

OPEN NINTH:
CONVERSATIONS BEYOND THE COURTROOM
A ZEST FOR ADVENTURE
EPISODE 109
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HOSTED BY: DONALD A. MYERS, JR.

(Music)

NARRATOR: Welcome to another episode of “Open Ninth: Conversations Beyond the Courtroom” in the Ninth Judicial Circuit Court of Florida.

And now here’s your host, Chief Judge Don Myers.

CHIEF JUDGE MYERS: Hello, and welcome to Open Ninth. Joining me today is one of our newly appointed judges here at the Ninth Circuit, Judge Elizabeth Gibson. Elizabeth received her Bachelor’s in Asian Studies and Civilization from the University of Maryland and went on to the University of Florida’s Levin College of Law for her Juris Doctorate Degree. Elizabeth worked as the General Counsel for Christian Care Ministry before taking the bench, and is currently serving in one of our County Criminal Divisions.

Thanks for joining me, Elizabeth. It’s great to have you here.

JUDGE GIBSON: Thank you, Chief. It’s really great to be here. I’m excited.

CHIEF JUDGE MYERS: Awesome. We are so pleased when we have the opportunity to welcome a new judge and to be able to share a little bit about you with our community. And so we’ll take advantage of our conversation here to dive into some really interesting background that you have. I’m excited to be able to talk about it.

Tell us, first of all, where were you raised; where are you from?

JUDGE GIBSON: So I was raised all over. When people ask where my home is, I always say sort of nowhere. My dad was in the Navy for 30 years. He retired after 30 years of service. So I lived in Alaska, California, Oklahoma, Texas, Virginia, Florida, Maryland, North Carolina and Japan.

CHIEF JUDGE MYERS: Wow.

JUDGE GIBSON: Right. But now I am a Floridian.

CHIEF JUDGE MYERS: That's awesome. So you've got just this -- I mean, how many years did it take you to cover all those places? Was that in your first 18?

JUDGE GIBSON: No, sir. That was -- I actually stayed with my family -- I graduated from the University of Maryland in Japan, so it was my first, I guess, 20 years -- 21 years.

CHIEF JUDGE MYERS: Wow. That's phenomenal. So I'm the child of a United States Marine. But my father retired from the Marine Corps when I was four years old, so I don't have the long laundry list of all the cool places that he got to be in Okinawa, Japan, in Panama -- in the Panama Canal Zone --

JUDGE GIBSON: Wow.

CHIEF JUDGE MYERS: -- all the places that they got to live. So that's an exciting piece of your history. Tough to make friends as you moved through all of that?

JUDGE GIBSON: You would think so, but I -- no, it was fabulous. But we lived on military bases in many of those places, so if you go to a Department of Defense school and you're living in a military neighborhood on base, everyone is in the same boat, right. Everyone switches friends every two to three years. So of course this is pre-Facebook and Instagram. But I -- we just met new people everywhere we went and had a fabulous time sort of everywhere.

CHIEF JUDGE MYERS: Well, that's incredible. And somehow you got to the University of Maryland to do your undergraduate studies.

JUDGE GIBSON: Yes. So actually I started my undergraduate studies at the University of Central Florida here in Orlando, because my dad was stationed here. And then he got stationed in Japan and called me one day and said, Elizabeth, I think you should take a year off and come enjoy Japan. And I said, okay, I'll do it. So I moved to Japan with my family thinking I would just take a year out of my college time and just really enjoy the country. But

then when I got there, I realized the University of Maryland had a campus so I wanted to take Intro to Japanese Language and Japanese Studies and learn the culture. And then the rest is history. That's where I got my degree. I ended up staying for three years, so --

CHIEF JUDGE MYERS: That is so fascinating. And tell us, what is Asian Studies and Civilizations? What do you focus on there?

JUDGE GIBSON: So everything Asia. I learned about the history of China, everything that was happening actually with Hong Kong at the time; Korea; the origins of the Japanese society, all about their language and culture. I studied everything from the basic language to I had a tutor, to I went to a Japanese language school. I learned all about their religions. The major religion there is of course Shinto, so I learned all about that. It was just an amazing time to learn things that are completely different from our Western Civilization. We have almost nothing in common except basic human decency, but other than that it was all new.

CHIEF JUDGE MYERS: So are you fluent in Japanese now?

JUDGE GIBSON: I was. When we left there, I definitely was fluent. And I could get around now, but I wouldn't say I'm fluent now. I'm not going to be able to discuss the bubble economy with anyone in Japanese, but I did that then.

CHIEF JUDGE MYERS: That's fascinating. And did you have an aspiration for the application of that degree?

JUDGE GIBSON: That's really interesting. I sort of thought I might go into International Law, but then I ended up going to the University of Florida and there is no Asian anything. It's very small Asian communities here on our coast, so I would have had to go to California, so --

CHIEF JUDGE MYERS: Right. Did you go straight from your graduation from the University of Maryland into law school or did you take some time off?

JUDGE GIBSON: I had a semester off. So I actually graduated with my undergraduate degree in two-and-a-half years instead of four. Then I did a Japanese language program over there. I attended a Japanese language college, and then took a semester, and then started law school at the University of Florida. So it was moving back to the States and being re-acclimated to how Americans live, and then got into law school.

CHIEF JUDGE MYERS: Okay. So clearly you had been to Florida before.

JUDGE GIBSON: Right.

CHIEF JUDGE MYERS: Why the University of Florida? I mean, there's a lot of law schools between Japan and UF.

JUDGE GIBSON: There are a lot. My parents were both Florida State residents, and since I was a Navy brat, my dad was stationed overseas at the time, I had an option. I could basically pick any state school and move there and get in-state tuition, or I could take my parents -- and so I took my parents' state residency, which was Florida, so then it narrowed it down to Florida schools. And interesting tidbit, my mom is a Seminole, so we have the house divided tags. But when I came and visited the two campuses, the Orange and Blue just had the pull for me, so --

CHIEF JUDGE MYERS: That's awesome. Well, go Gators. Obviously I'm --

JUDGE GIBSON: Go Gators.

CHIEF JUDGE MYERS: -- a Gator grad as well, so I know you got a topnotch legal education. How about that?

JUDGE GIBSON: That's right.

CHIEF JUDGE MYERS: And at some point then, after graduation, you decided to come out into practice. Tell us a little bit about your practice history.

JUDGE GIBSON: It's actually been an amazing adventure from the very beginning. So I -- while I was still in law school, my last semester, I attended a political fundraising dinner. I was invited by a friend and didn't know anything about it, showed up at the dinner, and my congressman was there. He was the guest speaker.

And after dinner, I looked up and no one was standing next to the congressman, no one at all in the whole place, and I thought, I'm going to go talk to a congressman. So I went up and introduced myself, and he said, you should come work for me. And I was like, okay. But he thought I was in high school. And I said, no, sir, I'm about to graduate from law school. And he's like, great. So he hired me. I went to Capitol Hill and worked for six months on the Hill. Loved that.

But I had known since I was a child that I wanted to be an attorney, a prosecutor, eventually a judge. And so I came back to the State of Florida where I was a prosecutor in the Fifth Circuit for Brad King. I worked for him for seven-and-a-half years.

And then once again just sort of fell into a new adventure. Went to work for Orlando Health for four years. Loved that. Had wonderful experiences there with great people, being the attorney in their Compliance Department. Just great fun. And I learned a whole new body of law that I had never even contemplated, health care compliance, and regulatory -- and ethics. It was fantastic.

So then I got recruited from there to AdventHealth, so -- across the street. Each side calls the other side the dark side, right. So we had to just navigate that. But, again, just wonderful people. I learned so much there.

And once again, sort of fell into a job with Christian Care Ministry, which is an alternative to health insurance. So that was a whole new body of law that I didn't even realize existed until I went there.

So it's just been a fabulous adventure. Every place I go, I learn new and exciting things and meet, so far, amazing people. So this seems to be part of that.

CHIEF JUDGE MYERS: Well, that's fantastic. I have the opportunity when the Judicial Nominating Committee meets in preparation for interviews of potential candidates to go and speak with them. And we talk about the characteristics of judges, those things that I think help to make our judges the quality judges that they are.

And one of the most important things is to be a self-learner. The idea of being able to move in and out of different subject matter areas as we do as judges, rotating through the different divisions and being able to learn those subject matter areas to apply them, to work with them, to get our hands in and wrestle with those issues in completely different topics. And it sounds like your life experiences are a demonstration of that. I mean, it really has been you in life living those experiences.

JUDGE GIBSON: It has been. I think of life as a grand adventure. So I'm excited to see what comes next.

CHIEF JUDGE MYERS: Well, as you look back, and I think all of our judges could talk to some of these kind of things in their past, what are those experiences that you've lived that you think have prepared you for what you're doing now as a judge here in the Ninth?

JUDGE GIBSON: That is a great question. I think -- how much time do you have? So many things. I'll just highlight a couple.

I think definitely going from the years I spent in practice doing criminal law as a prosecutor to civil, where I just had no real base or foundation for that knowledge, it prepared me because, as you said -- and actually, I've heard you say before, judges are the last great generalists in the practice of law. And I think that's exactly right. You have to be willing to open up books and look at West Law and learn whole new bodies of law in order to provide the best experience for all the litigants who appear in front of you.

I think that's really important because judges are the face of the legal community to so many people. And as County Court judges, as I've learned already in the two weeks I've been here, it's such a variety of people who walk into your courtroom, and everyone has a different experience.

And that transitions to the next thing I would tell you, as many of our listeners are probably not aware, I'm a cancer survivor. And I learned so much in the time that I was in treatment and recovery because, you know, I'd run into someone and I would just be having a really hard day, I could barely move, I couldn't think, and then someone would be also having a hard day and I would think to myself, are you -- do you have cancer today; what's wrong with you today; because I have cancer today.

But it -- what it helped me realize is so many times as a young prosecutor, when defendants were in the courtroom with me, I didn't think the whole picture of their life. And now I think, you don't know what happened to this litigant this morning. Perhaps their father died, or their wife is dying, or they were diagnosed with cancer today. And that's a really hard moment to live and know what to do next. So I think those are probably two of the -- two of my highlights that I would share.

CHIEF JUDGE MYERS: Those are great experiences. And I could see absolutely how those will contribute to your work on the bench with us here in the Ninth. I think that's tremendous.

I have to ask the question, because we've been so gifted with some of our new judges coming on and learning about their talents. I'm told that at a time you were a gifted soprano singer.

JUDGE GIBSON: I was. I was a wedding singer, actually, when we lived in Japan. Yes.

CHIEF JUDGE MYERS: And do you still sing?

JUDGE GIBSON: I don't. So when I had cancer it was thyroid cancer, and I had surgery on my neck, of course. And I was one of those patients that's a one-in-a-million. My vocal chords are perfect, and they keep telling me that. Every time I would go in for X-rays after, they would say -- or for the scope after, they would say, your vocal chords are perfect; we don't know why you can't sing. And so finally we figured out I had some nerve damage in surgery. So I can still make a joyful noise, but you probably don't want to hear it. Like, I won't be making any money as a wedding singer now.

CHIEF JUDGE MYERS: Well, we won't put you on the spot to sing.

JUDGE GIBSON: Okay, thanks.

CHIEF JUDGE MYERS: Yeah. We're grateful for Judge Chiu and his experience when he came on.

JUDGE GIBSON: Yes.

CHIEF JUDGE MYERS: Isn't he just wonderfully talented?

JUDGE GIBSON: Yes. And I heard him sing and I thought, oh, I really want to do that.

CHIEF JUDGE MYERS: Yeah.

JUDGE GIBSON: Give me a few -- maybe in some therapy, I'll be part of that judges' talent show.

CHIEF JUDGE MYERS: Fair enough.

Over your career as a prosecutor for that number of years and then working in health-care type law, civil type of stuff, is there a defining case, one of those things that you would look back and say, that made a difference for me; it helped me to understand maybe who I am or the things that matter to me?

JUDGE GIBSON: There were several, actually. One in particular, my -- the last life sentence that I procured for the State of Florida as a prosecutor, my victim was a wife, a mother of an eight-year-old, her ex-husband broke into her house in the middle of the night and shot her in the face with a flare gun. He was trying to kill her. He said he was going to kill her.

She -- I will never forget her sitting in my office crying when I was making my filing decision, what I was going to charge him with, and she said, just give me 10 years; I just want my daughter to be 18 so that she can be free. She just wanted her ex-husband in prison for 10 years.

And it was a very contentious case. We litigated lots of pretrial motions, and then we actually did go to trial. And I charged it as a burglary of a dwelling with a battery, which, as you know, is a life felony. And the reason it was so impactful for me was that mother. I -- there was nothing I could do to change what he had done or the fear that she felt all those years. But she

knew when she put her head down on her pillow at night he wasn't coming back for her and her daughter.

And that really was a life-defining moment for me because I understood the impact the judicial system has on everyday Americans and how important it is that we do it right and that justice is actually what we seek and not a conviction at all costs or acquittal at all costs, but justice is what we should be doing. And that really changed my life, I think.

CHIEF JUDGE MYERS: Yeah. I think the emphasis on doing things well --

JUDGE GIBSON: Right.

CHIEF JUDGE MYERS: -- doing them as right as we can get them really does make a difference for the people we serve.

JUDGE GIBSON: Yes.

CHIEF JUDGE MYERS: That's a tremendous story. Thanks for sharing that.

You've been on the bench a whole two weeks now.

JUDGE GIBSON: Yes, I have.

CHIEF JUDGE MYERS: So how would you say your expectations line up with your experience?

JUDGE GIBSON: I would say it's -- I don't know that I can answer that. I don't know that I had great, well-defined expectations. I expected it to be similar to when I was in the courtroom before, as a -- one of the parties. But it's just far exceeded everything I could have hoped for. It's -- there's so many people who've been so wonderful to just pour into me these first two weeks. And like I shared earlier, seeing how the -- just the cross-section of community that comes in the courtroom and how you can make a difference with one person, and then the

next person it's a completely different story and this may or may not be their day and they may or may not be fully engaged in this. But it's just been amazing.

CHIEF JUDGE MYERS: That's neat. Who in your life can you point back to as inspirations for you to be in the seat that you're in now? Who was it that helped you to desire that, who motivated you?

JUDGE GIBSON: There are so many people. I hate to keep saying that. How much time do you have? But I had amazing judges and amazing mentors as a young attorney. So several of my mentors are on the bench serving in other Circuits, actually.

I had a particular mentor, Judge Peter Brigham, he's a Circuit Judge in Citrus County, and he taught me so much. I was a young felony attorney when I got to the docket where he practiced as a prosecutor, and I would walk into his office and say, Pete, I have this case and I'm so upset by what happened. And he would say, never file on emotion, put the case down, emotion can't be part of this. He just taught me so many day-to-day things that served me so well, so I consider him one of my greatest mentors.

Someone -- a name that you'll probably know is Judge Tommy Thompson --

CHIEF JUDGE MYERS: Um-hum.

JUDGE GIBSON: -- who is now the President of the County Court Judges' Conference. He was also a prosecutor. And I'm just a few years behind him. So the same thing, I would run into Tommy's office and say, Tommy, I've never seen this before, what do you do with this. And he would say, well, here's what we're going to do, you do this, I've seen this, we've done that. He was just really inspirational.

And his journey as a judge also inspires me because Judge Thompson believes everyone who appears in front of him deserves time, attention and respect, and that's how he operates on

the bench and it's so impactful that I know I want to honor his influence in my life and I want to do the same thing.

There's so many judges, like I could list more, but --

CHIEF JUDGE MYERS: Time, attention and respect. Those are great things --

JUDGE GIBSON: Yes.

CHIEF JUDGE MYERS: -- to work through in the courtroom. And I think you're right. I grew up under Judge Lauten and his mentorship, and he would talk about those things that were the expectations of the people that we see, you know, the -- a fair hearing before somebody who listens and then who gives a ruling in a timely fashion. And time, attention and respect I think are things that will make your career one that's well-respected, not just by your colleagues but especially by the people that appear in front of you. I think those are neat qualities.

Always ask this question of new judges because it is a different experience than the practice. But how is it that in your life you manage stress? Because I'm sorry to tell you, there's some headed your way.

JUDGE GIBSON: That is a great question as well. I think through the years, my answer to that has changed significantly. So I told you I had thyroid cancer. I've had my thyroid removed. And your thyroid also controls how you respond to stress. So I've had to learn the last five years how to handle stress differently than I did early in my career.

Because it used to be I would go out and run the sheriff's obstacle course when I was a prosecutor, and that was a great stress reliever. Well, that's not happening today. But I think now it's time alone, personal meditation. I love being on the water, so anytime in the lake, that also helps relieve some of that stress. And definitely being with friends who are walking this

journey of life with me, because we know each other and help each other through lots of things. So I think that's my biggest.

CHIEF JUDGE MYERS: Well, that's fantastic. So in your time on the bench in two weeks, anything that stands out to you as, wow, I'm really glad I made this decision?

JUDGE GIBSON: I think not one particular decision, but overall, as I said, from as a young prosecutor seeing driving on a suspended license and no valid driver's license charges and thinking, you know, this is very important and we should fine everyone and we -- to now, that I'm actually as a judge on the bench not doing that because I see that there's a bigger picture here. Yes, it's a criminal offense, but if we just continue fining people who don't have a driver's license because they didn't pay fines, they still won't pay fines because they can't pay the fines, so it's just sort of a cycle. So I think overall, handling the driving cases has been something that I see my own personal growth in that.

CHIEF JUDGE MYERS: Fair enough. I think it's a sense of perspective --

JUDGE GIBSON: Very much.

CHIEF JUDGE MYERS: -- you know, being able to appreciate it from the other side and to recognize too the magnitude of those types of things that go on in our community.

Well, Elizabeth, this has been such a pleasure, and I'm really grateful for the time spent with you. I hope we'll have a chance, when you're a little further down the road, to come back and revisit and talk about your experiences. But what a treat it is to hear about you and about your background, and I'm really excited to have you with us here at the Ninth.

Thanks for joining us.

JUDGE GIBSON: Thanks, Chief. I'm excited as well.

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