

**OPEN NINTH:
CONVERSATIONS BEYOND THE COURTROOM
BIDDING FAREWELL
EPISODE 137
OCTOBER 18, 2021
HOSTED BY: LISA T. MUNYON**

(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 Lisa Munyon.

CHIEF JUDGE MUNYON: Hello, and welcome to Open Ninth. I’m here today with Judge Julie O’Kane who is retiring from the bench after 18 years of service. She joined the Ninth Circuit in 2003, about a month after I did, starting out in the Orange County Criminal Division. Since then, she’s served in the Civil, Civil Business and Domestic Relations Divisions. She’s also been both an Associate Administrative Judge and an Administrative Judge for the Criminal Division, as well as an Administrative Judge for the Appellate Division and the Civil Division. And now she begins her next adventure in retirement.

I’m thrilled to have you in the studio today, Judge O’Kane. Thanks for joining me.

JUDGE O’KANE: You’re welcome. Thank you for having me.

CHIEF JUDGE MUNYON: So tell me a little bit about yourself. Where did you grow up and how did you become a lawyer?

JUDGE O’KANE: Sure. So I’m originally from West Palm Beach, and lived there most of my life. My uncle was a lawyer, and when I was in high school I started working at his law firm running errands and, you know, sort of helping out around the firm. And went to college and still -- you know, I lived at home and continued to work at his law firm. And I was on a path to, you know, join, you know, a Fortune 500 company in a sales department, because I can pretty much sell anything. And --

CHIEF JUDGE MUNYON: I can believe that.

JUDGE O’KANE: Yeah. And so I was a business major, and I really had, you know, growing up, no interest in being a lawyer so to speak. And then when I was a junior in college, you know, I started talking to my uncle and he was like, you know, what are you going to do after you graduate. And I said, probably going to get an MBA and then I’m going to go work for, you know, like an IBM or a Xerox or one of those major corporations in some type of sales or marketing capacity. And he said, no, you’re too smart, you need to go to law school or you need to become a doctor.

And I had no interest in being a doctor. And I had worked in his law firm, and I loved, you know, what the lawyers were doing. They had a litigation practice. And the lawyers that worked there were great lawyers. And so I thought, okay, so I’ll, you know, take a chance and I’ll go to law school, never thinking that it would completely, you know, change my life for the better. I mean, it was just obviously one of the best decisions I made.

And so I went to Stetson University College of Law in St. Pete, and --

CHIEF JUDGE MUNYON: And you met the love of your life there.

JUDGE O’KANE: Right. I met the love of my life there. And then when I was getting ready to graduate, I was interviewing for jobs in the Tampa Bay area, because that’s where my husband, who was my boyfriend at the time, was going to be working, and I had a lot of friends in Tampa. I really liked Tampa.

And I interviewed for jobs in Orlando. I had an interview with a corporate firm in Delaware. Of course, my uncle said, please come back to my law firm. And I thought, well, I can always go back home, right, so I didn’t want that to be my first choice. And I came to Orlando, interviewed with the law firm that I ultimately took a job with, loved everybody that I

interviewed with and thought, they seem like a great group of people. And for me that was the primary motivation, was I wanted to make sure I was working with great people.

And so I took that job, and that was in -- I started in May of 1991, and it's been 30-plus years and here I am, still in Orlando.

CHIEF JUDGE MUNYON: Wow.

JUDGE O'KANE: So -- yeah. It's been -- it was great.

CHIEF JUDGE MUNYON: Well, it's interesting that you were thinking about moving to Tampa. My first interview was with a firm in Tampa.

JUDGE O'KANE: Really?

CHIEF JUDGE MUNYON: Yes.

JUDGE O'KANE: Okay.

CHIEF JUDGE MUNYON: And then I interviewed here in Orlando, and this is where we decided we wanted to live --

JUDGE O'KANE: Right.

CHIEF JUDGE MUNYON: -- because Orlando is so pretty --

JUDGE O'KANE: Right.

CHIEF JUDGE MUNYON: -- and such a great community to live in.

JUDGE O'KANE: Well, for me, I, you know, just landed at this great law firm. And unfortunately for my husband, he was with a big firm in Tampa and they closed their Florida offices, he went to another big firm in Tampa, they closed their Florida offices. And so at that point is when he went back to the University of Florida to get this tax degree and said that he would move to Orlando to be with me as long as we didn't live anywhere where he had to drive

on I-4 or the East-West Expressway to get to work. So I made that commitment, and here we are.

CHIEF JUDGE MUNYON: So what kind of practice did you do when you came to Orlando?

JUDGE O’KANE: So the practice that I had was a litigation practice. The law firm that I joined was primarily a litigation firm, although there were several partners that handled real estate transactions, that type of thing, but it was mostly a litigation firm.

And so I did what I’ll call a hodgepodge of litigation purposefully. There were lawyers that were exclusively doing insurance defense and personal injury related litigation. There were lawyers that were doing exclusively commercial litigation. And I liked both. And so I did a lot of commercial litigation where we were representing plaintiffs and defendants on both sides. I did a lot of insurance related litigation where I was representing either insurance companies or their insureds. Also had some personal injury cases where I was representing injured parties. And so I liked the variety of that.

CHIEF JUDGE MUNYON: I bet you learned a lot, too, doing such a broad area of litigation.

JUDGE O’KANE: I did. And it was interesting, because the folks that I handled commercial litigation cases with never knew I did sort of the personal injury insurance defense work, and those folks never knew I did the commercial work. And so for me just having the variety, different clients, different levels of sophistication of clients was fascinating. And so that’s why I always -- you know, I didn’t want to have my eggs all in one basket in the litigation end, so --

CHIEF JUDGE MUNYON: So you stayed with that firm, I believe, until you took the bench.

JUDGE O’KANE: Right. Right. That was --

CHIEF JUDGE MUNYON: That was your home.

JUDGE O’KANE: That was my home. I became a partner after five years at that firm, and I left to become a judge twelve years. And when I -- when we had our investiture, you know when I thanked --

CHIEF JUDGE MUNYON: Yeah.

JUDGE O’KANE: -- you know, we thanked everybody, you know, I specifically thanked the partners at that firm and really would -- never wanted to be at any other firm just because my experience there was so valuable to me and I really enjoyed working with the people that I worked with and the clients that we had were great clients.

CHIEF JUDGE MUNYON: So what made you -- you were happy doing your litigation practice.

JUDGE O’KANE: Right.

CHIEF JUDGE MUNYON: What made you think about becoming a judge?

JUDGE O’KANE: So, again, you know, never grew up thinking that I would be a judge. But obviously the Ninth Circuit has always had a fine reputation for great judges, and I appeared in front of great judges when I was a lawyer. And, you know, this role is a community service role, and I’ve always been involved in some level of community service, whether it be working through the Bar Association, involved in my children’s school or, you know, other outside entities.

And so I got to a point in my law practice where I had done pretty much everything that I wanted to do in that type of practice. And even had -- I did appellate work too, so I had, you know, handled appeals in the state courts and the federal courts. And I found it increasingly difficult to manage the work that I was doing there while still wanting to do my community service type work. And so I thought, how could I use my legal training -- because I didn't want to give that up -- and pursue a more community service oriented type position.

And so that's when I started thinking about, well, maybe I could work as a judge. That's a community service position. It's an important position. I felt qualified for it. And so that's when I really started exploring that and talked to some of the judges that I was friendly with, and they encouraged me to do it.

CHIEF JUDGE MUNYON: I think the two of us met when you were doing some of your community service work and I was too.

JUDGE O'KANE: Right.

CHIEF JUDGE MUNYON: We were both on a bar committee together.

JUDGE O'KANE: We were on a grievance committee; that's right.

CHIEF JUDGE MUNYON: We were. So what other types -- what types of community service did you do before you took the bench?

JUDGE O'KANE: Well, I was President of the Young Lawyers Section of the Orange County Bar. I was on the Executive Counsel at Orange County Bar. I was at one point President of the Orange County Bar Foundation. So I was doing a lot of work for our local Bar Association.

And then I was on a grievance committee for many years through the Florida Bar. And then of course when I started having children, I was doing volunteer work, you know, at their schools, like most parents do.

And so -- I'm trying to think. I was on a couple of other committees through my church, St. James. There -- they had an Outreach Love Program where public school kids came in every Saturday and we would mentor them during an entire school year. So I participated in the Outreach Love Program.

And -- yeah, I can't -- I mean, I'm sure there were more, but those are what come to mind immediately.

CHIEF JUDGE MUNYON: So you came to the bench through the appointment process.

JUDGE O'KANE: Right.

CHIEF JUDGE MUNYON: And you -- if I recall correctly, you were appointed the first time you applied.

JUDGE O'KANE: I was, to my surprise. Yes. Yes. And, you know, most people going through the appointment process will tell you that it takes a little while to get appointed. And so that's what I thought. I had no expectation that I would get appointed the first time that I applied. And, you know, since I had a great job, it wasn't like I was looking to make that career change because I didn't like what I was doing.

And so I thought that my path would be typical of lots of other folks. And then, of course, I was pleasantly surprised when I was nominated as one of the six, you know, my first time, and then obviously thank -- very thankful to former Governor Jeb Bush for giving me this job, so --

CHIEF JUDGE MUNYON: And I think I started the beginning of May of '03.

JUDGE O'KANE: Right.

CHIEF JUDGE MUNYON: And you started in June?

JUDGE O'KANE: In July.

CHIEF JUDGE MUNYON: July.

JUDGE O'KANE: Right.

CHIEF JUDGE MUNYON: So I knew it was very close in time --

JUDGE O'KANE: Right.

CHIEF JUDGE MUNYON: -- because we had our investitures together.

JUDGE O'KANE: That's right, we did. Yeah. I started this job the day after my birthday in July. It's on the -- that's why I'll never forget the date.

CHIEF JUDGE MUNYON: So as is true to form in the Ninth Circuit, many times you get stuck in a division where you've never had any experience or practice.

JUDGE O'KANE: Right. Right.

CHIEF JUDGE MUNYON: And I think that happened to you.

JUDGE O'KANE: Correct.

CHIEF JUDGE MUNYON: So tell us about your first days on the bench in the Criminal Division.

JUDGE O'KANE: Well, I had the good fortune to know in advance where I was going to be assigned because, at that time, Senior Judge Frank Kaney was in the Criminal Division, in Division 12, and Judge Kaney was -- is still really good friends with one of my former law partners, Hugo de Beaubien. And so as soon as the word came down that I got the appointment,

I believe with Judge Perry's blessing, Judge Kaney called Hugo and Hugo put him in touch with me and he said, you're going to be assigned to this Criminal Division, start coming over.

So I had about three weeks between the time of my appointment and when I started. And so I would come to the courthouse almost every day and I would sit in with judges who were presiding in the Criminal Division so that I could see what was going on, meet the lawyers, and see how judges did -- handled things differently.

So I sat in for jury selection, and a violation of probation day, and a hearing day, and a pretrial conference, all of which were completely foreign to anything that I ever saw in the Civil Division. So I was incredibly grateful to the judges who made time for me -- I think I even may have sat in with you for some hearings -- so that I could see what the practice of criminal law was like because, again, that's so foreign from the practice of civil law.

And of course I was reading all the rules of procedure and studying up, as best I could, on some of the constitutional issues. So I felt somewhat prepared. At least I was getting used to the vocabulary and those types of things.

But back then, because we did not have electronic filing like we do now, the clerk had the physical files. So I started on a Monday, which was the first Monday of a two weeks of hearings. And so I came in that weekend, I asked the clerk to give me the files for all of the cases that week, to bring them to the -- my office, and I came in over the weekend and I went through every single file and I looked at every single case to see where the case was, what the issues were, and then did a bunch of research, you know, to get prepared.

And so that's what I did and continued to do, you know, to get ready. And I think that some of the lawyers were surprised at the level of research that I had done on some of these, you know, novel issues so that I could understand what the law was. And then by the time of the first

week of trials, I felt pretty confident, you know, with being able to handle a trial and just, you know, pressed on at that point, did the best I could, so --

CHIEF JUDGE MUNYON: Yeah. Most lawyers specialize in something, or they -- their practice is geared toward a finite area of the law.

JUDGE O’KANE: Right.

CHIEF JUDGE MUNYON: And judges generally don’t have that luxury.

JUDGE O’KANE: Right.

CHIEF JUDGE MUNYON: We move around from division to division.

JUDGE O’KANE: Right. So we’re like the last generalists in the law, right, you know.

CHIEF JUDGE MUNYON: Absolutely. So how did you deal with that, having to learn new areas of the law every couple of years?

JUDGE O’KANE: Well, you know, I kind of approached it the same way that I approached things in my civil practice. So the great thing about a civil practice is that there is one set of rules, the Rules of Civil Procedure. But every subject matter is completely different. So you could be handling an employment case, you could be handling a breach of contract case, you could be handling a personal injury case.

And even though the rules of procedure may be the same, the substantive areas of the law are so different. And so that’s why I like to say that people that -- or judges that are in the Civil Divisions are kind of like the Shell Answer Man. That’s an old reference, and everyone will know how old I am by that. But you have to know enough about a lot of different things to be able to answer the questions.

And so fortunately, you know, one of the things that the Ninth Circuit gives us is a license to Westlaw, and so I would just research as best I can all of the substantive law in order to be ready for the next day's hearings.

You know, transitioning from a civil practice to criminal, obviously, is a huge learning curve because the rules of procedure are different, the substantive issues are different. Transferring from the Criminal Division to the Civil Division, which is what I did, was a lot easier transition for me because I already knew the Civil Rules. Of course, I had had that whole civil background, so that transition was definitely easier.

And then when I transitioned from Business Court to Family, again, huge learning curve because I didn't do any family work as a lawyer. And -- but the rules of procedure are generally the same, so I knew those and just studied, you know, Chapter 61 and the relevant statutes and case law to get ready for that.

CHIEF JUDGE MUNYON: I think when I became a judge, what surprised me was the work; the work that people don't see that has to be done.

JUDGE O'KANE: Right. Right.

CHIEF JUDGE MUNYON: What was your surprise when you came onto the bench?

JUDGE O'KANE: So I think that definitely is an issue. I mean, I think people look at what we do and think, oh, if that person can do it, you know, I can do it; it's so easy. But that's not the case necessarily. There's a lot more work that has to be done outside of a courtroom that people don't realize. So that definitely took some getting used to.

But I think the biggest surprise for me was -- because I had no understanding of this before I became a judge, was how the court system is funded and where that money comes from.

And, you know, why is it that we don't give our staff cost of living adjustment raises every year. Why is it that we don't give bonuses or merit raises like we do in the private sector. And so --

CHIEF JUDGE MUNYON: Why doesn't each judge have a staff attorney that they can, yeah, assign projects or assign writing assignments.

JUDGE O'KANE: Right. Right. So learning about the funding -- and I don't profess to know all of it because it's very complicated -- that, to me, was the biggest surprise. And I was thinking -- like a perfect example of this was -- and I can't remember what year it was, but remember when Chuck Hydovitz worked with us in Court Administration?

CHIEF JUDGE MUNYON: Yeah.

JUDGE O'KANE: And it was a year where I think statewide we were trying to get salary increases for our staff; judicial assistants and our Court Administration staff. And we were getting a lot of pushback from the Legislature on that. But at the same time, Chuck is coming to my office saying we have all this money for office furniture, do you need some new office furniture or something, you know, new for your office. And my response was, I don't need anything for my office but can we give that money to our assistants so that they could have a salary increase, or our court staff and our Court Administration folks. And learning that, you know, money for office furniture comes from a different bucket than salary dollars for our employees and we can't mix those two. And to me, you know, of course that made no sense coming from the private sector where we have that flexibility.

So it's still a mystery to me how all of the funding works, you know, the nitty-gritty of it. I have a general understanding of it now. And I think most people would be surprised by how funding for the court system works and how we don't have a dedicated source of funding every year, and every year we have to go to Legislature to ask them to approve a budget for us and --

CHIEF JUDGE MUNYON: And our piece of the budget is so small.

JUDGE O'KANE: Right.

CHIEF JUDGE MUNYON: I think the entire branch is .7 percent of the entire state budget.

JUDGE O'KANE: Right. Right. I mean, we are -- you know, we are a third collegial branch of government, and the amount of money that it takes to fund us and our programs is so small compared to all of the other agencies and everything else in the budget that it just seems to me that at some point, you know, we should have a dedicated funding source, so --

CHIEF JUDGE MUNYON: Well, once you retire, you can start working on that.

JUDGE O'KANE: Maybe I can work on that. I don't know if anybody in Tallahassee would listen to me, but certainly I'll give it the good college try.

CHIEF JUDGE MUNYON: So in the Criminal Division, you were there for quite some time.

JUDGE O'KANE: Right.

CHIEF JUDGE MUNYON: And you have been Administrative Judge, I think first in the Criminal Division, right?

JUDGE O'KANE: Right. First, in criminal.

CHIEF JUDGE MUNYON: And then you -- yeah.

JUDGE O'KANE: Yeah.

CHIEF JUDGE MUNYON: So tell me, what does an Administrative Judge do and what did you like about it, what didn't you like about it?

JUDGE O'KANE: Well, I've always enjoyed being Administrative Judge because I like that leadership position and held lots of leadership positions, you know, before being a

judge, so I've never thought of it as a burden. Sometimes it's been more challenging than others. Like, obviously, with COVID, it's been a lot more challenging than pre-COVID.

But specifically for the Criminal Division, what most people wouldn't realize, is that there are so many stakeholders involved in the Criminal Justice System, it's not just the judges, the state attorneys, the defense lawyers. It's -- you have to deal with issues coming with the probation, you know, from the Department of Corrections, probation officers, issues with the jail, issues with the Clerk's Office. There are sometimes issues with bondsmen.

And so there are so many other parts of the Criminal Justice System that exist outside of the courthouse that, you know, sometimes we need to consult with them, sometimes they have issues with what is going on with judges in terms of entering orders or what do their orders mean, those types of things.

Most recently, you know, dealing with the Department of Corrections trying to find space in this building for a probation officer so that people who are sentenced to probation can immediately report to this building -- an office in this building as opposed to going to an office off-site. So there's lots that goes on with criminal in terms of administrative work.

With COVID it was just amplified because we were switching from in-person hearings to virtual hearings, trying to get links associated -- or set up with the jail, making sure all of our courtrooms had virtual links so that lawyers could appear virtually. And I -- and that was not unique to criminal. I mean, obviously, we were doing that with other divisions but it seemed like there was a lot more. Nobody --

CHIEF JUDGE MUNYON: It's a little more complex with criminal.

JUDGE O'KANE: Right.

CHIEF JUDGE MUNYON: Because you have some constitutional considerations that other divisions may not have.

JUDGE O’KANE: Right. And so one thing probably people didn’t think about was just transportation of inmates from the Department of Corrections facilities across the state and transportation of inmates from other local jails as well as the Orange County Jail. I mean, there were huge issues with transportation issues. So, yeah, so there was a lot that went along with that.

In civil, you know, from an administrative function is dealing with the Clerk’s Office on reporting issues. But there aren’t as many major administrative tasks associated with civil as there were with criminal. But certainly over the years with civil, even when I was just in the Civil Division and not in an administrative function, you know, we had the King Commission where we were trying to get uniformity with scheduling and when we do ex-parte and things like that. And --

CHIEF JUDGE MUNYON: And when I was in the Civil Division, we had the foreclosure crisis.

JUDGE O’KANE: Right. We had -- right.

CHIEF JUDGE MUNYON: And I had to deal with that.

JUDGE O’KANE: Right. And so -- right. That was a huge issue. Right. I was not Administrative Judge then --

CHIEF JUDGE MUNYON: Yeah, I was.

JUDGE O’KANE: -- but I was in the Civil Division. Yeah. Yeah, I remember that. Those were very busy days.

CHIEF JUDGE MUNYON: But you've enjoyed your time as Administrative Judge in each of the divisions that you've been in?

JUDGE O'KANE: I have. Number one, you get to work with your colleagues on a different level, right. So Administrative Judges -- first of all, we don't get any extra money. We don't really have any power. All we do is try to facilitate discussions with other folks so that our divisions run smoothly.

And also, one of the things that I've always done when I was the Administrative Judge is try to reach out to the judges in the division and just -- whatever help they need, whether it be advice on how to schedule hearings or how to do trials or, you know, helping them with getting a staff attorney on board to help them do some projects and things like that. So that, to me, also has been a huge benefit, is getting to know those judges a little bit more closely because I was engaged with them more frequently.

CHIEF JUDGE MUNYON: So your -- you have been on the bench for 18 years.

JUDGE O'KANE: I know. It's a long time.

CHIEF JUDGE MUNYON: It's a long time. Looking back on that time, what are you proudest of?

JUDGE O'KANE: So, you know, I don't really think -- I don't really necessarily think in terms of that. But, you know, a couple things. When I started this job, my children were fifteen months old and almost four, and now they're both adults. You know, one's out of college, one's in college. And so, as you know, this job is a very demanding job and there are consequences of your decisions that weigh on you and sometimes may affect your family.

And so I think one of the things I'm most proud of is that, despite all of those demands and despite the personal consequences to me, I've been able to -- with the -- of course the help of my wonderful husband, raise two well-adjusted, happy, healthy children.

CHIEF JUDGE MUNYON: Oh, awesome --

JUDGE O'KANE: You know, and --

CHIEF JUDGE MUNYON: -- awesome children.

JUDGE O'KANE: Yeah. And, you know, I can remember the times when I was running late in court because I was in a trial and we -- the jury wanted to deliberate till 8:00 or 9 o'clock, which means your children are in daycare longer than they otherwise would be and, you know -- you know what it's like -- and your --

CHIEF JUDGE MUNYON: And your husband's getting dinner.

JUDGE O'KANE: Right. And you know what it's like. I mean, it's -- this is not unique to us. It's an issue with all working families. But there are certain challenges that go along with this job that most people don't think about that have an effect on your family. And so I'm proud that, despite that, you know, I've got these two incredible boys -- young men now. So that's one thing.

And the other thing that I've done probably for the last at least ten years, if not more than that, is I've been involved in judicial education with New Judges College, and I've been teaching. And so I'm proud of the contribution that I've made to those new judges in the areas that I've taught. And I've got to meet judges from across the state, you know, because all new judges have to go through New Judges College, and so I'm proud of the work that I've done with that.

I -- having not had any experience whatsoever in criminal law, like none -- like I couldn't even tell you where the Criminal Courthouse was before, when we had multiple courthouses -- I am proud of the fact that I became comfortable in that assignment; more comfortable than I thought I would be because it just -- you know, dealing with the types of cases that you deal with in criminal court, particularly the trials, and there were -- there was two years where I was the trial judge, I was just doing exclusively trials, and so I -- everybody sent me their murder cases and their sexual battery cases and what I would consider the more serious crimes cases. And just trying those cases week in and week out and being able to do that for two years, number one, it's exhausting, as you know because you did that job.

CHIEF JUDGE MUNYON: Yeah.

JUDGE O'KANE: But also, you know, I remember, you know, one month where it just seemed like I had three murder cases back to back, first-degree murder cases. And I do remember two months where I had two first-degree murder cases of small children. So when you're dealing with that type of subject matter it can be, number one, very draining and exhausting, both physically and mentally, but also emotionally, but it's so important to make sure that you get it right. And so I'm proud of the fact that I was able to use whatever skills I had as a civil lawyer and transfer those to criminal and have some measure of success, I think.

CHIEF JUDGE MUNYON: Since you've had such a broad range of experience while you've been on the bench, has the work on the bench changed over the 18 years that you've been a judge?

JUDGE O'KANE: There's no question that it's changed. I remember when we first started back in 2003 -- because you were in the Criminal Division too, you'll remember this -- it seemed like we didn't have as many jury trials back then --

CHIEF JUDGE MUNYON: Yeah.

JUDGE O’KANE: -- as we did in latter years. And then when I went to the General Civil Division is when we had the mortgage foreclosure crisis and so the challenge there was dealing with the volume of that work without letting it affect all of the other civil cases that were just as important.

And obviously our community has grown, so when your population increases there’s more litigation, whether it be in criminal cases, civil cases, family law cases, and so the volume of work has increased. Fortunately we’ve got some new judges coming in to help with that. But the resources have not kept up. And what I mean by that is there’s no additional staff attorneys, and the lawyering has continued to be good so, you know, you’re getting all this material ahead of time to review for the hearing, so I think just with the volume of work that we have right now in some divisions, I think I can understand why it’s hard to keep up with it because we just don’t have the resources to help us with that volume of work.

CHIEF JUDGE MUNYON: In the 18 years that you’ve been a judge, not only has the work changed but I think the bench has changed too, right. What have you noticed about the change in the bench over the 18 years?

JUDGE O’KANE: So right now I think there are only six judges currently working that were here when we started back in 2003. So just think about that.

CHIEF JUDGE MUNYON: Yeah. Yeah, county or circuit.

JUDGE O’KANE: Right. Right. So when I -- when we started, Alice Blackwell was here and she’s still here, Reggie Whitehead, Rene Roche, you, and then I think Wayne Shoemaker started before we did as a County Judge.

CHIEF JUDGE MUNYON: Yes, he did.

JUDGE O’KANE: But all of the other judges are new. So that’s -- there’s one, two, three -- there’s six of us currently here today that were here back in the summer of 2003. So just the sheer volume of judges has turned over multiple times in 18 years. And so that, to me, is surprising, because I don’t think 18 years is that long.

CHIEF JUDGE MUNYON: Right.

JUDGE O’KANE: But it really is a long period of time when you think about just the sheer turnover of judges. And, you know, back when I was appointed, I was 37 years old when I got the appointment and 38 when I started, you weren’t much older than me, but that was sort of the anomaly that someone in their late 30s, early 40s was getting appointed because most of the appointments were of attorneys who had more experience in terms of legal experience and just age.

And so that’s sort of flipped now. Because if you look at our last, you know, two years of appointments, the majority of the judges that have been appointed are younger attorneys. And so obviously that has an effect overall. I mean, fortunately they’re all bright and they’re hard-working and they’re going to be great judges, but that’s a noticeable change from, you know, 18 years ago when you and I were the anomaly, and now you and I would be the norm, I think.

CHIEF JUDGE MUNYON: Absolutely. So what -- you are retiring. What made you decide to do that?

JUDGE O’KANE: So --

CHIEF JUDGE MUNYON: And I know you don’t want to call it retirement.

JUDGE O’KANE: Right.

CHIEF JUDGE MUNYON: You want to call it the next stage.

JUDGE O’KANE: Right. Right. So -- right. I’m just too young to be a retired person. I’m always going to work in some capacity. But -- and I don’t want this to sound like I don’t want to work, because I’m always going to work hard. I’ve been working since I was 15 years old, nonstop.

But one of the things that you don’t have a lot of when you’re a judge is flexibility in your schedule, right, because you are trying to get people in to have hearings as quickly as possible. You know, it’s not good for lawyers to have to wait 60, 90, 120 days to have a hearing on their case. And so I have never had a schedule where I just said, well, we’re going to stop hearings at a certain time or we’re not going to do hearings on Friday afternoons, those types of things. So I believe that when you’re here you should be working 150 percent, and that’s how I’ve, you know, scheduled all of my schedules.

But now I’m at a point in my life where I just want some more flexibility, and so I want to be able to work in a career where if I don’t want to work ten hours a day, I only want to work six hours a day, then I’m going to work six hours a day. If I want to work three weeks of the month, you know, a hundred hours each week and then take the fourth week off, you know, I’d kind of like to do that.

So I’m just at a point where having that flexibility is important to me for a variety of different reasons. I mean, fortunately, knock on wood, I’m healthy and -- but, you know, I think about our former colleague Jon Morgan.

CHIEF JUDGE MUNYON: Oh, yeah, very sad.

JUDGE O’KANE: I mean just, you know, incredibly sad to -- retired and passed away three weeks later.

CHIEF JUDGE MUNYON: And he was young and a great person.

JUDGE O’KANE: And he was -- right. Great person. It’s a huge loss for our community. And so I think about that.

And I think about, you know, my own father who was two years away from retirement when he had a massive heart attack and died at the age of 60. You know, my -- at that time my mom was 55 years old, and her whole life changed. And so just -- you know, a lot of things have happened over the last couple of years.

This was not an easy decision to leave. It was not a decision that I made two months ago. I -- you know, I’d been thinking about this for a couple of years. And then I just think with COVID coming in and some other things happening, you know, I just thought it’s the right time. I think 18 years is a good run for me.

CHIEF JUDGE MUNYON: So what are you going to do next?

JUDGE O’KANE: So I’m in the process -- well, actually, I just yesterday got my certification to do civil mediations from the Florida Supreme Court. I cannot work and will not work as a mediator while I’m still working as a judge. So that will be after I leave.

But I’ll take a little bit of time off. My last day is October 1, and I’ll be working steadily until then. And I’ll take a little bit of time off to kind of, you know, get everything together that I need to do. And so my next job, if you will, in my legal career, hopefully, will be working as a mediator.

CHIEF JUDGE MUNYON: And I can attest to the fact that you are working every day until the end, because you are filling in for me at a speaking engagement on the day that you leave.

JUDGE O’KANE: Right. Right.

CHIEF JUDGE MUNYON: I appreciate that.

JUDGE O’KANE: Well, I’m looking forward to that. Yeah, I’m looking forward to that. And actually -- and thank you for giving me that opportunity, because it’s for the New Lawyer Training for the Orange County Bar. And with COVID, you know, we haven’t been doing a lot of things in person, and so I’m looking forward to getting back into doing some more of the Bar work that I did early in my judicial career and, you know, as a lawyer as well.

CHIEF JUDGE MUNYON: So in addition to mediating and taking a little time off, I would assume you’re going to do some traveling, because I know you love to travel.

JUDGE O’KANE: Right. Well, we haven’t done any traveling during COVID, other than to go to our son’s college graduation. And so I am looking forward to doing a little bit of traveling. This year, my husband and I will be celebrating 25 years of marriage, which is a big thing, and so we both decided that we’re going to try to travel somewhere for that. My initial thought was to go to Italy, but with COVID, you know, I don’t think we’re going to be able to do that this year. So, yeah, I’m going to try to schedule something.

We’re going to New York in October for a family wedding, which I’m hoping won’t be canceled yet a third time. And so we’ll have a little bit of, you know, travel then. But we’ve been pretty diligent and not really going anywhere just with COVID and -- other than driving. So, yeah, I’m looking forward to doing some traveling. If I can only get my husband -- my husband’s very busy right now, too, so I can’t place too many demands upon him to take time off from work because he’s super busy, which is a good problem to have.

CHIEF JUDGE MUNYON: Absolutely.

JUDGE O’KANE: Yeah.

CHIEF JUDGE MUNYON: So as you are stepping away from the bench, do you have any advice for the younger judges that are following?

JUDGE O’KANE: Oh, gosh. You know, one of the things that’s always been I think unique about the Ninth Circuit is that we have always been a very collegial group. And I know that because, you know, I meet judges from across the state through teaching and I hear their stories about kind of how things happen in their circuits, and we’ve always had sort of this special collegiality here.

Now, that doesn’t mean that we always get along. Like, I like to think of us as a family, and sometimes we get along and sometimes we don’t, just like everybody else’s family. But we’ve always been very collegial, and we’ve always had, you know, this sort of tradition -- or not really tradition, but it’s just meet in the lobby at noon if you want to go to lunch with anybody. And so that’s what we’ve done for years. And with COVID we haven’t been able to do that. And so I’m hopeful that the younger judges will take advantage of that.

I know when I started my lunch group was you, now Florida Supreme Court Justice Alan Lawson, now Fifth DCA Judge Jay Cohen, retired Judge Fred Lauten, and Dick Conrad, you know sometimes, when he was alive, and Belvin Perry. And, you know, that was the lunch group nearly every day of the week when I started in criminal. And I learned so much from everybody. Just -- you know, I’d come out of court and I’d go to lunch, and before anybody could get any food in their mouth I’d go, okay, let me tell you what happened in court today and let me make sure I’m doing the right thing.

You know and then, you know, every -- you know, my colleagues were my sounding board because you guys are the only people that we can talk to about our cases. And so I learned a tremendous amount from just going to lunch with people and just hearing their conversations and asking questions, because no question is a stupid question. And so I really encourage the younger judges to do that. It’s hard right now with COVID because we’re all working virtually,

we're just in our offices, you know, that kind of thing. But I would really encourage the younger folks to do that. And I would also encourage those of us that have been here a long time to reach out to them and say, hey, let's go to lunch, and bring them into your lunch group so that they can learn.

CHIEF JUDGE MUNYON: Absolutely. That is crucial.

JUDGE O'KANE: Right.

CHIEF JUDGE MUNYON: Because not only do you learn things about the law, but you establish relationships --

JUDGE O'KANE: Right.

CHIEF JUDGE MUNYON: -- that can assist you in future years.

JUDGE O'KANE: Right. Right. Right. I mean, you know, the -- yeah, I mean, the -- when I look back on the folks that aren't here anymore, you know, because they've gone on to other courts or they've retired, you know, I'm still talking to those people. You are too.

CHIEF JUDGE MUNYON: Yeah.

JUDGE O'KANE: Right. We're still talking to them as friends, and that's what I hope to continue to do. I know Judge Leach, who is our Collegiality Judge now, just sent out an email yesterday about our Judicial Collegiality Lunch in October. And I -- you know, my response was, I already miss those lunches. Right. You know, so maybe I'll get -- maybe I'll be a surprise guest for one of them.

CHIEF JUDGE MUNYON: You're always welcome.

JUDGE O'KANE: Well, thank you. Yeah. I don't live far away. So, you know, hopefully with my new venture or job I'll have more flexibility, and as we, you know, hopefully

put COVID in the rearview mirror then I can, you know, text everybody and say, hey, I can meet for lunch; whose lunch can I crash today.

CHIEF JUDGE MUNYON: You can bet I'll be reaching out to you --

JUDGE O'KANE: Yeah, anytime.

CHIEF JUDGE MUNYON: -- because we will need your advice on occasion.

JUDGE O'KANE: Yeah.

CHIEF JUDGE MUNYON: And the judges will need your experience, so --

JUDGE O'KANE: Yeah. Well, I wish that there was some way that I could continue to help, but I mean there is just not -- you know, there's -- we're not set up to do that, in terms of helping with cases and things like that, which obviously I will miss doing that. But to the extent that it's permitted, you know, I'm always willing to be a sounding board and offer whatever help anyone thinks I could give.

CHIEF JUDGE MUNYON: Well, I can't believe you're leaving us.

JUDGE O'KANE: I know. I know. It's a bittersweet decision, Lisa, and I -- you and I have talked about this.

CHIEF JUDGE MUNYON: Yeah.

JUDGE O'KANE: I mean, the -- for me, the best part of this job has been really twofold. Being able to provide some service to the community that I think is important. Most people don't have interaction with the judicial system. But those people that do, hopefully, you know, recognize that they have judges that are committed to, you know, providing a quality service. And so I will miss that aspect of my life being in this community service role.

And equally, I will just miss all the people. You know, this has been my family for 18 years. It's an isolating job, as you know.

CHIEF JUDGE MUNYON: Yeah.

JUDGE O’KANE: And so, you know, the folks that we’ve met and the relationships that we have developed are vitally important to me, and I hope to continue with those, you know. I’m still work -- I’m still a lawyer.

CHIEF JUDGE MUNYON: Yeah.

JUDGE O’KANE: I’ll be a retired judge, although I will still be working at something. But I’ll definitely miss the people. And I’ll miss having a swipe card where I can get into the building without going through the public access. But that’s okay.

CHIEF JUDGE MUNYON: Yeah.

JUDGE O’KANE: I’ll get used to that.

CHIEF JUDGE MUNYON: Yes, you will.

JUDGE O’KANE: Yeah.

CHIEF JUDGE MUNYON: Well, my dear friend, Julie O’Kane, thank you --

JUDGE O’KANE: You’re welcome.

CHIEF JUDGE MUNYON: -- for joining me today.

JUDGE O’KANE: You’re welcome, Lisa. Thank you for asking me to do this. It was really great. And I hope people will listen. And I wish everybody here at the Ninth the best. You guys are a great group of people. I know you’re going to continue to do good work and our judges are going to continue to do good work. I have faith in everybody. So I feel like I’m leaving it in good hands.

CHIEF JUDGE MUNYON: And they will miss you.

JUDGE O’KANE: Well, I don’t know about that, but maybe a few people will miss me.

CHIEF JUDGE MUNYON: Well, thanks for joining me today.

JUDGE O’KANE: You’re welcome.

NARRATOR: Thank you for listening to “Open Ninth: Conversations Beyond the Courtroom” brought to you by Chief Judge Lisa Munyon and the Ninth Judicial Circuit Court of Florida. Follow us on Facebook, Twitter or Instagram @ninthcircuitfl for updates on new episodes, and subscribe to Open Ninth on your favorite podcast service.

(Music)