

**OPEN NINTH:
CONVERSATIONS BEYOND THE COURTROOM
BEST OF BOTH WORLDS
EPISODE 75
MAY 28, 2019
HOSTED BY: FREDERICK J. LAUTEN**

(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 Frederick J. Lauten.

CHIEF JUDGE LAUTEN: Hello, and welcome to Open Ninth. I’m joined today by my colleague and friend, Judge Denise Beamer, who is one of six judges recently joining the Ninth Judicial Circuit. And last week we had an investiture for those judges at the Orlando Repertory Theatre, which was a fascinating and inspiring investiture, and Judge Beamer was one of the judges invested.

And so welcome to Open Ninth.

JUDGE BEAMER: Thank you for having me.

CHIEF JUDGE LAUTEN: So, Judge, everybody has their own path, their own story to becoming a judge in the Ninth Circuit, but I find yours to be particularly compelling and interesting. And I know you told us a little bit about it at your investiture, but if you could tell our listeners a little bit about your path to the court.

JUDGE BEAMER: Sure. Well, my parents emigrated from South Korea. They ended up in West Palm Beach, Florida, and that’s where I was born and raised. And they had a dry-cleaning store; I worked there. We were always together. It was a great time. But through that and through some --

CHIEF JUDGE LAUTEN: How old were you when you started work -- not to violate any Child Labor laws, which you joked about last week.

JUDGE BEAMER: Yeah.

CHIEF JUDGE LAUTEN: But how old were you when you went to work at the dry-cleaning --

JUDGE BEAMER: Well, so, the bus -- the school bus didn't drop us off at home. It always dropped us off at the dry-cleaning store.

CHIEF JUDGE LAUTEN: Okay. That's interesting.

JUDGE BEAMER: So we were always there.

CHIEF JUDGE LAUTEN: Always there. Okay.

JUDGE BEAMER: We had dinner there, because the store would close at 7:00, and then we'd go home. So my earliest memories are always being with my parents at the dry-cleaning store. I mean, I didn't --

CHIEF JUDGE LAUTEN: I see. So literally, that -- kind of your first formed memories are at home and there.

JUDGE BEAMER: Yes.

CHIEF JUDGE LAUTEN: Okay.

JUDGE BEAMER: Yes. My dad always took part in, like, service projects -- community service projects, so it got us involved. And we played the violin, so he always had us playing the violin at nursing homes. And over time I just realized I love service, I love giving back. And it just was fulfilling and it made me happy, and I knew that I needed to pursue a career where I felt this happy and fulfilled.

CHIEF JUDGE LAUTEN: Great.

JUDGE BEAMER: And so through high school, with debate, you know, and college, I knew that law would be my calling.

CHIEF JUDGE LAUTEN: I want to go back. We're going to get to law in a moment. But -- so how big is your family? Do you have siblings?

JUDGE BEAMER: Yes. I have a younger brother and then a half-sister and a half-brother.

CHIEF JUDGE LAUTEN: What was the name of the dry-cleaning store?

JUDGE BEAMER: So my maiden name is Kim, so you'll be surprised, but it was Kim's Dry-Cleaning and Shoe Repair, and they did alterations as well.

CHIEF JUDGE LAUTEN: So you probably know more about dry-cleaning than anybody in this building.

JUDGE BEAMER: Oh, I know the ins and out of dry-cleaning.

CHIEF JUDGE LAUTEN: What's some secrets that we should know? You know, I drop my clothes off to be dry-cleaned. You know, almost every day, get my shirts cleaned and suits pressed. And what's the background info that I should know?

JUDGE BEAMER: Well, I know how to get pesky stains out of men's shirts, like on the collars and the cuffs. I know how to do that. And the secret is the dishwashing solution because it cuts grease.

CHIEF JUDGE LAUTEN: Is that what it is?

JUDGE BEAMER: So there's a free tip.

CHIEF JUDGE LAUTEN: It's not some high-industrial only dry-cleaners have it? It's Dawn or something like that?

JUDGE BEAMER: Yeah, really, Dawn, and you just put it on the collars and it gets it right out.

CHIEF JUDGE LAUTEN: That's fascinating. So -- all right. So you -- I'm sure when you were very young you just stayed at the store, probably did some schoolwork, whatever. At some point in time you actually worked alongside your parents in their business, right?

JUDGE BEAMER: Yes. So you know those hangers that have the foam on them?

CHIEF JUDGE LAUTEN: Right.

JUDGE BEAMER: Well, they don't just show up in the box with the foam things on there.

CHIEF JUDGE LAUTEN: Those are a pain, those foam things.

JUDGE BEAMER: Oh, yeah. And so my dad would give us a penny per hanger that we would put the foams on there. And I thought I was rich when I had the stack of hangers and it was --

CHIEF JUDGE LAUTEN: That is rich.

JUDGE BEAMER: It was like a hundred of them, and then he'd just hand me a dollar, you know, and I knew that -- I knew something wasn't right, so I had to renegotiate my fee.

CHIEF JUDGE LAUTEN: So the part of negotiation you learned at a young age.

JUDGE BEAMER: Yeah.

CHIEF JUDGE LAUTEN: All right. So you and your siblings are working alongside your parents. That's great. And it was a family venture. But also I'm intrigued. So your father -- because I know dry -- doing -- running a dry-cleaning business is almost like 24-hour work. I mean, it's -- I know you close. You said you closed at, what, 6:00 or 7:00?

JUDGE BEAMER: Yeah. So we opened at --

CHIEF JUDGE LAUTEN: Could you leave then or was there work to do?

JUDGE BEAMER: Usually we stayed just a little bit after.

CHIEF JUDGE LAUTEN: Okay.

JUDGE BEAMER: I mean, once the hours were done, we were on our way home.

CHIEF JUDGE LAUTEN: Not like a restaurant where it's a couple of hours afterwards.

JUDGE BEAMER: Yeah -- no.

CHIEF JUDGE LAUTEN: What time did you open?

JUDGE BEAMER: Well, they opened at 7:00 a.m.

CHIEF JUDGE LAUTEN: Yeah.

JUDGE BEAMER: So my dad was there from 7:00 to 7:00, Monday through Friday, and then on Saturday as well.

CHIEF JUDGE LAUTEN: And then he also found time with that to -- run the business, to run it with those hours, to participate in community service. That's commendable.

JUDGE BEAMER: Yes.

CHIEF JUDGE LAUTEN: And he instilled that love in you of community service.

JUDGE BEAMER: Yes, absolutely.

CHIEF JUDGE LAUTEN: Okay. So where did you go to high school and undergraduate?

JUDGE BEAMER: So I went to School of the Arts; it's a magnet arts school in West Palm Beach, Florida. They have different art departments. My first year, I got in, that was 7th grade, for violin, for music. And so instead of electives like shop class or, you know, driver's ed, it was the music classes. But then I quickly realized I wasn't going to be a violinist and that probably wasn't going to pay the bills. I don't know, maybe I just wasn't that good. I'm not sure. But I --

CHIEF JUDGE LAUTEN: Tough skill to master, isn't it, the violin?

JUDGE BEAMER: Yeah.

CHIEF JUDGE LAUTEN: How old were you when you first started playing?

JUDGE BEAMER: I started playing -- since I was seven, and --

CHIEF JUDGE LAUTEN: Right.

JUDGE BEAMER: -- my brother and I played. And then we had private lessons, and then orchestra. And then I thought, this is what I want to do to get into school.

CHIEF JUDGE LAUTEN: And that -- did that help get you into school?

JUDGE BEAMER: Yes. Yes. That was, you know, the art that I went into in the music department.

CHIEF JUDGE LAUTEN: Oh, so that helped you to get into that magnet program.

JUDGE BEAMER: Correct. Um-hum.

CHIEF JUDGE LAUTEN: Played the violin all through high school?

JUDGE BEAMER: Yes.

CHIEF JUDGE LAUTEN: What about college?

JUDGE BEAMER: Well, so once I went to my -- the School of the Arts, I switched in 8th grade to communication arts which included speech and debate. So we'd compete in the high schools. That, I think, really pushed me into the areas of law.

CHIEF JUDGE LAUTEN: So where did you go to undergraduate?

JUDGE BEAMER: I went to the University of Florida, in Gainesville.

CHIEF JUDGE LAUTEN: All right. Where did you go to law school?

JUDGE BEAMER: I went to Barry Law School here in Orlando.

CHIEF JUDGE LAUTEN: Gotcha. Okay. All right. So just curious, what did you major in when you were an undergraduate?

JUDGE BEAMER: Oh, it's nothing fun; business administration.

CHIEF JUDGE LAUTEN: Okay. All right. Well, at least you could run a law practice, right, if you had to.

JUDGE BEAMER: Yeah.

CHIEF JUDGE LAUTEN: All right. So then off to the University of Florida. Three years, the traditional track for law school?

JUDGE BEAMER: Yes.

CHIEF JUDGE LAUTEN: And then what was your first employment out of law school?

JUDGE BEAMER: So while I was in law school I did trial team, I did moot court, we competed all over the United States, so I knew I wanted to be in the courtroom. So I did the on-campus interviews at school and ended up at the Miami-Dade State Attorney's Office.

CHIEF JUDGE LAUTEN: Okay. That's interesting. So largest State Attorney's Office in Florida.

JUDGE BEAMER: Yes.

CHIEF JUDGE LAUTEN: In the largest circuit in Florida. Dade County is its own circuit, and it's the largest one that we have. So you must have seen some pretty interesting cases. I'm not sure how you start in that office, if you start in County court or some specialty division. Tell us a little bit about that.

JUDGE BEAMER: Sure. It's really nice. They train you for two months while you're waiting for the results of the Bar exam and to see if you passed.

CHIEF JUDGE LAUTEN: Wow.

JUDGE BEAMER: So during that time they have us in a classroom. There were about 30 to 45 of us, and it was every day in the classroom.

CHIEF JUDGE LAUTEN: No kidding.

JUDGE BEAMER: Then they would put us in County court, and we would have training attorneys in the County court and they would train you. But the caseload is so immense that you really have to quickly determine what cases you're going to concentrate on and what cases you don't -- you just don't have the time to put all the energy and effort into.

CHIEF JUDGE LAUTEN: Sure. Right.

JUDGE BEAMER: But you get an immense amount of trial experience.

CHIEF JUDGE LAUTEN: One of the things I've heard about that office -- I just don't know if it's true or not, but that there -- are there a lot of jury trials in County court in Dade County, or was it hard to even do a jury trial because of volume?

JUDGE BEAMER: There's a lot of jury trials.

CHIEF JUDGE LAUTEN: There were, in County court.

JUDGE BEAMER: I mean -- yes. I had --

CHIEF JUDGE LAUTEN: Were those DUIs mostly, or were they a mix of everything?

JUDGE BEAMER: A lot of DUIs in County, and misdemeanors. I had a four-day resisting without violence trial -- jury trial. So, you know, the State wasn't always successful in County court in Miami-Dade. I think it goes back to just inherent distrust in law enforcement for some jurors based upon, you know, the '80s and what was going on.

CHIEF JUDGE LAUTEN: Right.

JUDGE BEAMER: At least that's what we were told. So a lot of cases were challenged.

CHIEF JUDGE LAUTEN: I was a County court prosecutor, and I was a prosecutor here before I became a judge. The other thing I found about County court cases is a lot of jurors come to the courthouse thinking, I'm going to hear the murder trial of the century or I'm going to hear about a home-invasion robbery; I'm going to hear something really heavy-duty. And then they go to County court and it's like, a trespass, you're kidding me. So they were almost disappointed when they walked in.

JUDGE BEAMER: Yeah. It's true.

CHIEF JUDGE LAUTEN: Not to mention then -- maybe in Miami there was also that sort of element of distrust of law enforcement.

JUDGE BEAMER: Yes. But we had athletes -- professional athletes that would get DUIs. Pitbull got a DUI around the time I was there.

CHIEF JUDGE LAUTEN: No kidding.

JUDGE BEAMER: So the jurors, I think, were excited about those cases if they went to trial.

CHIEF JUDGE LAUTEN: Chris Bosh in the courtroom.

JUDGE BEAMER: Yes, exactly.

CHIEF JUDGE LAUTEN: LeBron James, not that -- no he -- I don't -- I'm making this up with -- quickly apologizing to them. I know they probably were not criminal defendants. But Pitbull, that's interesting.

JUDGE BEAMER: Yes. He did get a DUI. The guy that was on Burn Notice, I think he got a DUI while we were there.

CHIEF JUDGE LAUTEN: Yeah, those get a lot of attention. So how long were you in County court?

JUDGE BEAMER: I was in County court for about a year and a half. I was a training attorney as well.

CHIEF JUDGE LAUTEN: Gotcha. Then did you go to felony?

JUDGE BEAMER: I did. I went to juveniles, where we prosecuted the juvenile cases in a separate area.

CHIEF JUDGE LAUTEN: Right. Ever go to Circuit Criminal in the State Attorney's Office and jury trials (indiscernible)?

JUDGE BEAMER: No. At that time, that's when I got a job offer with the Office of the Attorney General in Orlando.

CHIEF JUDGE LAUTEN: So tell our listeners -- because you and I know the distinction, but sometimes I find that listeners confuse the Attorney General's Office, the State Attorney General's Office, in some states they call them the D.A., we call them State Attorneys, so it can get -- the lingo that we're very familiar with can get a little confusing. So tell our listeners what the State Attorney does and then what the Attorney General does.

JUDGE BEAMER: Sure. I think mainly it has to do with, first and foremost, jurisdiction. So the State Attorney has the jurisdiction in that particular county. So, you know, in Miami-Dade, it was Katherine Fernandez Rundle. She is the State Attorney of Miami-Dade County. The Office of the Attorney General, I worked under General Pam Bondi. She has jurisdiction over the entire state. She has many divisions within the office. Child Support, is an example. Statewide Prosecution, that's the criminal arm.

But I worked in the Consumer Protection division. That's the Civil division where we were really fighting consumer fraud on behalf of Floridians within the State of Florida.

CHIEF JUDGE LAUTEN: Well, one other division I'm aware of is that the Attorney General handles the appeals of convictions in Criminal courts. So the State Attorney or an assistant state attorney might try someone, get a conviction, but if the defendant appeals that verdict, and they usual do, then the Attorney General's Office also argues and handles almost all the appeals.

JUDGE BEAMER: Yes, that's right.

CHIEF JUDGE LAUTEN: But you weren't in that Appellate division. You were in the Consumer Protection division. So tell us a little bit about that.

JUDGE BEAMER: Sure. So our primary goal was to protect Florida consumers and protect legitimate businesses. So if we had complaints against a business, we would investigate the business for unfair and deceptive trade practices and ultimately -- it was only civil. We could only pursue cases civilly. We couldn't put them in jail. So we would, you know, file a case or have an agreement with the business to stop whatever they were doing that was deceptive, and then ultimately our primary goal was to give restitution or give people their money back.

CHIEF JUDGE LAUTEN: Right.

JUDGE BEAMER: So most of my cases, though, dealt in the fraud area. I did cases that involved timeshare companies, automotive dealerships for potential deceptive advertising, you know, Fortune 500 companies, Target, Walmart, K-Mart, those types of cases. Then we have the ones that are -- they're -- the businesses are probably committing crimes but a criminal agency maybe wouldn't take them on so we would investigate them. Specifically, I did robocall cases.

Have you ever gotten a robocall, Judge Lauten?

CHIEF JUDGE LAUTEN: Oh, my -- I can't stop getting robocalls. My phone -- you know, and I think it's the bane of everybody's existence right now, because the latest trend that I've noticed, and not that I'm an expert, and you are, is I look down and it -- the phone number is very similar to my phone number. So it's got 407 -- I'm in that area code, and I'm not going to tell the -- but it's got the first three numbers of my cell phone. And I think, oh, that's a family member, that's my son or my daughter, and then -- you know, then once or twice you answer it and go, oh, no, this a complete robocall. So those things are maddening.

JUDGE BEAMER: Oh, yeah. So that is neighborhood spoofing. That's intentionally done because you're more likely to answer a phone that looks a lot like yours.

CHIEF JUDGE LAUTEN: Right. That's true.

JUDGE BEAMER: And so -- but in reality, these telemarketing companies are very sophisticated. Robocalls cost pennies to disseminate. There were some businesses that were sending out millions of robocalls each day, so much so they would jam medical doctors' pager lines --

CHIEF JUDGE LAUTEN: Oh, my goodness.

JUDGE BEAMER: -- because these sophisticated programs would just dial these numbers.

So there were some active businesses in Central Florida, they were pitching like a MedicAlert device, like the help, I've fallen and I can't get up. They would tell these senior citizens -- they're usually the ones that answer the phone, they're usually the ones that believe people on the phone, they also don't want to be rude. The telemarketers are very good at what they do. They check in on some of these consumers.

CHIEF JUDGE LAUTEN: Wow.

JUDGE BEAMER: So unfortunately senior citizens were most victim to these calls. But -- so the telemarketers would claim -- this particular case would claim that a family member had purchased the device for them and all they had to do was provide their name and address and they would ship them this device that was free. And then they would tell them there was this monthly payment fee that they would have to pay. But there were all types of scams.

CHIEF JUDGE LAUTEN: Sure.

JUDGE BEAMER: You know, credit card reduction rate, debt collection type of cases. But we would file in Federal court, usually with the Federal Trade Commission.

CHIEF JUDGE LAUTEN: Interesting.

JUDGE BEAMER: We would get an ex parte injunction, meaning we would just go to the court and say, listen, what they're doing is so bad you've got to give us the ability to --

CHIEF JUDGE LAUTEN: Relief right now.

JUDGE BEAMER: Right. So we would freeze assets. We'd freeze their bank accounts. Then we would raid the business -- not a raid. We would call it immediate access. But we would go with law enforcement and go into these businesses and then shut them down immediately.

CHIEF JUDGE LAUTEN: Wow. Wow. That's all fascinating. But was it a little bit like a scene from last week's *Game of Thrones* where there were so many people coming at you that you were just overwhelmed and there's nothing you -- you know, you're fighting the tides, you know, coming in?

JUDGE BEAMER: Yeah. It's like Whac-A-Mole.

CHIEF JUDGE LAUTEN: Yeah.

JUDGE BEAMER: You take down one business and then another one just kind of crops up.

CHIEF JUDGE LAUTEN: Pops up. Interesting analogy.

JUDGE BEAMER: Yeah. But sometimes we would find that these businesses were run by people that would spend millions of dollars on their own personal effects. So we seized boats and Maseratis and Rolexes and yachts, and we would sell them and give the money back to consumers.

CHIEF JUDGE LAUTEN: When I -- I'll confess, when I hear what sounds like an automated voice, I hang up immediately. I mean, I -- get three words out and -- but it's weird because you -- you know, it starts off so friendly; hi, this is Kathy.

JUDGE BEAMER: Um-hum.

CHIEF JUDGE LAUTEN: And then I hang up and I think, oh, that was almost rude, you know.

JUDGE BEAMER: Yes.

CHIEF JUDGE LAUTEN: But you can kind of tell.

JUDGE BEAMER: Yes.

CHIEF JUDGE LAUTEN: But they're relentless. They just keep coming and coming and coming. So -- well, thanks for doing that work. How long did you do -- how long were with the Attorney General's Office -- A.G.'s Office?

JUDGE BEAMER: I was there for seven years.

CHIEF JUDGE LAUTEN: Great. And did you try some cases to jury trials or was that a little rare?

JUDGE BEAMER: That was really rare. I mean, businesses don't want to go into trial against the Office of the Attorney General where we're alleging business --

CHIEF JUDGE LAUTEN: I guess that's right.

JUDGE BEAMER: -- deceptive business practices.

CHIEF JUDGE LAUTEN: I see. So normally you work -- normally they settled.

JUDGE BEAMER: Yes. Most of the time they settled.

CHIEF JUDGE LAUTEN: All right. So what was your next step, was it A.D.G. to here?

JUDGE BEAMER: It was then applying for a spot here in the -- to become a judge.

CHIEF JUDGE LAUTEN: So tell our listeners a little bit about that.

JUDGE BEAMER: Sure. I chose the appointment process. As you know, you -- in Florida, judges can become a judge by running for an election or going through the appointment process. I went through the appointment process where I filled out an application, submitted it, then I was interviewed by the JNC, the Judicial Nominating Commission. And from there they take the top six names and then they send those names to Tallahassee, and then we do another interview, and then ultimately the Governor will select someone.

CHIEF JUDGE LAUTEN: A little bit of education, if you'll permit me to, for our listeners.

JUDGE BEAMER: Sure.

CHIEF JUDGE LAUTEN: So all trial judges in Florida are elected. So it's not that some of us get appointed and others get elected and then you stay in that track. So all judges are elected. But when there's a vacancy midterm, a judge might move from the County court to the Circuit court, the Circuit court to the Appellate court, a judge might retire. I'm close to that

myself. Sometimes judges die in office; tragic, but then of course the seat's open. And if there's no election in the near term, that seat can't remain open because we have to have judges moving cases, so we need those judges to be replaced fairly quickly. And hence, maybe 50 percent of the judges in Florida started by getting appointed, and then they had -- trial judges had to run for their seat.

So you got appointed by which governor?

JUDGE BEAMER: Yes. Governor, now Senator, Scott.

CHIEF JUDGE LAUTEN: All right. Governor Scott, Senator Scott. Kind of near the end of his term, I think?

JUDGE BEAMER: Four days before the end of his term.

CHIEF JUDGE LAUTEN: That's pretty near the end of his term.

JUDGE BEAMER: Yes.

CHIEF JUDGE LAUTEN: So four days before the end of his term. And congratulations.

JUDGE BEAMER: Oh, thank you.

CHIEF JUDGE LAUTEN: And so tell our listeners where you started.

JUDGE BEAMER: So I am in the Circuit Criminal division, Division 11.

CHIEF JUDGE LAUTEN: And you handle felony jury trials.

JUDGE BEAMER: Yes.

CHIEF JUDGE LAUTEN: How many jury trials have you done?

JUDGE BEAMER: In the four months that I've been here, just two.

CHIEF JUDGE LAUTEN: Yeah. Okay. So -- but you're going to do a lot more.

JUDGE BEAMER: Oh, yeah. I can already tell. In the next week -- next week I have a lot set.

CHIEF JUDGE LAUTEN: And first observations about the difference between practicing law as a lawyer and sitting as a judge. What are some of the first impressions or observations?

JUDGE BEAMER: Gosh. There are so many. You know, as a practicing attorney, whenever the judge would, you know, read jury instructions, as an attorney I never paid that close attention. When the judge would have to rule on evidentiary responses, my main focus was trying to convince the judge that I was right. Now I'm having to do all the things that I didn't pay that close of attention to.

CHIEF JUDGE LAUTEN: Right. Taking pleas.

JUDGE BEAMER: Yeah, taking pleas. You know --

CHIEF JUDGE LAUTEN: You'd zone out when the judge started talking for five minutes in the plea colloquy.

JUDGE BEAMER: Yeah. That's between the judge and the defendant that's taking the plea.

CHIEF JUDGE LAUTEN: Right.

JUDGE BEAMER: As a state, I just made sure the -- you know, my couple of things were okay, but other than that I didn't really pay attention to every nuance thing the judge was saying. But now I have to do those things and I have to ask the defendant all of these questions.

CHIEF JUDGE LAUTEN: Right.

JUDGE BEAMER: So at the first -- you know, that was a reeducation, really, and I go from, okay, I think I'm getting the hang of this, to, oh, my goodness, what's the rule, what should I do, let me do some research, let me take my time. And it just goes back and forth.

CHIEF JUDGE LAUTEN: What qualities of a judge did you most respect before you became a judge, and has it changed at all since you've been a judge?

JUDGE BEAMER: So I respected judges that had a good demeanor about them, they were thorough, and they were thoughtful; they really considered and listened to both sides and had an open mind when they first came on the bench.

CHIEF JUDGE LAUTEN: Okay. So keep those qualities, that's for sure. And I know that you have those in abundance.

But what -- now that you're sitting on the bench, what do you look at in terms of other responsibilities or qualities that a good judge should have?

JUDGE BEAMER: Really, the ability to get to the issue. Sometimes attorneys come up and they just start talking, and sometimes I don't know -- well, sometimes I have to -- after they're done, I say, what is it you would like me to do.

CHIEF JUDGE LAUTEN: Exactly right; what do you want from me.

JUDGE BEAMER: What -- how can I help you today.

CHIEF JUDGE LAUTEN: Or what do you want.

JUDGE BEAMER: Yeah.

CHIEF JUDGE LAUTEN: I'm trying to figure out exactly what you want.

JUDGE BEAMER: Yes. And I -- you know, I wish I had known that more when I was a practicing attorney. I would have started with the bottom-line up front. And I wish more -- there are a lot of attorneys that do a good job of that.

CHIEF JUDGE LAUTEN: Sure.

JUDGE BEAMER: But there are some that I wish I could just ask them, okay, what's the bottom line here, what is it you're asking me to do.

CHIEF JUDGE LAUTEN: Right. Right. What do you think about decisiveness of being a judge? What did you think as a lawyer and what do you think about it --

JUDGE BEAMER: You know, as an attorney, I remember practicing in front of a judge and she could not make a decision. She would listen, she was thoughtful, she would do her research, but she would take a long time to make decisions. And at the end of that I thought, you know, at this point, I just want a decision, whether it's for us or for the other side.

And so I try to always remember what it was like to be an attorney. I try to put myself in that situation as a judge. So I think decisiveness is important.

CHIEF JUDGE LAUTEN: Yeah. It's an interesting balance, isn't it? Because you want to listen, listen, listen, listen, but then to manage the volume at every level, the volume of what do I have in the next hour, what do I have all day, what do I have all week, what do I have all month --

JUDGE BEAMER: Um-hum.

CHIEF JUDGE LAUTEN: -- what do I have all year, you have to be able to make decisions.

JUDGE BEAMER: Yes.

CHIEF JUDGE LAUTEN: If you're a person who is paralyzed by deciding, this is a very painful job to have.

JUDGE BEAMER: Yeah. This may not be the job for that particular person.

CHIEF JUDGE LAUTEN: That's exactly right. And we -- every now and then we'll meet judges, colleagues whom we love, but it's like, you know, this is so painful for you because -- and it's interesting, as you know, at the college for new judges they administer an instrument called Myers-Briggs, and it tells you whether you kind of naturally are the kind of person who makes decisions with a little bit of information or your style is you want more and more and more information. Those are given the letters G [sic], for judging, P, for perceiving. And if you're a perceiving judge, one of the issues is at some point you've got to draw it to an end and say, now I've got to decide.

JUDGE BEAMER: Um-hum. Yeah.

CHIEF JUDGE LAUTEN: If you're a judging personality, one of the risks is you stop listening too quickly and you make --

JUDGE BEAMER: Oh, yeah.

CHIEF JUDGE LAUTEN: So that's kind of an interesting balance in that sort of preference for how you like to make decisions.

JUDGE BEAMER: I'm just realizing that a lot of people -- and sometimes I do this -- but they get ahead of themselves, and I have to remind the attorneys, let's just take it one piece at a time. You know, we're here about issue A, let's not talk about B, C and D.

CHIEF JUDGE LAUTEN: Right.

JUDGE BEAMER: That's later, you can file a motion or do what you ever --

CHIEF JUDGE LAUTEN: Interesting. Yeah.

JUDGE BEAMER: -- what you have to.

CHIEF JUDGE LAUTEN: Yeah.

JUDGE BEAMER: Let's just talk about issue A and let's figure it out and let's make a decision -- or I will make a decision on A. And I think that just helps cut down the time that is spent. But, you know, I always ask the litigants, anything else before I rule, anything else before I rule, final response; meaning, you get one more shot, do the best you can --

CHIEF JUDGE LAUTEN: (Indiscernible)

JUDGE BEAMER: Yes. Because I'm about to make a decision, so I try to give those cues, and I hope it helps.

CHIEF JUDGE LAUTEN: Right. And that's a good skill.

JUDGE BEAMER: But we'll see.

CHIEF JUDGE LAUTEN: First impressions about the volume of work. Did you have a sense of that before you became a judge? Has it been what you thought, has it been eye-opening, surprising? I'm not sure where you fall there.

JUDGE BEAMER: It's a lot. I didn't realize until I got over here how much -- how many cases the court -- the Ninth Circuit really has and how underworked -- how overworked, I'm sorry, that the judges really are. Civil, I know, is -- has a heavy caseload.

CHIEF JUDGE LAUTEN: Right.

JUDGE BEAMER: My husband's a practicing civil attorney. He told me that we're setting cases next year for trial. And that's just because of the nature of the caseload.

CHIEF JUDGE LAUTEN: Right.

JUDGE BEAMER: Criminal, I think, is the same way. You know, people contact my J.A. to put motions on my calendar, and I want to help them, I want to get their issues heard as soon as possible, but my calendar fills up quickly.

CHIEF JUDGE LAUTEN: Right.

JUDGE BEAMER: But also practicing in Miami-Dade, you know, I --

CHIEF JUDGE LAUTEN: You had that -- some of that, I would think.

JUDGE BEAMER: Yeah. And so I'm just mindful and try to resolve issues as quickly as possible but with enough research and making sure --

CHIEF JUDGE LAUTEN: That's interesting. Because I've talked to, you know, people in the community that -- you know, you could be the smartest, most thoughtful, insightful judge, but if you're the -- personality is to take forever on this case to make sure every dot -- I is dotted and every T is crossed and you've thought of every possible variation and it takes you a week, and then you do the same thing on the next case, you're dead fairly fast.

JUDGE BEAMER: Um-hum. Yes.

CHIEF JUDGE LAUTEN: Because you just -- I think the public might be surprised to know, in some divisions you have a hearing every 15 minutes. And so before lunch, if it's 9:00 to 12:00, you've had 12 cases. And sometimes it's like, I want to do an hour's worth of research in each one of those 15 [sic] cases; that's 12 hours. Well, I don't know where you get -- you don't sleep if you --

JUDGE BEAMER: Yeah.

CHIEF JUDGE LAUTEN: And so sometimes -- now, you do get quicker with experience, because sometimes you see things a second time.

JUDGE BEAMER: Um-hum.

CHIEF JUDGE LAUTEN: Let's talk a little bit about one or two unique things you bring to the bench, if you'll permit me to. You are the second Asian-American that we have in our circuit. Jeanette Bigney, Filipino. You are Korean.

JUDGE BEAMER: Yes.

CHIEF JUDGE LAUTEN: Does that play any role in who you are and what you're doing, or not?

JUDGE BEAMER: You know, I think it does. I -- you know, growing up in -- so my parents emigrated from Korea. They were born and raised in Korea. So when I was living in West Palm Beach, I lived in America, and then as soon as I walked into my front door I was in Korea, you know.

CHIEF JUDGE LAUTEN: Interesting. Where in Korea were they from?

JUDGE BEAMER: They're from the south. South Korea, obviously, but a southern city in Busan, which is by the water.

CHIEF JUDGE LAUTEN: All right.

JUDGE BEAMER: So --

CHIEF JUDGE LAUTEN: Language spoken at home was?

JUDGE BEAMER: Korean.

CHIEF JUDGE LAUTEN: Korean.

JUDGE BEAMER: My parents would speak to us --

CHIEF JUDGE LAUTEN: Are you bilingual?

JUDGE BEAMER: I am, conversationally.

CHIEF JUDGE LAUTEN: Okay. Right.

JUDGE BEAMER: Yeah, we followed all the same traditions and customs. My parents would send us to Korea in the summertime.

CHIEF JUDGE LAUTEN: Interesting.

JUDGE BEAMER: And they go to school all year round, so my grandfather would enroll us in the public schools.

CHIEF JUDGE LAUTEN: For, like, three months or whatever it was?

JUDGE BEAMER: Yeah, it was like two-and-a-half months.

CHIEF JUDGE LAUTEN: You're like, don't send me to Korea, I have a summer vacation.

JUDGE BEAMER: Yeah. I mean, my vacation was going to school there. Yeah. So, you know, I love that cultural clash. I think it makes me open to different cultures. Everyone comes from a different place and a different background, and I think Central Florida is becoming more and more diverse in terms of, like, you know, the Asian community and the Hispanic community. It's just great.

CHIEF JUDGE LAUTEN: Our listeners might have heard me say this before, so I apologize if I'm repeating myself to them. But more than 50 percent of the judges in our circuit are women, and so we have pretty significant gender balance. It's just -- it's almost -- it's less than one percentage point, so it's sort of like 50.4 percent of the judges are women and then 49.6 percent are men. I think -- I hope I have my math right there, but it's -- we're almost equal.

Where we don't reflect our society is with minorities. And so we are underrepresented with the African-American population. About 17 percent of the population is African-American in our community. We're nowhere near that in terms of judges on the bench. And Hispanics, we're very underrepresented.

I don't know -- I should know, and I apologize for not knowing what percentage of our population is Asian-American. Do you know?

JUDGE BEAMER: I think in the State of Florida it's three percent. It's very low.

CHIEF JUDGE LAUTEN: And so we have two judges out of sixty-five, so five percent would be three judges.

JUDGE BEAMER: Um-hum.

CHIEF JUDGE LAUTEN: So what did you say it was?

JUDGE BEAMER: Three percent.

CHIEF JUDGE LAUTEN: So we're probably fairly close.

JUDGE BEAMER: Yeah. But I think that's -- we're the only circuit within the whole state that's probably like that. I don't --

CHIEF JUDGE LAUTEN: Do you know? I don't -- I honestly don't know.

JUDGE BEAMER: There's Judge Singhal in Broward County, he's Asian. I think there's another Korean-American judge -- County judge in West Palm Beach in Palm Beach County. And I think that's really it for the entire state. So we're --

CHIEF JUDGE LAUTEN: So we're underrepresented, yeah.

JUDGE BEAMER: Yes. But the Ninth Circuit has two Asian judges, which is tremendous. I don't think it's like that anywhere else in the state.

CHIEF JUDGE LAUTEN: Great. That's good. That's good. Because, I mean, it is value -- I'm nearing the end of my career and I feel more strongly than ever that it is valuable to have judges that reflect the makeup of your community. If you have people from the community coming in and saying, nobody looks like me so you can't possibly understand my community and what I've experienced in life, but you're going to make decisions about me whether it's sentencing, child, you know, issues in Family court in terms of shared parenting, or whatever it might be, in Civil, deciding, you know, someone's credibility. It's beneficial if you can say, you know, that court looks like the community that I work and live in. And I think that's a value, so -- interesting.

And I know from your investiture that your parents instilled in you a strong work ethic, and also that -- I think you mentioned the value of education, and that was emphasized, which helped you to this path of -- because one thing about being a judge that's always fascinated me is it's sort of -- there's an intellectual aspect to making decisions as a judge, reading cases, figuring out legal theories and then applying them to facts. Which, in law school, it all seemed so much fun until -- and then you have real, live human beings in front of you, it's a little different.

So you're just starting in your career. What would you like to experience on the bench as you move forward?

JUDGE BEAMER: Oh, my gosh. I definitely want -- I love learning new areas of law. I love learning new things. I was a prosecutor a long time ago, and some of those memories are starting to come back, but I enjoy learning the new things.

I made an incorrect ruling in court, and my public defender brought in a case and showed it to me and I appreciated it and told her, you know, thank you for bringing this to my attention. And I think having that open mind is going to help me in the future. So I really want to experience all the different divisions that we can go to --

CHIEF JUDGE LAUTEN: Great. Great.

JUDGE BEAMER: -- Civil, Family -- I've never practiced in Family --

CHIEF JUDGE LAUTEN: Juvenile.

JUDGE BEAMER: -- so that will interesting --

CHIEF JUDGE LAUTEN: Right.

JUDGE BEAMER: -- and eye-opening.

CHIEF JUDGE LAUTEN: But then you're open to that at some point in your career --

JUDGE BEAMER: Yes.

CHIEF JUDGE LAUTEN: -- I'd like to go there and learn that theory of the law.

JUDGE BEAMER: Yes.

CHIEF JUDGE LAUTEN: In Civil you practiced with the A.G.'s Office; you did civil work?

JUDGE BEAMER: But -- yeah. But it's a different --

CHIEF JUDGE LAUTEN: It was kind of a narrow --

JUDGE BEAMER: Yeah. It's very, very different. So I'm looking forward to working -- I've never done a med-mal case, so --

CHIEF JUDGE LAUTEN: Sure.

JUDGE BEAMER: Construction litigation, that will be interesting.

CHIEF JUDGE LAUTEN: Right. Right. Great.

JUDGE BEAMER: So I'm excited.

CHIEF JUDGE LAUTEN: That's a great attitude to have that I want to learn, I want to grow.

JUDGE BEAMER: Yes.

CHIEF JUDGE LAUTEN: Tell me how many years as a lawyer before you got on the bench?

JUDGE BEAMER: Nine years.

CHIEF JUDGE LAUTEN: Nine years total.

JUDGE BEAMER: Yes.

CHIEF JUDGE LAUTEN: So that's pretty fast, I would say.

JUDGE BEAMER: Oh, yes. Well, I'm --

CHIEF JUDGE LAUTEN: That's relatively fast.

JUDGE BEAMER: I'm the youngest Circuit judge, I --

CHIEF JUDGE LAUTEN: Right now you're the --

JUDGE BEAMER: I think I'm actually the youngest judge in the Ninth Circuit.

CHIEF JUDGE LAUTEN: Well, I wasn't going to ask you your age, but -- you don't have to tell anybody. But you're the youngest judge in the circuit --

JUDGE BEAMER: Yes.

CHIEF JUDGE LAUTEN: -- so, you know, you can look forward to a pretty long career either as a trial judge and of course maybe someday you'd like to be appellate judge. That's, you know, certainly a choice that judges frequently entertain, at least.

How would you like to be remembered at the end of your career? It's projecting way out there but --

JUDGE BEAMER: Oh, gosh. I -- you know, I don't even know. I'm still trying to make sure I walk through the right doors and get into the building of the --

CHIEF JUDGE LAUTEN: That's good.

JUDGE BEAMER: -- you know, the courthouse. Because there are a lot of --

CHIEF JUDGE LAUTEN: Gotcha. Maybe that's a little too ambitious of a question. Like, Judge, I just want to go through the right door; I don't want to get locked in a closet.

JUDGE BEAMER: I know. I'm trying to login, make sure I have the right passwords. No, I -- you know, I don't know. I just -- you know, in any job, I -- hardworking, thoughtful, and I'm sure with experience -- and with time and experience I'll get better and better. But I'm always open to constructive criticism. I want to be better.

CHIEF JUDGE LAUTEN: It's hard to get feedback as a judge.

JUDGE BEAMER: It -- I didn't realize that.

CHIEF JUDGE LAUTEN: It's very hard. The lawyers -- they're in a position where it's sometimes very hard to give you feedback.

JUDGE BEAMER: Yes. And we -- as judges, we don't really watch each other in court. You know, we have our own calendars and --

CHIEF JUDGE LAUTEN: So we're so busy handling our own cases, it's hard to go watch someone else.

JUDGE BEAMER: Yeah.

CHIEF JUDGE LAUTEN: That's a good point. And certainly a lot of other -- well, even as a practicing lawyer, you go watch another lawyer do what you're about to do and learn from it. So, yeah, that -- I hear that a lot.

Also that the dockets kind of occupy so much of our time that we have to make time to meet with one another to educate each other or socialize with each other to say --

JUDGE BEAMER: Yes.

CHIEF JUDGE LAUTEN: -- you know, here's the stressors that I'm feeling.

JUDGE BEAMER: Yes. But everyone here has been so welcoming. I didn't realize once I got to this side of the bench that all the judges are just welcoming, it's a team effort. Everyone has emailed and said, do you need help with anything, how can I help you. Anytime I've had questions, the judges have been patient and have let me know what the answer is or have recommended certain things. So it's been really nice. And we go out to lunch, and it's just very friendly and I appreciate that.

And I'm sure a lot of it has to do with you, Judge Lauten. I mean, you're so welcoming and open. You've always taken time out to listen to my young -- I don't know -- my questions.

CHIEF JUDGE LAUTEN: (Indiscernible)

JUDGE BEAMER: So I really appreciate it.

CHIEF JUDGE LAUTEN: Yeah, it's funny. I told someone recently that people who -- before you became a judge you thought, I don't know that I would socialize with that person or, you know, we just seem so different -- become best friends because you're in it together and frankly there's not a lot of people, as judges, we can talk to.

JUDGE BEAMER: Um-hum.

CHIEF JUDGE LAUTEN: We can't go to lawyers and say, I'd like to share this case with you or these pressures I'm feeling. That's kind of off limits for us.

JUDGE BEAMER: Yes.

CHIEF JUDGE LAUTEN: So we do sort of bond as a group, which is -- and it is one of the best parts of the job.

JUDGE BEAMER: Yes.

CHIEF JUDGE LAUTEN: So that's very kind of you to say.

JUDGE BEAMER: But there's so many different personalities, but we --

CHIEF JUDGE LAUTEN: There are, aren't there?

JUDGE BEAMER: But we -- it's just -- it's fascinating. And everyone has a different background, and they have different styles. But still somehow there's -- it's a great support group.

CHIEF JUDGE LAUTEN: Yeah. And sometimes also it's like, I don't know how I would decide that one so, you know, good luck; or two, I would decide it differently, but I completely understand where you're going with it, and we respect each other for that. It is a more interesting place and enjoyable place.

But you are so kind to say what you said.

Well, on behalf of everyone here, I want to welcome you to our ranks. As I said last week, you truly do enhance us, both -- you enhance our reputation and I've heard nothing but great things and it's a thrill to have you here. And I appreciate that you took time out from that very busy docket you mentioned to join us on Open Ninth now. And best of luck to you in your career.

JUDGE BEAMER: Thank you so much.

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