

# Governor Bush Honored With FAWL President's Award for Diversity of Judicial Appointments

*The following is the text of FAWL President Susan Fox's remarks at the March 29, 2002 ceremony at which she presented Florida Governor Jeb Bush with the FAWL President's Award.*

FAWL is an organization with a mission of gender equality in the legal profession and in the law. One of the ways that FAWL has advanced this mission is by working to diversify the judiciary.

FAWL was founded 51 years ago, when there were few women judges and for the most part, our society did not believe women could be judges. One of our founding members was Judge **Mattie Belle Davis**, who was one of the first woman judges in Florida and for several years was the only woman judge in Florida.

For many years, there were no women judges in most circuits in Florida. This started to change only about 15 years ago, in the mid-

1980s, as a few women started to be appointed in the larger counties. It is incredible to think how recent this change actually is, and that there are still some circuits that have no women judges at all. Judge Davis is a living reminder of how recent our acceptance in the judiciary has been.

In discussing judicial appointments, the questions invariably come up: Don't you just want the best person selected for a judgeship? Why does it matter if the person is male or female?

Although it is a truism that a wise old woman judge and a wise old man judge would arrive at the same decision, there are differences in human experience that women bring to the judiciary. And

the presence of women judges, particularly on collegial panels, changes the dynamics of decision-making, and changes the interaction between the court and the public.

Before there were women judges, most male judges believed there was no gender bias in law and courts. The Gender Bias Study Commissions have helped to explode this misconception



PRESIDENT'S AWARD CEREMONY (from left) Past President Barbara Egan, Secretary Merideth Nagel, Governor Jeb Bush, JOURNAL Editor Dinita James, President-elect Siobhan Shea and President Susan Fox at the President's Award Ceremony.

and helped to erase most gender bias from the courtroom. Women judges not only decrease the incidence of gender bias, but improve public perception of gender neutrality in the courts. This public perception of the fairness of our courts is one of the fundamental requirements for maintaining a society in which disputes are settled in a peaceful, non-violent manner.

Having women in the judiciary has improved opportunities for women in the legal profession, and helped to change obsolete stereotypes about women—stereotypes about what they are capable of and their ability to be competent decision makers.

One way that these stereotypes are

affected by the presence of women judges is demonstrated by a story from my home county—Hillsborough County, where we have a ceremonial courtroom with portraits of the former judges. This courtroom plays host to community events throughout the year, particularly with school children paying visits on Law Day, Take Your Daughter to Work Day, and any other time they

study the dynamics of the court. Until this year, the portraits were all of male judges.

Because the portraits were done only upon retirement, and the advent of women judges is too recent for any to have retired, there were no women judges pictured. For many years, this passed unmentioned, but in recent years, the young girls visiting the court have begun to question, "Where are the women judges?" This year, **Diana Allen** (now deceased) retired due to health reasons, and her

portrait became the first to hang in the courtroom.

Women bring a wider range of human perspective to aid decision-making. For example, women judges have brought increased attention to and understanding of domestic violence, probably the most significant social issue of our time, because most violence is learned in the family and passed down from generation to generation. It was not until we had women on the Florida Supreme Court that the court overturned the "castle doctrine," which would have required a woman to leave the home in the middle of the night, leaving the babies behind, in a domestic dispute rather than defend herself.

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Women in the legal profession and judiciary have brought a greater trend toward voluntary dispute resolution, one of the keys to speedy disposition and improving public satisfaction with outcomes of judicial proceedings.

These are just a few reasons why it is so important to us that women be equally and fairly represented in the judiciary.

Governor Bush, many people did not expect you to be sensitive to this concern. With your first appointment to the bench—**Peggy Quince**—you began to change that. You stated that it was your goal to achieve a bench that accurately reflects the diverse population of the State. You have spoken at the JNC training camps to emphasize this commitment to the JNC members that you now appoint. You have criticized and rejected lists of nominees that do not mirror the diverse population of the State.

Last Fall, some statistics were published showing that you had a 40 percent overall rate of selecting women and minority candidates to fill judicial vacancies. The biggest problem area at that time, discussed at FAWL Board meetings and written about by me in my first President's message, was that appointments of women to the DCAs was lagging severely behind. You had appointed 10 DCA judges, two were African American, one was Hispanic, but none were women. You publicly complained that the JNC lists submitted to you had not fairly included women and minorities, and you were right.

There were three pending vacancies last Fall, two on the 2nd DCA and one on the 4th DCA. We wrote to the JNC, asking them to consider the disparities on these courts and to nominate women to fill the vacancies. We later wrote to you once the lists were published and asked you to correct the imbalance.

The *Florida Lawyer* magazine did a story titled "Bush's Big Chance," quoting me as saying that we hoped you would appoint at least one woman to begin to correct the historic imbalance on these courts. You filled all three seats with women. These are the reasons why we have chosen to present you with the Florida Association for Women Lawyer's Presidents' Award. ■

## FAWL's PRO BONO LOBBYIST: *Jim Daughton, Esq. of Holland & Knight LLP*

by MERIDETH NAGEL  
FAWL Legislative Committee Chair

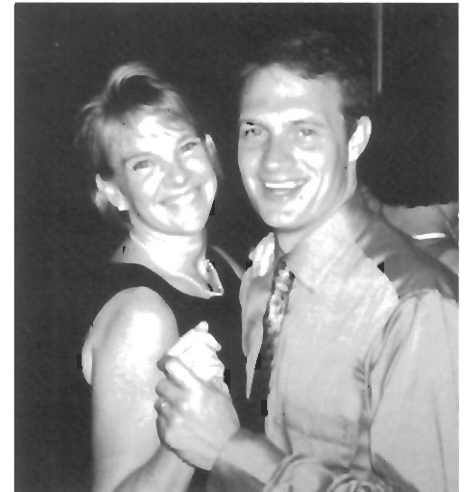
When I asked my dear friend and colleague **Jim Daughton** to "volunteer" his services to lobby on behalf of FAWL in the 2001 legislative session, without pause or hesitation he said "yes!" Although I know Jim thinks highly of our friendship, I was nonetheless extremely surprised he agreed so readily. With a client base including big shots like Microsoft, AmSouth, Bristol-Meyers Squibb, West Publishing and Financial Service Centers of Florida, why would he be willing to work for free for our organization?

After all, at the time he said "yes" all the insiders predicted the 2001 session would be the hairiest in recent history, with redistricting and budgetary shortfalls expected to extend the legislative session. But, being the smart lawyer I am I know when I'm getting a good deal, and thus I quickly solidified the details before he could change his mind! It wasn't until I interviewed him and his wife, **Maureen Daughton, Esq.**, for this article that it became clear. He actually believes in FAWL and what we are trying to accomplish—go figure!

Jim began his legislative practice as Executive Assistant to the late Governor Chiles in 1992. He worked his way up to Deputy Chief of Staff until he left the Governor's office in 1995 to attend The Florida State University School of Law. While in law school he had his own lobbying firm—Herndon, Daughton & Associates. He joined Holland & Knight LLP in 1998 and has established himself as a "star" in the firm's legislative practice.

Although he's a pretty sensitive and enlightened guy, it's his wife who has helped him understand the unique road that we women lawyers must travel. She's the real reason Jim understands so well the goals of FAWL, and appreciates the struggles and opportunities we face.

Maureen and Jim married in 1992 and have two boys—**Connor**, 7, and **Will**, 21 months. Maureen is a partner in the firm of Nabors Giblin & Nickerson, with a flourishing practice in administrative law and defending local governments on a variety of issues. She is also a member of



the Tallahassee Women Lawyers, the Judicial Nominating Commission for the Second Judicial Circuit, and a board member of The Family Source of Florida. Like many female lawyers Maureen's career is only one part of a very busy life. She and Jim both consider their children and family life to be their top priority. Somehow, they manage to juggle it all with great success. Their boys are flourishing, as is their marriage.

According to Jim, "Maureen helps me keep perspective, and has an incredible amount of faith and belief in me."

According to Maureen, "I'm a fairly tenacious litigator, and in litigation a person can get pretty focused...it can seem all encompassing. Jim keeps me grounded, he makes me laugh and have fun, which I really need!"

Watching Maureen grapple with all the issues we as women lawyers face has brought home to Jim the importance of FAWL's goals.

According to Jim, "I'm honored to work for FAWL and help them advance the status of women lawyers in our profession. It's not too long ago that Maureen was referred to as 'that pretty little prosecutor,' and was confused with a court reporter because she's a woman. I want to do my small part in helping women lawyers get the respect they deserve."

Our hats are off to Jim, and we thank him for his help. Read more about the work that Jim and Holland & Knight's Legislative Coordinator **Patricia Greene** did for FAWL in the 2001 session in the story on page 21. ■