

Circuit Court

5th Judicial Circuit, Group 4

Description:

The majority of jury trials in Florida take place before one judge of the circuit court. Most criminal and civil cases originate at this level. Circuit court judges serve for six-year terms.

(Vote for One)

Candidates (choose 1):

Don Barbee Jr



Party: N

Biographical Info:

Incumbent:

Contact Phone: 352-428-4454

Education: Juris Doctor - Quinnipiac University School of Law - Magna Cum Laude; (final year at University of Florida Levin College of Law); M.S. - Sociology, Southern Connecticut State Univ. - Magna Cum Laude; B.S. - Criminal Justice and Political Science, Sacred Heart University; FBI Academy, Quantico, VA - Graduate and Top Agent Award 2000; Connecticut Police Academy - graduate 1990.

Questions:

Q: *In which community/professional organizations have you been active?*

A: Florida Bar Association; Liaison to Florida Bar Juvenile Rules Committee; Hernando County Bar Association; Florida Court Clerks and Comptrollers - Board of Directors, New Clerk Academy Vice Chair and Coordinator; Florida Courts E-Filing Authority - Vice Chair and Board of Directors; Lifesouth Community Blood Center - Board of Directors; 5 Points of Life Advisory Council - Hernando County Chair; Dawn Center of Hernando County (Domestic Violence Shelter) - past Vice President and Board Member; First Hernando Youth Soccer - past Vice Commissioner, Board Member and Coach; First United Methodist

Church - Staff Parish Relations Committee Oak Hill Hospital - Community Advisory Board
Member Dixie Youth Softball - coach

Q: *What experiences and skills qualify you for this position?*

A: 19 years as a licensed Florida attorney spending time as a civil litigator, Assistant Division Counsel to the FBI (collateral to regular Special Agent duties), Supervisory Assistant State Attorney, Director of Court Services and General Counsel to the Clerk of Court and for last 5 1/2 years as the elected Clerk and Comptroller acting as my own general counsel the entire time. I have experience in all types of Florida law. In addition to almost two decades of varied experience in Florida law, I would bring a very unique perspective to the bench. The Clerk's Office is truly the face of our judicial system. The praises, complaints and criticisms of our justice system are heard by my staff and I on a daily basis. The constituents want consistency, clarity and efficiency from their judicial branch. I hear this message loud and clear and would work exceedingly hard to ensure their expectations are met.

Q: *Briefly describe your philosophy of the judicial role, the qualities that are most important for the role, and the greatest challenges to the role.*

A: The role of the judge is often properly equated to the umpire of a baseball game. It is not the umpire's role to define the strike zone or the rules of the game. The umpire, like the judge, must review the facts presented and make the call. It is important for our judiciary to appreciate and have a commitment to the separation of powers and not re-define the strike zone from the bench. Judges must be excellent listeners, engaged students of the law and remember to stay connected to their community. If I were honored with this new role, the greatest challenge would be the vast array of cases heard by our Circuit Courts. The newly elected judge could hear anything from criminal cases, probate, civil, family law or juvenile. I have to assume that mastering the area of law to which one is assigned is the greatest challenge for any new circuit judge.

Q: *Juvenile justice actions should emphasize civil citations, rehabilitation, and other alternatives to incarceration.*

A: 4

Q: *Explain your answer.*

A: The goal of the juvenile justice system is quite different from that of the adult system. The primary goal of our juvenile system is to re-direct behavior and properly socialize our children to be productive, law-abiding members of society. It is with this goal in mind that the suggestions contained in the question should be a high priority. The only reason "strongly agree" is not marked is because there is a small subset of our juvenile delinquent population that must be incarcerated, albeit temporarily in most situations, to protect society from the behavior and provide a more structured setting for re-socialization.

Edward C. Spaight



Party: N

Biographical Info:

Incumbent:

Contact Phone: 352-651-3953

Education: Western New England School of Law, Juris Doctor, 2001, Magna Cum Laude; Siena College, B.A., Political Science, 1992, Cum Laude

Questions:

Q: *In which community/professional organizations have you been active?*

A: Citrus County Bar Association: President 2016-2017 Florida Bar Association Wm. Reece Smith, Jr. Leadership Academy, Fellow 2016-2017 Maine State Bar Association Family Law Section: Vice Chair, 2008-2009; Secretary/Treasurer, 2006-2008 Penobscot County, Maine, Bar Association: Member, Board of Directors, 2005-2009 Inverness Primary School SAEC: Chairman 2010-2011, Member 2009-2010 City of Brewer, Maine, Planning Board: Chairman 2006-present, Member 2003-2009 I am also a Deacon at Seven Rivers Presbyterian Church, I have participated in performances at the Art Center of Citrus County, I have served as an assistant track and field coach at my daughter's high school, I have been a volunteer in my children's school and I am currently a candidate for membership with the Rotary Club of Inverness.

Q: *What experiences and skills qualify your for this position?*

A: I have been a practicing attorney for the past 17 years -- representing real people with their legal problems. I have represented individuals and families in court on a wide range of legal matters, including Family, Civil, Corporate and Criminal cases. I was in private practice in the State of Maine. I represented individuals in divorces and child custody cases. I served as a guardian ad litem, I helped put small businesses together and served as the Chairman of my local planning board. After we moved to Florida, I went from never handling a criminal case to representing clients facing the death penalty within two years. I have been recognized by my peers as a leader in the practice of law. I have been Citrus County Bar President and was the vice chair of the Maine State Bar Family Law Section. I have given seminars to attorneys and judges on Family Law and Juvenile Delinquency Law. I worked my way through law school and I have served in all three branches of state government.

Q: *Briefly describe your philosophy of the judicial role, the qualities that are most important for the role, and the greatest challenges to the role.*

A: I believe in judicial restraint. It is the role of the judiciary to follow the Constitution and to adhere to the laws as they are handed down by the Legislature. I understand the impact the courts can have in the lives of individuals, families and businesses. It is very important for cases to be addressed fairly, legally and as quickly as possible so that families are not completely destroyed by years of fighting in the courts, and businesses

are not crippled by protracted litigation. A judge must be able to handle a heavy caseload effectively and efficiently and must always treat all people involved with the court system – clerks, bailiffs, attorneys and litigants -- with respect. Legal matters are often contentious and emotional and it can be a challenge for a judge to keep his cool when everyone around him is losing theirs. I believe I have the necessary experience, temperament and respect for both the office I am seeking and for the people I hope to have the privilege to serve.

Q: *Juvenile justice actions should emphasize civil citations, rehabilitation, and other alternatives to incarceration.*

A: 5

Q: *Explain your answer.*

A: Nobody wants to criminalize children. Study after study has shown that children are not just little adults, but that children’s brains – including the capacity for executive thought and impulse control – do not stop developing until sometime in their mid-20’s. The Legislature has recognized this reality and has given clear direction that rehabilitation, civil citations and alternatives to incarceration are to be a primary focus of the juvenile justice system. I have represented children in Juvenile Court for several years. I believe that it is critically important for children to be represented by an experienced attorney, who is intimately familiar with the juvenile justice system. We can, and we should do everything possible under the law to help children who have committed crimes to learn from what they have done, to understand that all actions have consequences and – where appropriate -- to have the chance to enter adulthood without the stain of a criminal record.

County Judges

Sumter County Judge

Description:

County judges handle such matters as misdemeanors, small claims, civil cases, and traffic violations. They are eligible for assignment to circuit court. They serve for six-year terms.

(Vote for One)

Candidates (choose 1):

Edward J. Lynum



Party: N

Biographical Info:

Incumbent:

Contact Phone: 833-335-9686

Education: BS, Business Administration MBA JD

Questions:

Q: *In which community/professional organizations have you been active?*

A: Copy and paste below link: https://1drv.ms/b/s!As6_xr-HbYCUhJZwERPdxF3iUaVL7Q

Q: *What experiences and skills qualify you for this position?*

A: Copy and paste below link: https://1drv.ms/b/s!As6_xr-HbYCUhJZwERPdxF3iUaVL7Q

Q: *Briefly describe your philosophy of the judicial role, the qualities that are most important for the role, and the greatest challenges to the role.*

A: Copy and paste below link: https://1drv.ms/b/s!As6_xr-HbYCUhJZwERPdxF3iUaVL7Q

Q: *What improvements can be made in the management of cases?*

A: Copy and paste below link: https://1drv.ms/b/s!As6_xr-HbYCUhJZwERPdxF3iUaVL7Q

Paul Militello



Party: N

Biographical Info:

Incumbent: INCUMBENT

Education: University of Florida College of Law 1992 University of Florida Bachelor Degree in Criminology and Law 1989

Questions:

Q: *In which community/professional organizations have you been active?*

A: I have served my community as a volunteer for Sumter Teen Court since 2008 and Citrus County Teen Court since 1998. I volunteer with Villagers for Veterans. I hold Mock Trials for the Sheriff's Teen Academy every summer. I volunteer as an educator at the Sheriff's Citizen's Academy, and monthly I speak at the Villages New Residents meeting, explaining how to avoid common mistakes that can result in legal consequences. For many years I served the youth of my community as a youth soccer coach and team sponsor. Professionally, I am honored to be serve as our local circuit representative in the conference of County Judges for the State of Florida. I worked hard since taking the bench creating a Veteran's Treatment Court to help our local Sumter County Veterans in their time of need. I am past president of the Citrus County Bar Association and a member of the Sumter County Bar Association and a member of the First Presbyterian Church of Ocala.

Q: *What experiences and skills qualify you for this position?*

A: I began my legal career in 1993 serving our community as a prosecutor for Sumter, Citrus, Lake, Hernando, and Marion counties. For almost 5 years I worked hard prosecuting thousands of criminal violations from misdemeanors to homicides. I fought for justice for victims of crime and made sure that violators were held accountable for their actions. Later, in private practice, I established a successful law firm by helping people resolve difficult legal problems. The keys to success were a good work ethic, legal knowledge, business sense, and a solid reputation during those 18 years. I was appointed by Governor Rick Scott in 2016 as County Judge for Sumter County. Since that time I have treated each side of every case fairly and impartially, conservatively followed the law, and resolved cases timely. Since 2016 I have handled thousands of criminal, civil, small claims and eviction cases, without being reversed on appeal.

Q: *Briefly describe your philosophy of the judicial role, the qualities that are most important for the role, and the greatest challenges to the role.*

A: It is important for a Judge to understand their role in our government. A judge's oath is to follow the Constitution and the Law. A Judge must not "legislate from the bench" or decide cases on what their personal feelings about a particular law or what they think the law "ought" to be. It is the duty of the legislature to represent our citizens and to create the law. A Judge must conservatively follow the law that is created by our legislature. A Judge must at all times be fair and impartial to all participants of legal proceedings. A Judge has to be mindful of making any sort of pledge or promise regarding types of cases which would call into question his fairness or impartiality. A Judge must be able to efficiently run the courtroom to keep cases moving through our legal system, while at the same time, giving all parties the opportunity to be heard and present evidence to either the Court or the Jury, which also means the Judge must be a good listener as well as legal expert.

Q: *What improvements can be made in the management of cases?*

A: I understand that justice delayed is justice denied. Thankfully the current case management in Sumter is very efficient. The tremendous population growth of the county in recent years requires everyone involved to work together to manage a busy caseload. Sumter's staff is smaller, so we must work harder. The Clerk of Court, Sheriff's Office, Prosecutor's Office, and Public Defender's Office must all do their part. If any of these agencies were to not carry their load, like a weak link in a chain, the system would come to a virtual halt. When I took the bench in 2016, the process of going paperless and relying on computer files and electronic filing was beginning. Email has now replaced the post office for filing of pleadings. Technology continues to improve. In the Courtroom, the Judge must be willing to ask questions when cases are delayed and resolve the problem firmly and fairly so that rights are preserved, due process is achieved and cases are heard in a timely fashion.