

OPEN NINTH:

CONVERSATIONS BEYOND THE COURTROOM

JUDICIAL SPOTLIGHT

MEET HONORABLE CRAIG A. MCCARTHY

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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 Craig McCarthy, our newest circuit judge in the Ninth. Our circuit first met Judge McCarthy as a general magistrate when he joined us in 2021. A year later, Governor Ron DeSantis appointed him to the circuit bench, filling the vacancy left by Judge Bob LeBlanc’s retirement. I’m thrilled to have you in the studio today, Judge McCarthy. Thanks for joining me.

JUDGE MCCARTHY: Good afternoon. It’s a pleasure to be here, Chief Judge.

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

JUDGE MCCARTHY: I am a little Irish kid from Jersey. The – I was born in Bergen County, northern New Jersey and so part of my childhood is shaped by that, but I am very much a Floridian. When I was 11 years old, my family moved to Brevard County so I grew up on the beach, a little town on the Barrier Island called Satellite Beach, which I consider my hometown. My wife tells me I still sound like I’m New Jersey.

CHIEF JUDGE MUNYON: I think it’s tempered a little bit by Florida.

JUDGE MCCARTHY: I think so too. I’m very much a Floridian. I absolutely adore living in this state.

CHIEF JUDGE MUNYON: So you grew up and went to school in Satellite Beach.

JUDGE MCCARTHY: I did.

CHIEF JUDGE MUNYON: And I would assume that since you became a lawyer you were probably a pretty good student. That generally goes without saying. Did you play any sports while you were in high school?

JUDGE MCCARTHY: I did. I played football and my – I think my aspirations, and like a lot of teenage young men and women, your visions kind of maybe outpace your actual physical prowess, but I adored playing football. I was kind of on a mission. You know, I was the new kid in seventh grade, which is a very interesting time to change locals.

CHIEF JUDGE MUNYON: And it's probably a little difficult.

JUDGE MCCARTHY: Yeah, well, that's – you know, there's a lot of changes in your life between sixth and seventh grade. You know, up until that point I've had you know my friends I had known for as long as I actually had a memory. Suddenly I was in seventh grade – boy, we are really reaching back here. So I'm a middle schooler going through all the things that middle schoolers go through, which is a lot of changes in your life and what you're interested in and so on. And I very much felt affected by you know being new. Funny thing about that is, I remember this and I've told the story at a high school reunion not long ago, I remember the teacher and what class it was. It was Ms. Spell's English class was my first period of seventh grade. And we were overloaded. There were too many students in the class. So at the front of the class were - four of us sat at kind of an overflow table. And three of us were brand new having moved from out of state and we became best friends all the way through high school. The fourth also became – she was a local but also became very friendly with her. So I say that as background that – there was something about being new and having to start over and without any

friends and all. I was I think sufficiently driven by that. That by the time I was 14 I had a concept of what I wanted to do. I knew that I wanted to go to college because no one in my family had ever done that. And I also knew that I wanted to serve my country for various reasons. Reagan was President at the time. I was just inspired. So I decided I wanted to go to a service academy.

CHIEF JUDGE MUNYON: And did you make that decision while you were in high school?

JUDGE MCCARTHY: Oh, yeah. I was 14 years old when I decided. In fact, and I shouldn't tell you this as my chief judge because it shows a lack of judgment. I only ever applied to one college. I never – I applied to West Point and nowhere else.

CHIEF JUDGE MUNYON: Oh, don't worry about lack of judgment. Let me tell you my story eventually about choosing to be a lawyer so...

JUDGE MCCARTHY: So because of that, I had some good advice to become a well-rounded student so I was involved in junior ROTC. I was you know involved in student government and I played varsity football and so on and so on and so on because I was trying to build a resume to get myself into West Point.

CHIEF JUDGE MUNYON: You were a little bit more than involved in student government. You ended up being the president of your senior class.

JUDGE MCCARTHY: Did I write that somewhere?

CHIEF JUDGE MUNYON: Uh-huh. I have ways to find out things.

JUDGE MCCARTHY: I was – yeah, I was student body president in 1985 at Satellite High School. I don't think I advertised that. I'm a little taken back here.

CHIEF JUDGE MUNYON: So how – so you decided you wanted to go to a service academy. That’s quite an undertaking because you need references from political type figures. So tell us who sponsored you and how did you get those sponsorships?

JUDGE MCCARTHY: It is. I’ll tell you it is a testament I think to – I had – I had two nominations. One was from a congressman and the other one was from a senator. And I think it’s a testament – and one was democrat, one was republican. And I think it’s a testament to both of them and their staffs that I was given a fair hearing because I can tell you, Lisa, I and my family have exactly zero political pool. I mean, we know nobody. I don’t say that as a proud thing to say or the opposite of proud. It’s just the way it is but I applied to Congressman Nelson who is now the NASA Administrator, who was my congressman. His office nominated me, as did Senator Paula Hawkins’ office. She since passed away but she was a senator back then. And it was a matter of – I was fortunate that there was – I remember his name, Colonel Dibble. There was a retired gentleman in Satellite Beach who you know, there are retired officers who work as outreach from the academies to try to help young men and women in their communities. So I got preparation through him and some other good people. I haven’t really thought about this in a long time but I, you know at the time you think, well, you work hard at something, you give it a try and you know you succeed at it. I didn’t have the perspective then that I do now and how incredibly fortunate I was. That was a real blessing.

CHIEF JUDGE MUNYON: So you applied to the U.S. Army service academy, also known as West Point.

JUDGE MCCARTHY: Right.

CHIEF JUDGE MUNYON: And tell me what it was like. I would assume that you got notification that you were accepted by old fashion letter.

JUDGE MCCARTHY: Yes.

CHIEF JUDGE MUNYON: So tell me what it was like to get that letter in the mailbox.

JUDGE MCCARTHY: Relief because I – I didn't really have a plan B. I probably, in honesty, I probably would have ended up at Florida State University if I hadn't been there just because they had offered me some things. There have been very few times in my life where I've had a feeling like that, and it's nice that I didn't peek at 17 years old when I got that letter because when I was appointed to my present position, and to be honest, when I was hired as a magistrate the year prior was very similar to me because I cannot claim to be owed these things. And I can't even claimed to have earned them quite frankly. Some other entity, you know, in the current case it's the Governor and back then it was you know the admissions board at West Point. So you know things that are out of my control had to say I picked this fellow. So I don't – barely have adequate words really to describe that but it was – it was like opening a door – I mean, your life can go in infinite directions but it was opening a door to a whole other set of infinite directions. And my life has never been the same because of it.

CHIEF JUDGE MUNYON: A 17 year old probably doesn't have the same appreciation for the – just the impact of being able to go to West Point that you now have.

JUDGE MCCARTHY: Oh, no, not at all. Not at all. All I knew is that my friends at UF and FSU were you know enjoying themselves and partying, and they got to hang out with their girlfriends and I wasn't. That's what I knew at the time.

CHIEF JUDGE MUNYON: Yeah, you were going to be in uniform. You were going to be drilling somewhere.

JUDGE MCCARTHY: Yep.

CHIEF JUDGE MUNYON: So tell us a little bit about West Point. How long is it, and what is the commitment afterward?

JUDGE MCCARTHY: It's four years and it's fulltime. You have to be between certain ages. I quite frankly don't remember the cutoff. I think it might be 25 on the high end, but it's four years fulltime. And you know you don't get a fifth year. If things don't go well, you're not a successful graduate and you don't graduate early either. You cannot be married and you cannot have any dependents. You can't have a child who you're financially responsible for. And after you graduate, at least back then, 1989 was my graduation year, the commitment was 8 years of active duty. In my case because of changing geopolitical events that were beyond anybody's control, I ended up doing a mix of active duty and reserve duty because between the fall of the Berlin wall and the end of the Gulf War, there was a reduction in the size of the Army and so I actually –

CHIEF JUDGE MUNYON: I remember that.

JUDGE MCCARTHY: -- didn't serve 8 years on active duty and that's how I ended up going to law school because I didn't know what else to do at the time. But yeah, it's four years. The commitment afterwards, at least 8 years. I ended up a reservist until 2005 actually.

CHIEF JUDGE MUNYON: So once you graduated and you were on active duty, what was – what was your, I guess they call it, rate in the Navy, I don't know what they call it in the Army.

JUDGE MCCARTHY: Oh, rank.

CHIEF JUDGE MUNYON: Rank.

JUDGE MCCARTHY: I was – well, you know if you do it by numbers, it's the same in all the services. The Navy, the Army all have a 01, 02, 03, so on.

CHIEF JUDGE MUNYON: I guess, yeah, your job.

JUDGE MCCARTHY: So you start out as a 01. I was a Second Lieutenant. I was a field artilleryman. Now my 14 year old me had the dream of being an aviator. I wanted to fly Apache helicopters or anything else the Army would let me fly. And I missed that by, I'm holding two fingers up very close to each other, by this much because that's based upon your class rank as to what branches you can pick. Aviation is very popular. I just missed it. I had no second choice like a lot of things in my life, I had no plan B. So my roommate was branching field artillery so I said I'll branch field artillery and again, that's one of those things where – now the door that I wanted to open didn't. A different one did and branched out into a whole other set of possibilities that would take me years really to understand fully.

CHIEF JUDGE MUNYON: Is field artillery like the big guns.

JUDGE MCCARTHY: Yes.

CHIEF JUDGE MUNYON: Big canons.

JUDGE MCCARTHY: King of battle.

CHIEF JUDGE MUNYON: Yeah.

JUDGE MCCARTHY: Big guns. I was assigned to a 155 millimeters self-propelled howitzer called the M109.



CHIEF JUDGE MUNYON: So did you serve overseas?

JUDGE MCCARTHY: I did. I was in West Berlin, surrounded by East Germany in Europe.

CHIEF JUDGE MUNYON: I bet that was interesting. The wall had already fallen or the wall was falling?

JUDGE MCCARTHY: I got there in January of 1990. And in fact I think there's a – sorry for thinking aloud. I'm trying to think when the anniversary is. It was November 9th, 1989, was the date when we think of as the wall falling, but what the date was, was the anniversary of a misunderstanding by East German authorities of orders that they had been given to vastly oversimplify things. There had been some East Germans had been vacationing in Hungary. Both of these were communists' eastern bloc countries so you could travel from East Germany to Hungary. And somewhere making their way into the West via you know places and boarder that they could exploit in Hungary, okay. And so the East German government thought that this was a brewing crisis and they decided to loosen the restrictions a little bit about travel from East Berlin to West Berlin.

CHIEF JUDGE MUNYON: The wall wasn't to keep West Berliners from going into East Berlin.

JUDGE MCCARTHY: No. It was – and so again, vastly oversimplified. When word got around – whatever, the conditions were just right and the culture politically. When word got around that they're letting us cross over into West Berlin, people in the tens of thousands took advantage of that and the order was given, it could have gone one of several ways. But someone gave an order to just stand aside and let people go. Now, after that East Berlin and East Germany

had a problem, because their intention was not to just remove the barrier. So things were very tense there for a while. So I arrived two months after that event. The wall was physically still standing. The East German authorities are very tense because they don't know what's going to happen next and they want to restore kind of order. And so we went into a period there where our job as American military was three-fold. And one is an interesting quirk of history. The American military was literally the government of the southern sector of West Berlin. And that's an artifact of World War II. Legally the city remained occupied from 1945 until I think it was 1991. So when I arrived I was – I was technically an occupation troop, which is just again an interesting quirk of history. I've got a particular medal for it. That is my favorite because of that. It's unique. And our job was one to be part of the government. Two, to protect, to patrol the wall and just protect the people of West Berlin. And three, to kind of be a tripwire, and I don't mean to sound dramatic, it's just that this is the way things were in the Cold War, to be a tripwire were World War III to begin, to try to delay the Soviets as much as we could before they drove west. So those were the jobs there. I absolutely loved it. And again, if I had been an aviator, I would have been probably stationed in Alabama at that time. I wouldn't have had that particular experience.

CHIEF JUDGE MUNYON: How long were you in West Berlin?

JUDGE MCCARTHY: Three years.

CHIEF JUDGE MUNYON: That's a long time.

JUDGE MCCARTHY: Yeah. Well, you know, I've only been back once and there was 15 years in between, and that's because my oldest son – my older son was born there. And I

always told him when you're a teenager, I'm going to bring you back, show you where you were born and I did. I felt like I was home, you know.

CHIEF JUDGE MUNYON: Had it changed a lot?

JUDGE MCCARTHY: Yes and no. Compared to most American cities, there's a lot there that just feels very old because it is by comparison. Berlin is an interesting place. It's a mix – the city has been there something like five hundred years. And there's a mix of things that are quite old by American standards, but at the same time so much had to be rebuilt after World War II, that a lot is new as well. Physically not a lot had changed other than the wall was gone. But yeah, it's a completely different place. You can't – it's hard to re-create that feeling when right over there –

CHIEF JUDGE MUNYON: Is the enemy.

JUDGE MCCARTHY: -- is the enemy Army, right. And you know I was there then basically as a tourist returning as opposed to you know American man in military so your relationship to the place is completely different. So yeah, obviously it had changed dramatically. East and West were re-unified. And that brought a whole renaissance really to – the Eastern side is great except I never knew it. I only visited it in bits and pieces when I lived in the West. So yeah, it was very different but in a positive way.

CHIEF JUDGE MUNYON: So you were in Germany for a lot of your military service or at least a lot of your active military service. And once you left active service, you decided to go to law school.

JUDGE MCCARTHY: I did.

CHIEF JUDGE MUNYON: And that was because you didn't know what else to do.

JUDGE MCCARTHY: It was because I didn't know what else to do. And again, this doesn't go well to my judgment. No regrets though. I – the Army announced a reduction in force, what they call a RIF, and I was considering that and its implications and I had a good friend who was also stationed in the same unit that I was in. And he was going to – he was going to law – leaving the Army to go to law school. It seemed to make sense to me. And it's not something I had thought of. It wasn't an aspiration you know from childhood or anything. It just made sense to me as the next step. I will never know if that's the right choice.

CHIEF JUDGE MUNYON: It didn't turn out too bad.

JUDGE MCCARTHY: No, it did not at all. It did not at all, but you know I can tell you about, let me see, about – within the last decade, in the last ten years I've seen a number of my very good friends, my best friends in the world retire and begin second careers now. When I was in my twenties making this decision about law school, thinking of twenty years in service and retirement down the road, that felt – that seemed to me like I will never be that old. That much time will never go by. When I got to the point where I realized that I was still you know in private practice, you know, which was a wonderful practice and I enjoyed but still, it can be a bit of a grind. When I realized that all my – not all, several of my friends were now retired and either enjoying themselves or starting second careers, no, no regrets but I never really will know. I think I would have had a fine career in the Army. It would have been a very different life if I had stayed in the full twenty years though.

CHIEF JUDGE MUNYON: So you came back to Florida to go to law school.

JUDGE MCCARTHY: Um-hum.

CHIEF JUDGE MUNYON: You went to Florida State.

JUDGE MCCARTHY: I did, yes.

CHIEF JUDGE MUNYON: And once you got out of law school, what did you do?

JUDGE MCCARTHY: Well, I ended up back home in Brevard County. I worked for – I adore Tallahassee by the way and I was looking for work in Tallahassee. And for whatever reason I wasn't finding anything suitable. So a couple months after graduation time from law school, I moved back to Brevard County because that's where my family was. I volunteered at the local legal aid so that I would have something to occupy my time and they ended up hiring me. And it's interesting, I'm about to go into domestic relations division and that's where I started as a baby lawyer. I was doing temporary restraining orders for domestic violence and dissolution of marriage. That's where I started.

CHIEF JUDGE MUNYON: So how long did you work for legal aid.

JUDGE MCCARTHY: It was only a couple years. I had – I had had a desire to find my way back to Tallahassee which is what I eventually did, but that was a great experience because I – I was a litigator from day one and there's no better way to learn than just get in there and do it.

CHIEF JUDGE MUNYON: And you know some of those cases are tragic and desperately need the help of a lawyer.

JUDGE MCCARTHY: Of course. Yeah, could not agree more.

CHIEF JUDGE MUNYON: So it had to be very rewarding.

JUDGE MCCARTHY: It was. Well, I mean, I'm not a good judge of how good I was at it because I was brand – I was a brand new lawyer. I know that I prided myself in getting good

results for clients and I was cognizant of the fact that these were folks who could not afford what otherwise might have been the representation of their choice so I tried to live up to be the best lawyer I could for them.

CHIEF JUDGE MUNYON: So when you went back to Tallahassee, what did you do?

JUDGE MCCARTHY: I worked – well, I met my wife, my second wife. I already mentioned a child so I guess to explain that, I married my high school sweetheart, Susan, and we had – we had dated in high school. We were engaged throughout college, although she did not attend West Point so we were separated by 1,000 miles or so. And we married. We went together to Berlin, and she is the mother of my first child, and we remain very good friends. But we had – our marriage had ended while I was in law school. So when I returned to Tallahassee, I met my wife, Tiffaney, and we have a child together as well. And I went to work as a licensing regulator for the Agency for Healthcare Administration. Prosecutor, if you will in administrative law. Let me see, what boards did I have? Dentistry, chiropractic, orthotics. There were several medical boards where if someone's license had to be disciplined, just like the Florida Bar disciplines its members, the Agency for Healthcare Administration has various boards that will discipline the licenses of its members and I was a prosecutor for them.

CHIEF JUDGE MUNYON: And how long did you do that?

JUDGE MCCARTHY: A couple years. I was – back then I guess I was trying to kind of find my way what I liked, so I would spend a couple of years – I spent a couple of years in Brevard, a couple years at ACHA, Agency for Healthcare Administration. And then I did another couple years in Tallahassee in a private appointment law firm representing both plaintiffs and defendants in both Federal and state you know equal opportunity employment commission. I just

got that acronym wrong but it's been a while. And ultimately, when I finally settled in and I – my law practice started to make a lot of sense to me, it was when I moved to Orlando. And the reason for that was my older boy, if folks have been following along can probably figure out, he was sharing time with me in Tallahassee and his mother who was still in Brevard County, and that's a pretty decent distance there.

CHIEF JUDGE MUNYON: Yeah, it's hard to have a relationship.

JUDGE MCCARTHY: He was with his mom most of the time and we were together on weekends. Besides the very long drive, I was starting to miss things, stuff that was happening during the week and he was getting older and getting more involved in things. So my wife Tiffaney and I, and I'm so grateful to her that – because we were relatively newlyweds and I'm grateful to her that she was willing to do this. We moved from Tallahassee to Orlando. It was the Department of Children and Families who had offered me employment. And boy, you know, that's another example I never really thought about, this kind of series of things. That's another example of – that would not – and this is no knock on the Department of Children and Families, they do amazing work and I've seen them improve incredibly over the past couple of decades. But that really wasn't my plan A. That wasn't my dream job. So my plan B ended up being something that led to places I really couldn't have imagined and that I'm very grateful for. So I ended up working for DCF down here.

CHIEF JUDGE MUNYON: And what did you do for them?

JUDGE MCCARTHY: I was, what we see doing down – them doing down at the Juvenile Courthouse. I would litigate cases of child abuse, abandonment and neglect, and you were talking earlier about when I was you know a very young lawyer, the family law cases being

heartbreaking often. That's certainly true. The subject matter is all the more weighty when you're talking about child abuse.

CHIEF JUDGE MUNYON: You were in essence having – being very familiar with that work. You were a prosecutor in essence in those cases where parents – where the Department was seeking to remove children from their home because of abuse, abandonment or neglect.

JUDGE MCCARTHY: Right. Yeah, other than the distinction that's it's civil and not criminal, the word prosecutor is apt, and not only removing children but in the cases where unfortunately there are not alternatives terminating parental rights of parents. And basically changing the fate of the family forever.

CHIEF JUDGE MUNYON: That is very weighty stuff.

JUDGE MCCARTHY: It is. I mean, the good news is that you know if things go the way you want them to, that leads to an adoption, to a new family and to you know a whole new chance at a different sort of life for someone who had been abused. I know realistically it does not always work out that way but that's the goal.

CHIEF JUDGE MUNYON: How long did you do that work?

JUDGE MCCARTHY: Between four and five years. Well, when you say that work, I stayed in dependency until quite recently.

CHIEF JUDGE MUNYON: But you left the Department of Children and Families and opened your own firm?

JUDGE MCCARTHY: I did.

CHIEF JUDGE MUNYON: And then did you represent parents?



JUDGE MCCARTHY: I represented parents and I feel very fortunate about this, almost immediately I had the opportunity to represent children as well. And everyone has that opportunity, any member of the legal community can volunteer to be a guardian ad litem. But I got a contract with the Statewide Guardian Ad Litem program to be an attorney ad litem and I was paid for it. So relatively early in my private practice, I not only – I was accepting court appointments for indigent parents, but I also had the opportunity to represent children, and when I say children, I mean that the majority of them were teenagers but my very first appointment as attorney ad litem was to a four year old. And like I said, I had a contract for it so it wasn't like a volunteer thing. A significant portion of my practice was representing children. And I've always been grateful for that because I have no regrets about having represented parents. I think I accomplished some good things for people, not always for great people but not always people who weren't deserving of compassion and some help also. But it was nice to balance that with being able to advocate for a child. It feels different in court. You're treated a little differently in that role.

CHIEF JUDGE MUNYON: And the nice thing about being a guardian ad litem is that you get to represent the best interest of the children.

JUDGE MCCARTHY: Yes, ma'am.

CHIEF JUDGE MUNYON: Not necessarily what the children may want to happen, but what is in their best interest.

JUDGE MCCARTHY: Well, I was an AAL so I did represent what children wanted to happen –

CHIEF JUDGE MUNYON: What the children wanted to happen.

JUDGE MCCARTHY: -- but I can tell you I always did it as a lawyer but also as a father you know, if that makes any sense.

CHIEF JUDGE MUNYON: Yes.

JUDGE MCCARTHY: Because you can quickly become a caricature of yourself if you're you know advocating unvarnished for the desires of a four year old. So that would be tempered. You're there -- you're there for a reason because you're a trained attorney and advocate. So I would treat it that way so, yes, I would let courts know what children wished but I tried, always tried to do that in a way that made sense that was truly in the child's best interest.

CHIEF JUDGE MUNYON: So when did you decide that you wanted to be on the bench? Whether it be as a magistrate or as a circuit judge.

JUDGE MCCARTHY: It -- there was no one time and you know it's interesting. I can point to when I decided you know where I wanted to go to college because I can. I remember it distinctly. It was a point in time. With the answer to your question, just -- it was gradual. I've had the opportunity to practice before some I think wonderful judges over the years with, almost without exception. I've had great admiration for all the jurists that I've appeared before. And most of my practice has been here in the Ninth Circuit and I think that's a great testament to our judges here. But both in dependency court and elsewhere as well. And just over the years, I mean, I -- an admiration and some of those judges are still sitting today. I started an admiration for that and appreciation for particularly with termination of parental rights. I would often, not always, but I would often, at some point in my closing arguments mention that, you know, I do not envy the task before Your Honor, you know. And it really did make me reflect upon the job on the bench particularly with how much is happening in real time. The sheer volume of

decisions that judges have to make during the course of a trial, and long story short, over a period of time I came to just admire that role to the extent where I began to wonder if I was capable of it. My wife had an awful lot to do with this. She has seen something in me. Years ago she started telling me that I ought to be a judge and I didn't see it in the way that she did. That was helpful. So it was a gradual thing. By the time that I had applied to be magistrate, I had actually just applied to be a magistrate in Osceola County and I was not hired for that. So certainly, by that time I was all in. I wanted to help adjudicate matters in some form or another and I was going to find a way to do it.

CHIEF JUDGE MUNYON: And you were hired as a magistrate in the juvenile court system to deal with dependency cases.

JUDGE MCCARTHY: Yes. And I mean in case that sounds like a coincidence, it's not. It's because that's what I had done for so many years and I'm just grateful that the circuit felt that I would be a good fit, but I know that they needed somebody quickly to handle you know high volume caseload. And like I say, since I had been on the side of the Department, on the side of children and on the side of parents and had done so for years, it was a very good fit.

CHIEF JUDGE MUNYON: And after you had been a magistrate a year, you applied to be a circuit judge.

JUDGE MCCARTHY: Yes, ma'am.

CHIEF JUDGE MUNYON: And Governor DeSantis chose you over five other candidates.

JUDGE MCCARTHY: And five extraordinarily well qualified candidates as well. It's a very humbling experience.

CHIEF JUDGE MUNYON: And I know it's only been a couple of months, but you have been shadowing out at the juvenile courthouse. What are your first impressions after having taken the bench?

JUDGE MCCARTHY: Well, I remain appreciative of the facility and the family, if you will, or the community is probably a better term down there. I find that in hearing delinquency cases you know the crosscurrents between families that deal with dependency issues and the children who get in trouble with the law, there's a lot of interconnectivity there. And not just between the people that you see in the courtrooms but also personnel at the courthouse. And it's just a great group of people. That's first of all my experience. I have appreciated the people who work at the juvenile courthouse for years, all the more so now. I really do. My impression also is as magistrate, I felt the weight of the issues that I was deciding and while – as magistrate, what I recommended could always be reviewed by a circuit judge and I was aware of that but nonetheless, you know what I would decide would generally speaking end up being the final decision. Even with that experience, taking the bench as a circuit judge feels different than I expected. It is weightier. Things feel more final. And you know I mean notwithstanding attorneys' jobs are to argue, it's incredible the deference that judges get. That's humbling. So I'm learning it and hoping that I get better every day and I'm enjoying delinquency quite a bit actually.

CHIEF JUDGE MUNYON: And next year you're going to the family court.

JUDGE MCCARTHY: I am.

CHIEF JUDGE MUNYON: Are you ex – are you gearing up to learn that new subject matter or re-learn something that you did early in your career?

JUDGE MCCARTHY: Well, I did do it earlier and I guess that will be – to the extent that past experience will be helpful, great, I'll take it. But I'm treating it as if it was a blank slate because it's been a long time and I know there have been a lot of changes in the law so I'm doing a lot of reading. My judicial assistant and I are spending part of each day kind of brainstorming how we're going to approach you know getting started in January and I'm sure that you know half of what I need to be thinking about and doing will occur to me about a week after I start, if I'm lucky. But we're doing our best to get prepared for it.

CHIEF JUDGE MUNYON: Was there anything else that you want the lawyers that are going to appear in front of you to know about you or your office to help them navigate?

JUDGE MCCARTHY: Well, I try to be very efficient. I believe very much in the value of the time of the litigants and I'm not just talking about attorneys. Their time has a literal value that you can place a dollar amount on it, but also the people who have you know used their one day off of work that they could get this month to attend a hearing. And even the folks who may be weren't able to get an excused absence from something, I'm very respectful and cognizant of people's time so I have been - down in dependency court and in delinquency court, I have been very efficient. I know that I have been. We cover a lot of ground very quickly. I intend to do the same thing in domestic relations. I just would want the attorneys to not only be cognizant of that, but work with the court and help us out. I will give everybody all the time that they need to have to be fully heard, but things that we can get through quickly, let's do it.

CHIEF JUDGE MUNYON: Well, I appreciate you joining me here today. It's been interesting learning something about you.

JUDGE MCCARTHY: Thank you so much. I appreciate it. You know my son and I, it was about two years ago, we started – I want to call it a podcast except we’ve never published it. It’s not on the internet anymore – anywhere, I should say. My teenage boy and I started just sitting at a microphone together and talking about videogames that he likes. And so I kind of enjoy this format. I appreciate being invited.

CHIEF JUDGE MUNYON: He would probably enjoy seeing the studio.

JUDGE MCCARTHY: He would. I’m going to bring him.

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

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.

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