

CONVERSATIONS BEYOND THE COURTROOM

ACCEPTING THE CHALLENGE

PERFORMER, PROSECUTOR, PUBLIC SERVANT

FEATURING JUDGE VINCENT S. CHIU

EPISODE 96

HOSTED BY: CHIEF JUDGE DON MYERS

(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 JUDGE MYERS: Hello and welcome to Open Ninth. Joining me today is our newest Ninth Circuit Judge Vincent Chiu. Vincent was recently appointed to the Circuit bench and is currently serving in our domestic relations division. He graduated from Ohio State University’s Moritz College of Law and began his career as an assistant prosecutor with the Franklin County Prosecutor’s office. Vincent made his way to Florida and then to the United States Attorney’s Office. And he comes to the Ninth after spending eleven years as a Federal prosecutor. It’s great to have you here, Vincent. Thanks for joining me.

JUDGE CHIU: Well, thanks for having me, Chief.

CHIEF JUDGE MYERS: Great. So I’m excited to have this conversation and I think that excitement arises out of your recent investiture ceremony where we had a chance to learn some about you, your background, a little bit about your character and who you are, so I’m excited to share that with our listening audience. Tell us a little bit about yourself, where you’re from originally, and how did you find your way to the law?

JUDGE CHIU: Sure, I grew up in New Jersey right outside of Philadelphia, and honestly, growing up I always wanted to be a police officer. My uncle was a Philly cop, and you know, I wanted to do that. But somewhere along the way I think I realized that, you know, I think I was probably going to be called for my ability to talk and think rather than my ability to wrestle people to the ground. So you know, I think law ended up being something I fell into instead. But I was drawn to the idea of being involved in the criminal justice system.

CHIEF JUDGE MYERS: Did your parents steer you in that way by their occupations or interests?

JUDGE CHIU: My dad had a Chinese restaurant. The only thing they really steered me to was they wanted to make sure that I was not going to be running or working in a Chinese

restaurant when I grew up, but you know I think they wanted me to have an education. They wanted me to do something, you know, that involved using my mind.

CHIEF JUDGE MYERS: Cool, and so you were in New Jersey at the time, and you made a decision to go to college, where?

JUDGE CHIU: I went to Rutgers which is the state college in New Jersey for a couple of years, and then just sort of got the itch to get out of the state, out of the city and so I did my last two years at a little Christian school called Cedarville which is like out in the middle of nowhere in Ohio.

CHIEF JUDGE MYERS: Cool. And then being in Ohio I guess is what led you to Ohio State?

JUDGE CHIU: Yes.

CHIEF JUDGE MYERS: I'm sorry, The Ohio State, I guess is how we have to say that.

JUDGE CHIU: Yes. Although, incidentally I was on a missions trip in South Africa and I hadn't – the summer after I graduated and I hadn't made the final decision on law school, where I wanted to go, what I wanted to do for law school. You know, I had actually sort of made the decision the night before – or one night I started really strongly considering staying in South Africa as a missionary. There was an opportunity for me to start a Christian radio station there.

CHIEF JUDGE MYERS: Cool.

JUDGE CHIU: And then the next day I got an email from Ohio State saying that someone had just donated a lot of money and that they were going to offer me a free ride to law school which I took as a sign as to what I was supposed to do with my life.

CHIEF JUDGE MYERS: That's tremendous. So you spent three years there. During that time did you do internships with law firms or prosecutor's offices or –

JUDGE CHIU: Yeah, I interned with the Franklin County Prosecutor's Office and I interned with the U.S. Attorney's Office in Columbus. You know, I think early on I realized that I just – I wanted to be in public service in one way or the other. I also interned with the Attorney

General's Office in Ohio. And so I think early on that's sort of where my career went to and I never really looked back.

CHIEF JUDGE MYERS: It's always interesting to me to hear somebody's story of their path or journey to get to the bench because having been there myself and recognizing one is just so strongly focused on advocacy and the other not. I mean, really it takes away all of the advocacy opportunities and instead turns into one of impartiality, of fairness, of listening more than advocating. Tell us a little bit about how you walked that path.

JUDGE CHIU: You know, I'm not one of those people that set out to be a judge when I started my legal career. You know, I wanted, like a lot of people, I wanted to do something, make a difference. And you know, I spent about 15 years as a prosecutor and I think I realized though as I was doing that, you know, being a good prosecutor I think involves advocacy but it's not pure advocacy. It involves a certain amount of discretion. It involves a certain amount of temperance, I guess, in figuring out like how hard do I want to go after a prison sentence? Do I want to charge this person or not charge this person? And I found I think through the course of my career I was enjoying that part of the job more, you know, trying to use discretion and trying to figure out what the right thing to do was often times more than the advocacy. Although, I mean I like the advocacy and it was fun but I found the other part of it I think came more naturally to me and I think ultimately that's what drew me to want to become a judge.

CHIEF JUDGE MYERS: Let's talk for just a minute about your experience as a prosecutor. You know, I think we all would acknowledge that our life experiences really tint the glasses that we wear and the way that we see the world and our experiences. So what types of cases were you handling for the U.S. Attorney's Office?

JUDGE CHIU: Well, I handled all kinds of cases. Towards the end of my time there I was almost predominately handling sort of like the white collar fraud investigations, national security, terrorism, cybercrime, things like that. And I would sort of also have whatever, you know, strange or complex matter would come through the door. We had a – for example, we had a capital case that I handled and federal capital cases are fairly rare so it was something that came along so I took care of that.

CHIEF JUDGE MYERS: And for our listening audience a capital case is a case where the death penalty is potentially in play?

JUDGE CHIU: Yes.

CHIEF JUDGE MYERS: Okay. Any particular cases that you handled in your time that you would say were formative for you or that you look back and say, that was an incredible experience and it's impacted or changed the way I do or see things?

JUDGE CHIU: Sure, I think – I mean, I got to do a lot of cases at the U.S. Attorney's Office and a lot of cases that are – that were really cool and really noteworthy, but I think the one that had the biggest impact for me was we did a case involving the bomb threats to Jewish community centers. And this was back in 2000, I think it was 2017. There was a wave of threats to Jewish community centers, Jewish schools throughout the United States. I think there was somewhere north of 500 of these threats that happened over the course of three months. It started in January and the first one happened to -- or one of the first ones came to Maitland, and the -- and it was the first one to get reported to the FBI so we ran that whole nationwide investigation out of Orlando. And at first, I picked it up, it was kind of just a -- it was like a labor of love because I was like, oh, this is terrible, you know, and I'd really like to be able to catch this person and put a stop to it. But as, you know, the investigation went on, you know, it went on for a month and there were, you know, 200 more threats around the country. And you know the press was picking it up and, you know, the President, the Attorney General were talking about it. Well, it became less a labor of love and more of a frantic search to see if we could get the person. And it was someone who was doing it -- it was -- you know, they were making these threats that, you know, that they'd bomb the school and that, you know, saying all these graphic, horrible things about what would happen to the children. And they'd evacuate the schools, you know, each time, and it started becoming crippling to the Jewish community centers and sort of demoralizing to the Jewish community as a whole. And you know, it was one of those things where I didn't actually -- I didn't know that we were going to ever find the person. And ultimately we did and to make a long story short, we did a lot of stuff in the investigation that we've never really done before and we traced the calls back to actually someone in Israel that was responsible for almost all of them. And we made an arrest on that. And I think that was -- that meant a lot to me just because I felt like it was a case that -- I mean, the agents did all the

work, or a lot of the work, and made it happen but I do feel like it was a case where because I was involved that maybe there was – maybe there was some difference because it was me that was involved as opposed to somebody else.

CHIEF JUDGE MYERS: Neat. And you said 2017, has that person been tried at this point?

JUDGE CHIU: Well, they were tried in Israel. And there are still pending charges here in the U.S.

CHIEF JUDGE MYERS: Interesting. That sort of an experience has got to be impactful, being on the moral right, you know side of an issue and recognizing that that prosecution is going to make a difference to all of those centers and to an entire community of people that suffered under those threats, and the concerns for the children, and all the things associated with that. That's a pretty cool experience. Let's talk about a shift for you, the shift in experience to becoming a judge. I know when I came on the bench I had a certain set of expectations based upon my experiences in the courtroom as a trial lawyer and I was assigned to a division outside of an area that I had any experience with. I think something similar has happened to you, is that fair?

JUDGE CHIU: Yeah.

CHIEF JUDGE MYERS: That may not be the right question, was it fair, but it is what it is. Tell us the current division that you're serving in.

JUDGE CHIU: I'm in the family division or domestic relations, so I'm handling divorce cases, adoptions, cases involving child support and things like that.

CHIEF JUDGE MYERS: I don't know that most of our community would understand or recognize that as judges we really are the last great generalists. Lawyers become more and more specialized in their practices and even you as a prosecutor for the assistant – as an assistant U.S. Attorney. We see personal injury lawyers. We see specifically medical malpractice lawyers. We see contract or business lawyers, but judges have to rotate through all of the different divisions in the courthouse and that includes in areas that we haven't had any practice experience in. How would you describe your adjustment to the bench so far?

JUDGE CHIU: You know, it's been – it's been challenging but it's been fun. It's been – I've really enjoyed stretching different, you know, muscles in my brain, learning new things. And it's been – I've really enjoyed it. I really haven't felt like there's a day that's felt like work or drudgery. And you know, when I was at the U.S. Attorney's Office, you feel like you're doing something for the community because you're protecting them from, you know, something that may happen or from people who are, you know, potentially going to prey on people financially. But in this job it's like I found like I – I've really enjoyed being able to interact with people and to interact with – you know, so the community is just not this – you know, it's not just this sort of thing that's out there that I'm trying to protect. It's, you know, it's Mr. Smith or Ms. Smith that's right in front of me. And I've really enjoyed that part.

CHIEF JUDGE MYERS: And their children too, and I know that there's a tremendous weightiness of the responsibilities of a judge in our family law division. So I want to say thank you, something I probably don't do often enough to all of our judges for the specific service that you provide in what I think is one of the most emotionally taxing and draining areas of making those very heavy decisions that impact families and children and their protection, their safety, their finances, all of those things. So thank you for that.

Expectation versus experience. Is it what you thought it would be?

JUDGE CHIU: I mean, I think so. You know, I mean, it's – it's a different setting than I'm used to, for those of you who aren't familiar, Federal court is sort of, you know, you walk everyday into these cathedral like rooms where, you know, where sort of very – you know, intellectually high-minded work is occurring, you know, so it's very different in the sense that, you know, it's an intimate courtroom and – you know, I'm involved every day in people's, sort of just the – the everyday details of peoples' lives, but I think it's – I've enjoyed it. You know, I've really liked what each day holds for me.

CHIEF JUDGE MYERS: Biggest challenge? What do you find that to be?

JUDGE CHIU: You know, I think the biggest challenge has been to not let my own emotions get, you know, get into it. I think you want a judge that is – that where you feel like the judge empathizes with you and feels, but you also don't want the judge on the bench crying.

So I think that's been the biggest challenge is to sort of, you know, is to show empathy without getting too emotionally involved.

CHIEF JUDGE MYERS: Great. Life off the bench. Give us just a glimpse. What are the things that you enjoy when you're not judging?

JUDGE CHIU: Well, I mean, I've got three small kids so I mean, I enjoy spending time with them and that's probably the bulk of my time – where the bulk of my time goes. We also have a very close group of friends that – that we spend a lot of our time with. So I mean, we really just spend a lot of time with people and you know, enjoying people and you know, kind of sharing our lives with each other. I also – I like to play the guitar. I really like to lift weights, you know, but those are all things that end up kind of becoming secondary to, you know, I think to sort of the time we spend with people.

CHIEF JUDGE MYERS: You've said two things that have clicked with me as perhaps some foreshadowing of where I'm a little excited to head with you. You talked about your experiences in South Africa and the opportunity to start a radio station. You just told us that you enjoy playing the guitar and at your investiture ceremony, Roger Handberg, who's also a U.S. Attorney spoke on your behalf and told us a little bit about your background. And one of the things he said was that you enjoy singing. Tell us a little bit about your musical background and why that's a part of who you are?

JUDGE CHIU: Well, I – I guess, I mean I've always kind of growing up being musical. You know, I picked up the guitar I think in college. I think I fell into – I had some friends that had a band so I fell into that my first year of college and then I ended up – we ended up doing a couple of weddings the summer after my freshman year. And you know, so things kind of fell through like – fell in place like that. In college, I started leading worship at church and things like that and I did that for – and I probably have led worship in churches for, on and off, for the better part of the last – the last twenty years.

CHIEF JUDGE MYERS: So a real live wedding singer. This is the wedding singer. I trust your experience has been a little different than that, but that's cool. So you came prepared to share a little bit of singing with us. Roger told us I think that at one point you were called

upon to sing the National Anthem for the George C. Young Bankruptcy Court dedication, is that right?

JUDGE CHIU: Yes, yes.

CHIEF JUDGE MYERS: And how did Roger learn that you had those talents? Was it through that event or do you do karaoke? I mean, how does this get out there?

JUDGE CHIU: I mean, it was through that and the U.S. Attorney's Office would have a training conference every now and then, and I think at one of them one night there was karaoke so I jumped in and that sort of followed me around since then. You know, myself and some of the other AUSA's, we'd sometimes perform at the holiday parties and things like that.

CHIEF JUDGE MYERS: So you got band experience. You've done karaoke. You've sang at weddings. This is going to be really cool. You picked out a piece to sing a little piece for us today, right?

JUDGE CHIU: Yeah.

CHIEF JUDGE MYERS: Tell us what you're going to sing.

JUDGE CHIU: I'll do a few lines from Stand by Me by Ben E. King.

CHIEF JUDGE MYERS: That's great. So I'm going to ask you to go ahead and step on over to our other microphone here and we'll give you the chance to belt it out. Let's hear it.

JUDGE CHIU: (Singing)

When the night has come

And the land is dark

And the moon is the only light we see.

No I won't be afraid

No I won't be afraid

Just as long as you stand, stand by me.

And darling, darling, stand by me

Oh, stand by me, oh stand, won't you stand, stand by me.

CHIEF JUDGE MYERS: Wow, that's phenomenal. Thank you for that. If I had one of those radio producer buttons with the applause, we'd bring in lots of applause for you. That's really phenomenal.

JUDGE CHIU: Thank you.

CHIEF JUDGE MYERS: And I don't know if we've got other judges that have any of those musical talents. I'm sure we do in a group of our size. But we're going to have to pull together a Ninth Circuit band and let you guys do some entertainment for us in the courthouse and perhaps out in the community. Thank you for sharing that.

JUDGE CHIU: Thanks for having me.

CHIEF JUDGE MYERS: Really cool. So Vincent, we are so grateful to have you as a part of the Ninth Circuit, love the things I'm hearing about the work that you're doing on the bench and have really enjoyed the chance to get to know you a little bit better today. Thanks for being with us.

JUDGE CHIU: 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.