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OPEN NINTH:
CONVERSATIONS BEYOND THE COURTROOM
A LONG JUMP TO THE BENCH
EPISODE 32
OCTOBER 9, 2017
HOSTED BY: FREDERICK J. LAUTEN

1 (Music.)

2 >> Welcome to another episode of "Open Ninth:
3 Conversations Beyond the Courtroom" in the Ninth Judicial
4 Circuit Court of Florida.

5 Now here's your host, Chief Judge Fred Lauten.

6 >> **CHIEF JUDGE LAUTEN:** For our listeners, the Ninth
7 Judicial Circuit is comprised of two counties: Orange and
8 Osceola County. We are the third-largest circuit in the
9 third-largest state.

10 So the judges who sit in circuit court travel back and
11 forth between Osceola County and Orange County. And the
12 county court judges serve in their county of residence, which
13 is Orange County and Osceola County.

14 And we're pleased this afternoon to have Judge Heather
15 O'Brien with us, who is a Osceola County judge, and was, in
16 fact, appointed at a fairly young age to the county bench,
17 which is a tribute to her skills as an attorney.

18 And I want to welcome you to "Open Ninth." Welcome.

19 >> **JUDGE O'BRIEN:** Thank you so much. I'm so happy to
20 be here with you this afternoon.

21 >> **CHIEF JUDGE LAUTEN:** So, Heather, are you -- are you
22 a Florida -- are you a native Floridian? Were you born in
23 Osceola County, or did you work your way to Florida?

24 >> **JUDGE O'BRIEN:** I'm a native Coloradan.

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

1 **>> JUDGE O'BRIEN:** And I actually made my way to Florida
2 during the 2004 hurricane season.

3 **>> CHIEF JUDGE LAUTEN:** Oh, that was quite a time to
4 come.

5 So born in Colorado, and I know you went to the
6 University of Colorado.

7 **>> JUDGE O'BRIEN:** I went to Colorado College, actually.

8 **>> CHIEF JUDGE LAUTEN:** Oh, I'm sorry. Colorado
9 College. And I know that you are the true definition of the
10 scholar athlete. So let's talk a little bit about your high
11 school and collegiate activities, both academically and
12 athletically.

13 So your sport of choice, why don't you tell our
14 listeners.

15 **>> JUDGE O'BRIEN:** Was track and field.

16 **>> CHIEF JUDGE LAUTEN:** All right. And you didn't just
17 participate in track and field, but you excelled in it. So I
18 know that you, in 1998, were the NCAA National Champion in
19 the heptathlon, which is quite an achievement, to be the
20 national champion in any individual activity or team
21 activity.

22 So why don't you tell our listeners, what is the
23 heptathlon. How do you compete in a heptathlon and what does
24 it involve?

25 **>> JUDGE O'BRIEN:** Well, the world championships for

1 track and field were on just in the last ten days, so I was
2 able to watch the heptathlon, which is what women participate
3 in, and the men participate in the decathlon.

4 The heptathlon is seven events over the course of two
5 days.

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

7 >> **JUDGE O'BRIEN:** So it includes the 100-meter hurdles,
8 high jump, shot put, 200 meters. And then the second day you
9 come back for long jump, javelin, and then the 800 meters.

10 >> **CHIEF JUDGE LAUTEN:** Holy smokes. I don't know how
11 you survive that. And do you -- are there high school
12 heptathletes? So did you do that in high school?

13 >> **JUDGE O'BRIEN:** There are. I did not. I was
14 primarily a sprinter in high school. Um, and a decision was
15 made when I was in college that if I wanted to be able to get
16 to some of the higher levels in track and field, I would need
17 to move from sprinting into the multi-event category.

18 So there are some people that do complete in high
19 school, but it's pretty rare. Most of your multi-eventers
20 you'll find in college and beyond.

21 >> **CHIEF JUDGE LAUTEN:** So you made that transition from
22 sprinting to the multi-event activities and excelled in it.

23 But what about participating in an event that grueling?
24 I imagine you had to train all year long or was there time
25 off for that sport or not?

1 **>> JUDGE O'BRIEN:** I trained all year long. In the
2 summers and in the fall, it wasn't organized training. I'd
3 be sent out to basically work out on my own because NCAA
4 rules don't permit coaches to work with athletes in the
5 off-season.

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

7 **>> JUDGE O'BRIEN:** But it did require training on a
8 year-round basis.

9 **>> CHIEF JUDGE LAUTEN:** Did you have a favorite event in
10 this multi-event?

11 **>> JUDGE O'BRIEN:** I'm still at my heart a sprinter, so
12 the 200 meters was always my favorite event.

13 **>> CHIEF JUDGE LAUTEN:** So national champion in 1998. I
14 mean, does that mean all of the collegiate athletes in this
15 event, you were the most successful?

16 **>> JUDGE O'BRIEN:** In my division, that means, yes, that
17 I accumulated the most points at the NCAA championships to
18 win that particular year.

19 **>> CHIEF JUDGE LAUTEN:** I know in 1999 you were the NCAA
20 Woman of the Year and Athlete of the Year, Female Athlete of
21 the Year for the state of Colorado; is that correct?

22 **>> JUDGE O'BRIEN:** Correct.

23 **>> CHIEF JUDGE LAUTEN:** And I think, correct me if I'm
24 wrong, you've been inducted into the Colorado Sports Hall of
25 Fame?

1 **>> JUDGE O'BRIEN:** I have been -- I've been given a
2 citation by the Colorado Sports Hall of Fame, and I was
3 inducted into my college hall of fame in 2005, I believe.

4 **>> CHIEF JUDGE LAUTEN:** Well, congratulations.

5 **>> JUDGE O'BRIEN:** Thank you.

6 **>> CHIEF JUDGE LAUTEN:** So -- so have you coached track
7 and field also or just -- have you been a participant? Have
8 you ever coached?

9 **>> JUDGE O'BRIEN:** I have coached. I coached
10 collegiately for a year after I graduated from college,
11 because at the same time, I was training for the Olympic
12 Trials for 2000 in Atlanta.

13 **>> CHIEF JUDGE LAUTEN:** And was coaching something that
14 you thought you might make a career out of? Fortunately for
15 us, you didn't, but was that something you were thinking of
16 making a career out of?

17 **>> JUDGE O'BRIEN:** I've always wanted to be a lawyer,
18 and I've never strayed from that.

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

20 **>> JUDGE O'BRIEN:** However, when I became a judge at
21 such an early age -- I have thought sometimes about in the --
22 the later part of my career, when I'm done being a judge and
23 I retire, that I might want to get into coaching at that
24 time.

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

1 So undergraduate in Colorado. Tell the listeners where
2 you went to law school, and let's talk about that journey a
3 little bit.

4 **>> JUDGE O'BRIEN:** I went to Georgetown University in
5 Washington, D.C.

6 **>> CHIEF JUDGE LAUTEN:** Which is not an easy program to
7 get admitted to. Another way to say it is Georgetown has a
8 reputation nationally, and is a fairly elite law school. So
9 congratulations.

10 And what did you think about your time in Washington,
11 D.C.?

12 **>> JUDGE O'BRIEN:** I loved Washington, D.C. I wanted to
13 be there ever since I was a little girl, to be in the thick
14 of all the politics and everything going on legally. And at
15 the time I was in Washington, there were a lot of historic
16 things that were transpiring. We had the *Bush v. Gore* issue
17 that came before the U.S. Supreme Court. We unfortunately
18 had some tragedies; we had 9/11, the D.C. sniper.

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

20 **>> JUDGE O'BRIEN:** So there's a lot going on when I was
21 in law school.

22 **>> CHIEF JUDGE LAUTEN:** So I practiced law in D.C. for a
23 little bit in my career, so I have a little bit of
24 familiarity of the layout. So law school's not that far from
25 Capitol Hill, and, hence, the Supreme Court.

1 Did you get a chance to visit the Supreme Court as a law
2 student?

3 **>> JUDGE O'BRIEN:** I did. And you're right. It's right
4 there on Capitol Hill, so you're within just a couple of
5 blocks of the Congress and the United States Mall. So it's a
6 perfect area to be in. The school has an optimal location.

7 **>> CHIEF JUDGE LAUTEN:** And then the Supreme Court --
8 well, depending on your perspective, but it's, in essence,
9 located behind the Capitol building or to the west of the
10 Capitol building. It's in northwest. And the main Mall area
11 heads eastward.

12 But if you're anywhere in the Capitol, you're close to
13 the United States Supreme Court. And both of those
14 structures are awe-inspiring, in terms of their physical
15 beauty and the beauty and simplicity of them.

16 So what a great experience to be at Georgetown
17 Law School. Did you know you were coming to Florida from
18 there? I'm still wondering about your trek southward to us.

19 **>> JUDGE O'BRIEN:** I didn't. And I didn't have Florida
20 on my radar at that point. I went home for a year back to
21 Colorado to clerk for a Colorado Supreme Court Justice,
22 Justice Martinez.

23 And after that, I decided to send out some resumes
24 across the country so I can live in someplace that I had
25 never been to before while I was mobile, and I ended up in

1 Florida.

2 >> **CHIEF JUDGE LAUTEN:** So the clerkship with the
3 Colorado Supreme Court, was that one year long?

4 >> **JUDGE O'BRIEN:** It was one year.

5 >> **CHIEF JUDGE LAUTEN:** Tell the listeners a little bit
6 about what you do as a clerk to a State Supreme Court
7 Justice.

8 >> **JUDGE O'BRIEN:** A clerkship is a wonderful
9 opportunity for students that are fresh out of law school to
10 assist either an appellate judge, which is who I assisted on
11 the Colorado Supreme Court, or sometimes you have staff
12 attorneys or clerks who work at the trial court level.

13 The clerks or staff attorneys generally do research that
14 they're asked to do by the judges. They will write their
15 opinions or their orders. Um, they are sort of an invisible
16 backbone of our court system. They're never seen, but
17 they're doing incredible work behind the scenes to assist
18 judiciary.

19 >> **CHIEF JUDGE LAUTEN:** So those clerkships at the
20 Supreme Court level, whether the -- well, the United States
21 Supreme Court, probably the most competitive clerkship to
22 apply for. And then there's the federal appellate courts and
23 state Supreme Courts. They're competitive at that level, so
24 you obviously performed well in law school. In fact, I know
25 you graduated magna cum laude from Georgetown. You must like

1 to research and write.

2 Is that a fair statement?

3 >> **JUDGE O'BRIEN:** I love it, and I still love it to
4 this day. If I can pick up some work from fellow judges to
5 help them out with research, I still like to do that even
6 today.

7 >> **CHIEF JUDGE LAUTEN:** Okay. So your year at the
8 Colorado Supreme Court is drawing to an end. You're sending
9 out resumes. And tell me again where you -- who did you hear
10 from that drew you to us?

11 >> **JUDGE O'BRIEN:** I heard from the Federal Public
12 Defender in Orlando. And I received an interview with them.
13 And when I got here, they said, well, you're a little bit too
14 green. You're fresh out of law school. You don't have a lot
15 of practical experience.

16 I'm gonna ask you to meet with my friend down the road
17 who is the public defender for Orange and Osceola Counties.
18 And I ended up with a job there.

19 >> **CHIEF JUDGE LAUTEN:** So was that Joe DuRocher or was
20 that Bob Wesley?

21 >> **JUDGE O'BRIEN:** Bob Wesley.

22 >> **CHIEF JUDGE LAUTEN:** All right. So you went to work
23 for the current public defender, Bob Wesley. How long were
24 you at his shop?

25 >> **JUDGE O'BRIEN:** For about a year and a half.

1 >> CHIEF JUDGE LAUTEN: All right. And then where?

2 >> JUDGE O'BRIEN: And then I was a staff attorney for
3 the judges in Osceola County.

4 >> CHIEF JUDGE LAUTEN: I -- well, I knew that, but I
5 just wanted to get that out.

6 And how long did you do that work?

7 >> JUDGE O'BRIEN: Oh, my goodness. For about two and a
8 half years.

9 >> CHIEF JUDGE LAUTEN: So how do you get on the bench
10 from there? What was your trek to the bench from staff
11 attorney in Osceola -- and you were assigned to Osceola
12 County --

13 >> JUDGE O'BRIEN: I was.

14 >> CHIEF JUDGE LAUTEN: -- we should say.

15 >> JUDGE O'BRIEN: One of the judges that I worked for
16 in Osceola County was Scott Polodna. And Judge Polodna
17 formerly worked at the County Attorney's Office in Osceola
18 County. And after I had gained his trust and respect, he
19 helped me get a job at the Osceola County Attorney's Office.
20 And I worked there for three years under the tutelage of Joe
21 Thacker, who was our county attorney at the time.

22 In 2010, one of our long-serving county judges decided
23 to retire. And given some personal events that happened in
24 my life and the timing of everything, I decided it would be a
25 good opportunity to throw my hat in the ring and apply to

1 become a county court judge in Osceola.

2 >> **CHIEF JUDGE LAUTEN:** And so you did that, made the
3 short list, and then got selected by the governor.

4 Who was the governor then?

5 >> **JUDGE O'BRIEN:** Charlie Crist.

6 >> **CHIEF JUDGE LAUTEN:** All right. And so you took the
7 bench -- is it okay if I tell our listeners how old you were?

8 >> **JUDGE O'BRIEN:** Sure.

9 >> **CHIEF JUDGE LAUTEN:** Thirty-three years of age.

10 >> **JUDGE O'BRIEN:** Thirty-three.

11 >> **CHIEF JUDGE LAUTEN:** Which I don't -- that might be
12 the record. If it's not the record, it's awfully close. I
13 think it might be the record. Again, a tribute to your legal
14 talents and your academic talents.

15 So you're fairly young when you take the bench. And
16 tell our listeners what you found the first time you walked
17 into the courtroom and had a robe on.

18 >> **JUDGE O'BRIEN:** Nothing can quite prepare you for
19 that. Even though I had worked for judges for many years as
20 a staff attorney and a clerk, and I knew what happened behind
21 the scenes and I was even a lawyer in the courtroom, nothing
22 can prepare you for donning the robe and stepping into your
23 own courtroom for the first time.

24 I think I had pretrial conferences that first day, so I
25 had hundreds of cases that I had to get through in the

1 morning. And the time flew by. It was just a remarkable
2 experience.

3 >> **CHIEF JUDGE LAUTEN:** And did you start in a criminal
4 division or civil division or -- you don't handle -- I know
5 that we split those two assignments up in Osceola County. So
6 you started --

7 >> **JUDGE O'BRIEN:** I've been in a criminal division for
8 the last seven years.

9 >> **CHIEF JUDGE LAUTEN:** Great. Great. And doing a
10 great job.

11 So been on the bench for seven years in Osceola County.
12 Let's talk a little bit about, you know, the Osceola County
13 assignment and Osceola County itself. So as we -- as I
14 started telling our listeners, the Ninth Circuit is Orange
15 and Osceola Counties. And we cover an enormous landmass. We
16 cover about 2,000 square miles of territory, which is pretty
17 big.

18 And when you get on the Turnpike and you enter Osceola
19 County and you start driving south, it's like, holy smokes.
20 I feel like I've been in Osceola County forever. Because
21 it's a pretty good landmass, is it not?

22 >> **JUDGE O'BRIEN:** It's a huge county. Even though our
23 population center is mostly at the northern boarder with
24 Orange County, Osceola County itself, I think might be about
25 the third-largest county in the state of Florida. It's very

1 large.

2 >> **CHIEF JUDGE LAUTEN:** And it has some distinguishing
3 features. A lot of it is ranch land. Talk a little bit
4 about that.

5 >> **JUDGE O'BRIEN:** Agriculture has been key to Osceola
6 County's history. And even to today, I believe that we're
7 still the largest cattle producer in the state of Florida.
8 We have incredible ranches in Osceola County, longstanding
9 ranch families and history. We have the Silver Spurs Rodeo,
10 which is now in its 134th year. It is the largest rodeo east
11 of the Mississippi.

12 And we also have, at this point, some really incredible
13 ecotourism. We have places like Wild Florida and Forever
14 Florida and the Kenneth Kirchman Foundation where if people
15 go and participate and see what these organizations have to
16 offer, they can see what Florida was like many years ago
17 before any of us were here. It's still in its natural state
18 with some of its natural elements, animals, et cetera.

19 So Osceola County has some really amazing things to
20 offer that you can't find in some of the other counties
21 locally.

22 >> **CHIEF JUDGE LAUTEN:** Right. When we -- I have
23 friends who visit from up north. And when they say I want to
24 see what historic Florida or traditional Florida is, we take
25 them up to airboat roads, tours, ecotours. A lot of times --

1 mostly always in Osceola County. Sometimes over into Volusia
2 County too. Yeah. It's amazing what you can see in that
3 county, in your county of residence.

4 How has the county changed in your time here?

5 >> **JUDGE O'BRIEN:** Dramatically. I've been there for
6 the last 13 years, and we have grown at an exponential rate.
7 There's a lot of development. Again, mostly primarily along
8 the northern boarder with Orange County with the advent of
9 the Medical City and Lake Nona, that has spurred a lot of
10 development in Osceola County, as well.

11 So the demographics has changed. There's a lot more
12 people there. It's gotten a lot bigger. But the beautiful
13 part is still the majority of the county south of the major
14 population centers remains as it always has. So that's the
15 nice part. We're able to maintain some of that conservation
16 element in our county that some other places have not been
17 able to maintain.

18 >> **CHIEF JUDGE LAUTEN:** I know it has the large -- one
19 of the largest beef production capacities in the state. And
20 I think we've ranked second or third in the nation in cattle
21 or beef production. So that sometimes surprises people.
22 They always think Texas first. Probably Oklahoma second.
23 The whole western area.

24 And -- but it's also got thousands of acres of citrus.
25 Which when I moved to Orange County, Orange County had a

1 pretty significant citrus tree population. But it's seemed
2 to have moved south since I've been here, and a lot of it
3 into Osceola County.

4 And the other thing is, the county's sort of ethnic
5 makeup has changed over time. Talk a little bit about that.

6 >> **JUDGE O'BRIEN:** It really has. At this point, our
7 majority population is either Latino or Hispanic. And we
8 have a high amount of people that have migrated from Puerto
9 Rico to live in Osceola County. We have an incredibly
10 diverse populous in Osceola County. And that's one of our
11 greatest strengths.

12 I think that a reminder of some of the terrible things
13 that happened last weekend in Charlottesville, Virginia, are
14 that we need to recognize that we have a diverse population.
15 We have a lot of different people in the United States that
16 have so much to offer, and that's what makes us great.

17 And Osceola County is a wonderful example of that. We
18 have a diverse population, a wonderful population, a group of
19 people all working together. And it's just a fantastic place
20 to be in and live in.

21 >> **CHIEF JUDGE LAUTEN:** One of the challenges I face as
22 Chief Judge -- and I'm not sure I can figure out why we have
23 this -- but we have fewer circuit judges who live in Osceola
24 County than we've ever had. And some of that is due to
25 retirements. There were judges who worked and lived in

1 Osceola County, and a few of them have retired.

2 And so I have to assign Orange County judges or judges
3 who reside in Orange County, I should say, on the circuit
4 level, to Osceola County. And to a person, they say, I love
5 working there. It's just hard to get there. And so one of
6 our challenges is transportation.

7 But I think that might be changing once either the I-4
8 Ultimate Project is done, but, more importantly, when SunRail
9 is done. SunRail will then eventually have a route all the
10 way into Downtown Kissimmee, as I understand it.

11 Is that your understanding too?

12 >> **JUDGE O'BRIEN:** Yes. You can see where they're
13 building the SunRail terminal right in Downtown Kissimmee.
14 It's just steps away from the Osceola County Courthouse. So
15 hopefully once that's put in place down in Kissimmee, it will
16 be far easier for our judges to migrate down to Osceola.

17 >> **CHIEF JUDGE LAUTEN:** Right. And then transportation
18 between the two counties just -- both ways, you know, will be
19 enhanced and improved.

20 >> **JUDGE O'BRIEN:** Although, I don't know if a lot of
21 Osceola County judges want to head up to Orange County.

22 >> **CHIEF JUDGE LAUTEN:** Well, yeah.

23 >> **JUDGE O'BRIEN:** We do love it down there.

24 >> **CHIEF JUDGE LAUTEN:** Well, the Osceola County
25 judges -- one thing about being a county judge is you do have

1 to serve in the county of your residence. So you're at no
2 risk of being told, come on up to Orange County and sit here,
3 unless you become a circuit judge.

4 Do you have any interest? Is that maybe down the road?

5 >> **JUDGE O'BRIEN:** I do. I would be honored to be a
6 circuit judge if the timing is right.

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

8 >> **JUDGE O'BRIEN:** I will see if any opportunities come
9 up in the future. But I've really, really enjoyed being a
10 county court judge in Osceola, and I'm honored to be there.

11 >> **CHIEF JUDGE LAUTEN:** And some judges describe county
12 court as the people's court. And I think we understand what
13 they mean by that. Why don't you tell our listeners sort of
14 why at times. Because, of course, both levels of court deal
15 with citizens, but we've somehow said that the county court
16 is the people's court. What's your understanding of that
17 phrase?

18 >> **JUDGE O'BRIEN:** Most citizens, if they're going to
19 have an interaction with the court, are probably going to end
20 up at county court at some point. We have the highest volume
21 of cases that come through the court system. And the
22 majority of things that we see, thankfully, are not the most
23 serious.

24 On my side of things, since I handle criminal cases, I
25 might see someone who doesn't have a vehicle registered or

1 who has a suspended license. And that applies to a lot of
2 folks. And county court judges are able to work with these
3 individuals in order to get them on the right path, get them
4 to clear up some issues that they might have with their
5 license.

6 So we will -- we will see a lot more people come through
7 our courtrooms. But, thankfully, it's for relatively minor
8 issues for the most part. And we can hopefully help people
9 get on the straight and narrow.

10 >> **CHIEF JUDGE LAUTEN:** Right. So county judges handle
11 first- and second-degree misdemeanors, and the maximum
12 penalty for a first-degree misdemeanor is a year in jail.
13 And for a second-degree misdemeanor, it's 60 days. And DUIs,
14 which are pretty serious, and those penalties range all
15 across the board.

16 And then circuit judges handle felonies, which involve
17 prison time from anywhere from a year in prison to life in
18 prison or, in some narrow cases, the death penalty.

19 And then why don't you tell our listeners a little bit
20 about what county civil does in both Orange and Osceola
21 County.

22 >> **JUDGE O'BRIEN:** County civil handles a variety of
23 different things: Landlord/tenant issues, small claims
24 matters, disputes under a certain amount of money that the
25 circuit court wouldn't handle. They also see a lot of

1 different cases, different filings. A lot of it involves
2 insurance litigation, when people have been in car crashes.
3 So they are tremendously busy divisions as well.

4 >> **CHIEF JUDGE LAUTEN:** And how many colleagues do you
5 have at the county level down where you are?

6 >> **JUDGE O'BRIEN:** We have four county court judges in
7 Osceola County. Three are assigned to criminal divisions and
8 one to the civil division.

9 >> **CHIEF JUDGE LAUTEN:** And so why don't you tell our
10 listeners who's down there with you, just so they can hear
11 everybody's name down there.

12 >> **JUDGE O'BRIEN:** Carol Draper, Stefania Jancewicz, and
13 I are in the criminal division. And Hal Epperson serves as
14 our administrative judge, and he is in the civil division.

15 >> **CHIEF JUDGE LAUTEN:** Great. So seven years in. We
16 just learned last week that we have a newly appointed county
17 judge in Orange County because Tanya Wilson was promoted to
18 the circuit bench, so Jamie Grosshans was appointed to the
19 county bench.

20 So I want you to think about this. I want you to
21 project, what would you tell Jamie now, after seven years of
22 this, before she starts her first day on the bench? Looking
23 back, what advice would you give to a brand-new county judge?

24 >> **JUDGE O'BRIEN:** Well, the good part is that she's
25 surrounded by colleagues that will help her in any way that

1 they can. And she's got a lot of good mentors and people she
2 can look up to as fine examples of what it takes to be a good
3 judge.

4 When I was initially interviewed to become a judge by
5 the Judicial Nominating Commission in 2010, they asked me
6 what I thought the hallmarks were of a good judge. And, of
7 course, I talked about things like fairness. But I also
8 talked about efficiency. And I knew going into a county
9 court, you have to blend the two things together in order to
10 have an effective docket.

11 But several years later, once I started thinking about
12 what makes the best judge over time, um, I've come to a
13 different conclusion, and I do think that takes humility.

14 Sometimes the position, um, can -- can be tiring.
15 You'll see a lot of sad and difficult things. You'll
16 sometimes have to deal with difficult people. And it's the
17 humble judges that are best able, in my mind, to deal with
18 those things and to continue acting in fair and appropriate
19 ways with the people that come into their courtroom.

20 So that's -- that's how Judge Heather in 2010 would have
21 changed from Judge Heather in 2017. I would have gone from
22 fairness and efficiency to humility. And hopefully our new
23 judge has that characteristic already.

24 **>> CHIEF JUDGE LAUTEN:** I think so. I mean, I've met
25 her. And I hope. And -- but I think that's a skill set that

1 she has.

2 You know, when I talked to individuals who -- not
3 necessarily work in the court system -- and I'm curious if
4 you feel the same way -- what I think they're sometimes
5 surprised to learn is -- a point that you made earlier, which
6 is a lot of members of the public think we have a lot of time
7 to consider each case, so we can ruminate about it and give
8 it a lot of thought and completely research it and write
9 about it and then move on to the next case. But what they --
10 they're surprised to learn is just the size of the volume
11 that we have.

12 And so I sometimes, you know, compare it to elite
13 athletes. I've had parents tell me why do you -- how do you
14 progress athletically? My son played high school basketball,
15 and I did coaching when he was little. They said, how do you
16 progress? I said well, one of the -- you have to have the
17 basic skill set. And then you have to learn some speed.
18 And, really, learning speed, that's a misnomer because you
19 have to be gifted genetically with speed.

20 And that's a little bit true at judges. You have a
21 certain -- you have to work at a certain speed to keep up
22 with the volume that you have. Is that an experience that
23 you've found in your assignment?

24 **>> JUDGE O'BRIEN:** Of course. When I started in my
25 position, the division that I had was assigned over 800 cases

1 per month. And I'll be starting a pretrial conference docket
2 tomorrow and Wednesday, and combined, I'll address close to
3 300 cases. And what I tell people is that I'll be able to
4 cover the majority of those cases within a four-hour time
5 frame. So if you break down just the seconds that I'm
6 spending per case, it's pretty shocking to them.

7 I think my -- my experience as a former heptathlete have
8 helped me in that regard. Because when you're a multi-event
9 athlete, you have to be very proficient about every single
10 event that you participate in.

11 But you also have to be efficient in the sense that
12 you're not wasting too much energy, that you're only putting
13 enough into that particular event that you need to to get
14 through it, and that has informed my career as a judge as
15 well.

16 >> **CHIEF JUDGE LAUTEN:** So it sounds like your
17 experience as a scholar athlete translates well into the
18 demands that you face on the bench; is that a fair statement?

19 >> **JUDGE O'BRIEN:** It is. It's helped me with
20 self-discipline and the work ethic that I need to be a good
21 judge.

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

23 Well, I'm -- I want to say as the Chief Judge we're
24 delighted to have you as a county judge in Osceola County,
25 and we're delighted that you bring your academic and athletic

1 talents to the bench and you've learned those life lessons.
2 And I speak, I'm sure, on behalf of all of my colleagues to
3 say it's great to work with you as a colleague. And thank
4 you for all the hard work you put in every day. Thanks so
5 much.

6 >> **JUDGE O'BRIEN:** Thank you very much.

7 >> **CHIEF JUDGE LAUTEN:** You're welcome.

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