

OPEN NINTH:

CONVERSATIONS BEYOND THE COURTROOM

RECIPE FOR SUCCESS

COOKIES, COMMUNITY, AND COURT

FEATURING THE HONORABLE BARBARA J. LEACH

EPISODE 126

MAY 23, 2021

HOSTED BY: DONALD A. MYERS, JR.

(Music)

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

And now here’s your host, Chief Judge Don Myers.

CHIEF MYERS: Hello, and welcome to Open Ninth. Joining me today is Ninth Circuit Judge Barbara Leach. Barbara was elected to the circuit bench in 2020 and is currently serving in the Orange County Domestic Violence division. She graduated from Florida State University College of Law and she practiced complex commercial litigation and established her own law firm before joining the bench. It’s great to have you with us here, Barbara. Thanks for joining me.

JUDGE LEACH: I’m so happy to be here. Thanks for having me.

CHIEF MYERS: Well, I’m really looking forward to our conversation and the chance to introduce you to some of our listeners who haven’t had a chance to meet you yet.

JUDGE LEACH: Awesome.

CHIEF MYERS: So tell us a little bit about Barb Leach the child. Where did you grow up? Where you’re from? What helps to define your childhood?

JUDGE LEACH: I was born in Maryland but I moved to Daytona Beach at age five with my mom and my dad. Simple childhood. My greatest delight was walking from school to the park every day to eat mulberries at a bush or tree on the way. And then honestly playing football until the park closed and then going home. And then ultimately spending time in the library in trying to devour every horse book there was in that library.

CHIEF MYERS: Oh, why horses?

JUDGE LEACH: I don't know. Ask any girl why horses? We just love them. They weren't a part of my real life, but I owned so many imaginative horses. It was hard to keep them straight.

CHIEF MYERS: Well, then your parents exceeded. They bought you that pony.

JUDGE LEACH: Right. Yes.

CHIEF MYERS: Excellent. Where did you head off to college?

JUDGE LEACH: I have an unusual college path. I went to Valencia Community College and I graduated with my AA in 1994. Go Matadors. And then I took a few years off because my mother was diagnosed with terminal cancer and I moved back to Daytona to take care of her. And when I finally got my life back on track after her passing, I moved back to Orlando and went to the Rollins College Hamilton Holt School where I majored in English with a writing minor. Go Tars. Graduated at age 29 from there and then went to law school at Florida State as you all already know at age 34, graduating at 37.

CHIEF MYERS: That is a different path.

JUDGE LEACH: Definitely.

CHIEF MYERS: So mine is also different. Not your path though, by any means.

JUDGE LEACH: Yeah, mine doesn't involve going to Hawaii.

CHIEF MYERS: Yes, I have the master's degree in the Hawaii, I call it my paid honeymoon, when my young bride and I were married and had a job offer over there to head out.

Those were different experiences but they add something to our perception on the bench, I believe.

JUDGE LEACH: I agree.

CHIEF MYERS: I think there's a richness to those experiences that really has developed who we are as people and helps us to connect with, relate to, understand, perceive, perhaps a little bit differently.

JUDGE LEACH: People look at me and they think, oh, there's a woman who went to college, who went to law school, she's had it all and suffered none. And while I wouldn't say I have suffered, I would say these people, they don't realize that I was actually a waitress for a decade. And not while I was going through school, that was my career and I was good at it and happy and proud doing it. So I definitely think that my experiences help me relate more so to a myriad of people in life.

CHIEF MYERS: What drove you to law school out of all of those experiences?

JUDGE LEACH: I decided that at age 33 I wanted a career. You know, you hear the jokes, what do you say – what does a person with an English degree say, you know, do you want to supersize those fries. You know, having – I love my undergraduate degree because it allowed me to focus on words and I love words. But it doesn't really allow for a career path, so I sold textbooks. I sold rubber stamps. I was co-coordinator at the Rollins College writing center for a semester. I taught college prep. I have the professional history of somebody who should write books because if you read my bio, on the back, you'd be like, what has that woman ever, ever, ever done? So gosh, what was the question? I got so excited talking about the things I did. Oh, why did I go to law school? You know, apparently because I needed help concentrating and

remembering questions asked. I went because I thought it was – I wanted – at 33, I discovered NPR, National Public Radio. I wanted to understand how the world worked. And I wanted to understand my place in it. And I thought the best way to do that was we are a nation built on law, and I wanted to understand law. And so that's why I went to law school.

CHIEF MYERS: Did you find law school fulfilling then in that way?

JUDGE LEACH: Oh, ask me if I can go back today, I absolutely would, as weird as it sounds. It was the best three years of my life. I had so much fun.

CHIEF MYERS: Yes, it is a great experience. And it is horizon expanding, right? You get exposed to professors from all walks of life, with all sorts of different experiences in the law, some outside the law as well. Favorite professors?

JUDGE LEACH: So I'd like to say all of them because some of them might listen. I'm going to say Professor Wolf, my legal writing professor because she's definitely going to listen and she'd be very mad at me if I didn't say she was my favorite. But she is, irrespective of the compulsion I feel to say right now, but also I had a professor Steve Guy who was a nationally recognized constitutional law professor who just changed people's lives with his passion and his erudite facile understanding of constitutional law that he imparted on his students. We were so committed to Professor Guy that when he was diagnosed with Lou Gehrig's disease, I was a third year law student and along with our intrepid fearless Team Guy leader, Christie Kline who had graduated a year before, we put together a triathlon team. We participated in the Red Hills Sprint Triathlon to raise money and awareness for ALS. At the time, Professor Guy was still alive. He was very concerned that we were doing this because he was convinced that at least one

of us would die on the course because out of those seriously 45 people who were doing this, two might have done a triathlon before. So definitely Professor Guy –

CHIEF MYERS: That's not tag team triathlon where one of you runs a little bit and you get to tag the next person in.

JUDGE LEACH: If only that could have been the case, we probably would have had 150 people participate.

CHIEF MYERS: That's awesome.

JUDGE LEACH: Yeah.

CHIEF MYERS: That's tremendous. So the question, you know, when you're in law school, and you're with your peers, the most common question asked, what are you going to do when you graduate? What did you do when you graduated?

JUDGE LEACH: I was very fortunate. Somehow, I ended up at the top of my class. I went to law school saying, I'm going to kick butt. I'm going to be top of the class, right. Well, two weeks into it, I lowered that bar and said I'm going to pass. I'm going to graduate. And as soon as I lowered my expectations, school really did become a lot of fun. And I think I took pressure off myself to do well and just graduate. And somehow, I think that alleviation of the pressure somehow meant that I did very well as it turned out. So having said that, although I had zero expectation that I would get a great job upon graduation, my grades indicated otherwise and I had the fortune of working for my first two years at a national law firm. So I worked with some of the most sophisticated legal minds imaginable and even though I ran around thinking, gosh, they must have made a mistake when they offered me this job, I'd like to think that I learned how to practice from some of the best lawyers around.

CHIEF MYERS: Great experiences to be in an environment like that, to be mentored as a young lawyer, right?

JUDGE LEACH: Right.

CHIEF MYERS: Yeah, that's something that's so valuable and so many students it seems that are graduating now out of our law schools don't ever have the opportunity to experience.

JUDGE LEACH: It's hard. There's so many pressures on practicing lawyers irrespective of the discipline, small firm, large firm, sole practitioner, government lawyer, our time is used so much so critically that it's hard to carve out the time and energy that is crucial for us to serve as good mentors. But I'd like to think that I recognize the importance of that and paid it forward when it was my turn to have the chance to mentor younger lawyers and law students.

CHIEF MYERS: Tremendous. Did that – did that opportunity come for you as a lawyer, to be able to mentor younger lawyers? Did you work in that type of environment?

JUDGE LEACH: Oh, absolutely, when I opened my own firm, I would say I would have anywhere from one to three students working with me each year, either through Valencia's paralegal program or UCF's undergraduate program, or Barry or FAMU's law school student program, or even I had the fortune of working with some post-grad lawyers-to-be who had perhaps taken the bar but hadn't received the results yet who would come and work in my office.

CHIEF MYERS: That's great.

JUDGE LEACH: It's fun.

CHIEF MYERS: Thank you for giving back. That's amazing.

JUDGE LEACH: Oh, well, I look forward to be able to give back more on the bench. It just hasn't happened yet.

CHIEF MYERS: Well, let's talk a little bit about that. Tell us first, I guess, give us the picture of the practice areas that you had experience in before coming to the bench that made sense for you.

JUDGE LEACH: I had – when I left the big law firm, I went and did creditor's rights bankruptcy for a year and then I did some local counsel work as plaintiff's counsel on behalf of banks largely during the foreclosure crisis. Then when I decided to open my own firm, I kind of pivoted 180, not physically, because I would fall down if I tried that, but I started doing defending foreclosures, representing homeowners and consumer rights bankruptcy. And even though I swore I would never do family law, right now, Professor Wolf, this is your shout out because she said I would and I said I wouldn't, and what do you got. But I then started doing some family law and before you know it, I think I had my firm for nine years, every year my percentage of family increased up to the point of about two years before taking the bench, that I was practicing family law exclusively. So I'd like to think that I have an exposure to several different practice areas throughout my career path. The only thing I never did was anything criminal.

CHIEF MYERS: And why the bench then? You know, you come out of a successful practice. You have the chance to be influencing lives of up and coming lawyers or people involved in law, so what is it that drives you to the bench?

JUDGE LEACH: Ever since I had my first exposure to community service at Valencia Community College, when I was senator of service for Phi Theta Kappa, the international honor

society for two-year schools, I recognized the importance in value and power of community service and giving to others. And as you've said on many occasions, you know, recognizing servant leadership and you know, following the tenants of Stephen Covey, I believe that in my core. And while I believe that as an active practitioner, I could help solve problems for about 100 families a year, I realized after time that wasn't enough. I thought by being on the bench, I could have a greater impact and help more families. And even if help translates to hearing your case and issuing a ruling, to me that's still a form of help because it's making decisions about issues that are presented in front of me. And sure, it might be an answer that somebody doesn't want to hear but at least it's an answer and allows them to move forward with their new path. So I realized that I could have a greater impact from a community service perspective by being on the bench and that was my goal. And I'm fortunate enough that other people believe that as well, so here I am.

CHIEF MYERS: So tell us about your path because it is a little different from many of the judges we have the chance to interview on the podcast who have gone through an appointment process where there is a vacancy, and a judicial nominating commission that interviews and makes recommendations and ultimate selections by the Governor. What is your path?

JUDGE LEACH: I sought to be elected. Now, mind you, I also tried an appointment and I was very fortunate and honored to have been recognized by the local judicial nomination commission to be a candidate. I was not selected by the Governor. And then, the other way you can become a judge obviously in the state of Florida is to run for election. So in August 2019, I threw my hat in the ring for a seat that was being vacated by a retiring judge so it was going to be

an open election. And decided that I was going to put myself before the voters and say, hey, vote for Barb.

CHIEF MYERS: Well, you and I know, I don't know how many of our listeners know that the judicial election process is very much unlike our typical experiences with political races. Judges don't comment about the issues. They're very limited in the types of things that they can campaign on, so character, experience, skill-sets, those are the types of things we talk about in judicial elections. What did your opponent have to say about all that?

JUDGE LEACH: Oh, my opponent was markedly silent on those issues.

CHIEF MYERS: And that's because you ran unopposed, right?

JUDGE LEACH: Yeah, that's fair.

CHIEF MYERS: Yes. You know, that doesn't happen very often. And I think it is a true testament to lawyers in the community who know you, who appreciate you, who believe in you and your ability to serve in this role that none of them chose to run against you. That's a tremendous statement I think about you and your qualifications.

JUDGE LEACH: I was with you until that last sentence. I really think it's more of a tremendous statement to those lawyers locally and the ones who supported and endorsed me statewide because it is their support I believe that other people saw. I mean, ask anyone and I'll say it's not me, it's really these remarkable individuals who have – who supported me in a variety of ways that resulted in me not having an opponent. I'd love to say it's me but it's not, it's everyone else that made that happen.

CHIEF MYERS: I know I've had a chance to say this personally, but publically congratulations and welcome to the Ninth as a circuit judge. It's exciting to have you here. It begs the question though; you had a set of expectations about what it would be. Now, you've been here since January so three full months on the job. Is it what you expected?

JUDGE LEACH: It is all of that and more. And by that I mean, to be a judge, you have to be comfortable making hard decisions. And you have to be confident that the decisions you make are the right ones while at the same time being humble enough to recognize that every decision you make needs to be thoughtfully weighed out. The law needs to be reviewed regularly to ensure that you are applying the law appropriately. And while I expected that to be the case, and I'm familiar with making hard decisions and saying things people don't want to hear. I guess I do that more now than I did when I had my practice. So it's remarkable the job you all do and I am in awe of it. And I look forward to still feeling worthy to be in this position.

CHIEF MYERS: In a domestic violence division, you are seeing some of our weightiest cases. I mean the ones with tremendous human emotion, pain, challenge, financial and personal. What do you do to get away from that? What does Barbara Leach do?

JUDGE LEACH: Reads, shops, hangs out with friends and honestly, bakes cookies.

CHIEF MYERS: So I was hoping we were going to get to that. You had a side hustle when you were in practice. You're not doing the side hustle any longer.

JUDGE LEACH: I'm not.

CHIEF MYERS: Tell us about your cookie baking. How did that start and tell us about the cookies themselves? I've had them. They're fabulous.

JUDGE LEACH: So I started this gig, Babs Bakes because every Christmas Eve or the couple of days leading up to Christmas, starting probably about eight years ago, I would go on a baking frenzy. Until recently, I have largely been an orphan for fifteen years. And so the holidays, although I have remarkable friends, I didn't have really family traditions. So I used this baking as a chance to fill my time and give love to others. And then a few years ago, my neurotic, compulsive, overachiever self said, I want to make roll out cookies but I don't want them to just be roll out cookies, I want them to be stellar and practically professional. So one August I started and then I just perfected my recipe, which was something off of pin interest. It's not like I'm fancy. And just – people remarkably impressed by this sugar cookie with a royal icing topping and they're like, oh, you're a baker. And I'm like, no, no, I'm a one trick pony. This is really all I do. So I make cookies and have a thousand cookie cutters.

CHIEF MYERS: I'm sorry.

JUDGE LEACH: Sorry, phlegmy, sorry. I said I have a few cookie cutters.

CHIEF MYERS: I might have heard a thousand.

JUDGE LEACH: Oh, all right, fine, yes, I have a thousand cookie cutters.

CHIEF MYERS: Yes, wow, that's impressive. And so is that still a stress reliever for you? Is that something you can get away –

JUDGE LEACH: Is it impressive or is it borderline hoarding? I don't know. I guess that remains to be seen. But yes, I – it's actually – I am really enjoying being able to bake cookies for no good reason as opposed to having an order I've got to put together or, you know, Christmas cookie kits I've got to do. So now, I don't have to be this Uber efficient baker, and I can be somewhat lackadaisical in my approach and that only matters to someone who's obsessed

with efficiency, as I tend to be. So I'm just like, you know, it's okay Barb, this doesn't have to be perfect, good enough. The cookies are going to taste good, you know, you can take your time or you can do it in a mediocre fashion. So yeah, I've actually rediscovered baking in the last four weeks because I've been so consumed with preparing for the new job that I hadn't – and moving, that I hadn't had a chance to do so. But I'm so glad that I've done it because it's allowed me to remember the simple joy that I get from bringing joy to others.

CHIEF MYERS: That's awesome. Where do you turn for inspiration these days?

JUDGE LEACH: My friends.

CHIEF MYERS: Yeah.

JUDGE LEACH: My friends, and that's been the case for decades. I look at what they're doing and who they are and what they're reading or listening to, and they – they raise me up and I'm so thankful for that.

CHIEF MYERS: I – what a great conversation. Thank you so much for joining me. I love to hear about well-rounded backgrounds and people whose lives have all worked together for this opportunity to come and be judges with us. And I consider you a friend and a great colleague, and I'm just so grateful to have had this time. Thanks for joining us.

JUDGE LEACH: Oh, it's been my pleasure. Thank you.

NARRATOR: You've been listening to "Open Ninth: Conversations Beyond the Courtroom" brought to you by Chief Judge Donald A. Myers, Jr. and the Ninth Judicial Circuit Court of Florida. For more information about the Ninth Judicial Circuit Court, follow us on Twitter, Facebook, Instagram, and LinkedIn. (Music)