to negotiate a very favorable resolution which avoided the necessity of a trial that would have been costly, embarrassing, and potentially harmful to all of the individuals involved (victim and accused).

4. Trial Judge: Hon. Tonya Rainwater
5. Opposing counsel: Paul Brockway, Esq.

d. Lopez-Rinker v. Fix

1. Case No. 05-2013-DR-041728-XXXX-XX
2. Date tried: 6/25/2014
3. This case was resolved when my client, Amy Lopez-Rinker, prevailed on her motion for summary judgment. The father of her child sought to disestablish paternity that had been lawfully established in the Commonwealth of Pennsylvania. The motion cited several grounds for dismissal including res judicata, statutory interpretation, and several arguments that relief was barred by the facts. Success in this case involved the Interpretation of S. 742.18, Fla. Stat. (disestablishment of paternity, for which there exists relatively little precedent), the Uniform Interstate Family Support Act, and the Full Faith and Credit for Child Support Orders Support Act (a relatively obscure and rarely cited section of the United States Code). This case was affirmed without opinion by the 5th District Court of Appeals (I was not appellate counsel in this case).
4. Trial Judge: Hon. James Earp
5. Opposing counsel: Lindsey Sharp, Esq.

e. State v. Hunter

1. 05-1995-CF-002428-XXXX-XX
2. Date tried: 2/26/1996
3. My client, Michael Hunter, was acquitted in this case following a jury trial. The case involved the testimony of three eye-witnesses, two of whom were law enforcement officers. I attribute my client's success to the cross-examination of the eye-witnesses, that revealed significant disparities in their accounts, and the detailed voir dire of the jury that enabled me to impanel jurors that were inclined to question the veracity of the state's witnesses.
4. Trial Judge: Hon. Tonya Rainwater
5. Opposing counsel: Paul Brockway, Esq.

f. Marchand v. Wilson (f/k/a Norris)

1. 05-1996-DR-017416-XXXX-XX
2. Date tried: 6/2/2003
3. My client, Kelly Norris (n/k/a Wilson), had granted temporary custody of her child to her mother pursuant to Chapter 751, Florida Statutes. The consent was incorporated into a final judgment which was challenged by Ms. Norris. At trial, argument was presented concerning both the legal and factual bases for returning custody to Ms. Norris. While I convinced the Judge that my legal interpretation of the statute was correct, we failed to prevail on the facts. This case gave me the opportunity to conduct a thorough survey of the law

governing custody of children by non-parents which, ultimately, served as a foundation for several other cases I handled involving grandparents and other individuals who had been substantially involved in the parenting of children other than their own.

4. Trial Judge: Hon. Kerry Evander
5. Opposing counsel: Raymonda Chakhtoura, Esq.

32d. Prior Quasi-Judicial Experience

a. Attorneys who have appeared before me on matters of substance:

- a. James Dressler, Esq.
Address: 425 W Merritt Ave, Merritt Island, FL 32953
Telephone: (321) 735-8950
- b. Richard Feinberg, Esq.
Address: 325 5th Ave Ste 202, Indialantic, FL 32903
Telephone: (321) 951-4545
- c. Hernan Castro, Esq.
Address: 1535 Cogswell St Ste A5, Rockledge, FL 32955
Telephone: (321) 690-3315
- d. Stephen Brewer, Esq.
Address: 1209 S Washington Ave, Titusville, FL 32780
Telephone: (321) 269-9700
- e. Robyn Silverman, Esq.
Address: 1360 Sarno Rd, Melbourne, FL 32935
Telephone: (321) 259-3100
- f. Michelle Studstill, Esq.
Address: 1361 Bedford Dr Ste 103, Melbourne, FL 32940
Telephone: (321) 425-4608

32d(iv). Most significant cases tried or heard as General Magistrate

- a. Erin D. Roberts v. Dean Charles Roberts
 - i. Case No. 05-2006-DR-009643-XXXX-XX
 - ii. Dates tried: 8/27/15 and 10/7/15
 - iii. Attorneys: Richard Feinberg, Esq. and Cheryl Abraham, Esq.
 - iv. Why significant: This case involved the remand to the trial court of a motion for appellate attorney's fees and costs. Resolution of this case involved the interpretation of 5th DCA precedent concerning award of fees, as sanctions, without prior demonstration of need and ability to pay. This case also involved the interpretation of cases discussing section 57.105 as applied to equitable domestic relations proceedings.
- b. Vito Novia v. April Novia
 - v. Case No. 05-2014-DR-040871-XXXX-XX
 - vi. Date tried: 3/24/15
 - vii. Attorneys: Kristen Smith-Rodriguez, Esq. and Kelleen Duncan-Neisler, Esq.
 - viii. Why significant: this case involved a determination of timesharing, pursuant to 61.13(3), as well as relocation, pursuant to 61.13001. While the facts did not clearly demonstrate whether a parent had moved before or

after filing, and whether the relocation statute did nor did not apply, I considered the factors set forth in the relocation statute due to the great distance between the parties' residences.

- c. David Allender v. Gail Allender Gilbert
 - ix. Case No. 05-2009-DR-073693-XXXX-XX
 - x. Date tried: 6/25/15
 - xi. Attorneys: David Wolfman, Esq. and Rachel Bachand, Esq.
 - xii. Why significant: this case presented issues concerning the construction of a provision of a timesharing agreement. At issue was whether the court should or could consider parol evidence, and the rules governing the appropriate manner to construe a previously entered agreement.

- d. Michael Lee McGrath v. Emma Rosalie McGrath
 - xiii. Case No. 05-1989-DR-007833-XXXX-XX
 - xiv. Date tried: 9/9/15
 - xv. Attorneys: James Dressler, Esq. and Stephen Brewer, Esq.
 - xvi. Why significant: this case required the court to evaluate competing modification requests (increase or decrease/terminate permanent alimony). In addition to conducting an analysis under sections 61.14 and 61.08, the court was faced with the need to consider the income of the payor's new spouse in determining the extent to which the paying spouse can pay.

- e. Rose May Arnold v. Conrad Arnold
 - xvii. Case No. 05-2003-DR-043819-XXXX-XX
 - xviii. Date tried: 7/14/15
 - xix. Attorneys: Valerie Weaver, Esq. and James Dressler, Esq.
 - xx. Why significant: this case required the court to determine if alimony was modifiable. The original judgment incorporated the terms of an agreement providing two forms of alimony. I had to evaluate the precedent concerning construction of the language of an agreement as well as the propriety of allowing the introduction of parol evidence. Once the agreement's terms were interpreted, I had to determine the modifiability of the different alimony awards. Having found that only one award was modifiable, I then needed to conduct analyses pursuant to 61.14 and 61.08 to determine if sufficient grounds for modification had been proven, particularly in light of the competing arguments and evidence concerning the payor's voluntary or involuntary retirement, as well as need and ability to pay.

54. References

- a. Hon. John Antoon, II, Senior United States District Judge
Address: 1000 E. 11th St., Ft. Lauderdale, FL 33304
Telephone: 954-333-3333

- b. Charles Dorfman, Esq.
Address: 1000 E. 11th St., Ft. Lauderdale, FL 33304
Telephone: 954-333-3333

- c. Hon. Blaise Trettis, Public Defender
Address:
Telephone:
- d. Julie G. Pierce, Esq.
Address:
Telephone:
- f. Clay Morgan, Esq.
Address:
Telephone:
- g. Hon. Jennifer Opel Taylor
Address:
Telephone:
- h. Hon. Lisa Davidson
Address:
Telephone:
- i. Maureen Matheson, Esq.
Address:
Telephone:
- j. Stephen Charpentier, Esq.
Address:
Telephone:
- k. Alan Diamond, Esq.
Address:
Telephone: