

**DISTRICT COURT OF APPEAL  
FIRST DISTRICT  
STATE OF FLORIDA  
CASE NO. 1D09-4956**

**HAWKES and THOMAS, CONCUR**

**VAN NORTWICK, DISSENTS**

**Judge William A. Van Nortwick, Jr.**



- **BIRTH DATE:** August 21, 1945
- **BIRTH PLACE:** Morehead City, North Carolina
- **SPOUSE:** Maria E. Henderson
- **DEGREES:** A.B., Duke University, 1967; J.D., University of Florida, 1970 (with honors)
- **OFFICES AND POSITIONS:** Judge, District Court of Appeal, First District (1994-present); private practice in Jacksonville, Florida, with Martin, Ade, Birchfield & Mickler, P.A. (1975-1994) and Milam Martin & Ade (1970-1975);
- **PROFESSIONAL ACTIVITIES:**
  - **State:** Florida Supreme Court Professionalism Commission (1995-2001, 2005-present) Chair, Budget Committee (2002-present), Judiciary Sub-Committee (2005-present)); District Court of Appeal Performance and Accountability Commission (2002-present) Chair (2008-Present); Florida Supreme Court Committee on Jury Instructions in Business Cases (2006-present); Florida Bar Standing Committee on Pro Bono Legal Services (1993-present); Judicial Liaison, Florida Bar Business Law Section (1999-present); Chair, Florida Bar Equal Access to Justice Retreat (2001); Board of Directors, Florida Legal Services, Inc. (1982-1987), President (1985-1987); Board of Directors, Florida Bar Foundation (1985-1994), President (1993-1994); Chair, The Florida Bar/Florida Bar Foundation Joint Commission on the Delivery of Legal Services to the Indigent in Florida (1990-1993); Fellow, Florida Bar Foundation; Board of Governors, Florida Bar Young Lawyers Section (1978-1979); Member, The Florida Bar.
  - **Local:** Member, Jacksonville Bar Association and Tallahassee Bar Association; Chair, Corporation, Business & Banking Section of the Jacksonville Bar Association (1982-1983); Board of Directors, Jacksonville Area Legal Aid, Inc. (1973-1980), President (1978-1980).

- **National:** Member, American Bar Association and International Bar Association; ABA Business Law Section; American Judicature Society; Judicial Forum of International Bar Association; Fellow, American Bar Foundation.
- **Professional Education:** Adjunct Professor of Law, Florida State University College of Law (1997-present)(teaching professional responsibility); Florida Court Education Council (2006-present); Visiting Professor, Faculty of Law, Trento University, Trento, Italy (2009); Appellate Associate Dean for Florida College of Advanced Judicial Studies (2006-present); Coach, Securities Law Moot Court Team, FSU College of Law (2005-present); frequent instructor for continuing legal education and continuing judicial education programs.
- **Publications:** Co-author, Pro Bono Services in Florida, 73 Fla. Bar. J. 30 (1999); co-author, Regulation A and the Amended Florida Private Placement Exemption, 57 Fla. Bar. J. 578 (1983).
- **HONORS AND AWARDS:** Recipient of: The Chief Justice's Distinguished Judicial Service Award (2005), American Bar Association Pro Bono Publico Award (1995) (recognizing public service), The Florida Bar Pro Bono Award (1992), The Florida Bar President's Award of Merit (1992 and 2001), and Outstanding Member of the Year Award from Florida Bar Business Law Section (2004); Executive Editor, University of Florida Law Review (1968-1970).
- **CIVIC ACTIVITIES:** Florida-Georgia Blood Alliance, Inc. (blood bank serving Northeast Florida, Eastern Georgia and South Carolina), Board of Directors (1990-present), Treasurer (1994), Chairman (2006-7); Child Development Services of Northeast Florida, Inc. (Head Start), Board of Directors (1990-1991); Race Director, River Run 15,000 (1980); Member: Leadership Jacksonville, Rotary Club of Jacksonville.
- **MILITARY SERVICE:** United States Army Reserve (Ret.).

### Judge Paul M. Hawkes



- **Appointed:** By Governor Jeb Bush on January 2, 2003
- **Born:** March 6, 1957 in New London, Connecticut
- **Married:** Leslie K. Greer in 1975
- **Five sons:** Jeremiah, Benjamin, Joshua, Jacob and Caleb
- **Military:** USAF 1975 - 1978.
- **Education:** High School Diploma, Cumberland, ME, University of South Florida, 1983 BS Cum Laude, Florida State University 1985 JD with honors
- **Legal Practice:** Rumberger Kirk Caldwell Cabinas & Burke PA (1986), Private practice, Crystal River Florida (1988-2000)
- **Government:** Assistant State Attorney, 5<sup>th</sup> Judicial Circuit, State of Florida (1986-1988), State Representative, Florida House District 26 and District 43 (1990-1994), Constitutional Revision Commission (1997/1998), Office of Policy & Budget, Executive Office of the Governor (2000), Chief of Policy, Florida House of Representatives (2000-2002).

### Judge Bradford (Brad) L. Thomas



**Birthdate:** January 11, 1954  
**Birthplace:** Jacksonville, Florida  
**Spouse** Susan Ann Cox, Gainesville, married 1982  
**Children:** One (Nancy Anastasia)

**Education:**

J.D. (with Honors), University of Florida College of Law, 1982;  
B.A., Florida State University, 1977

**Offices and Positions:**

Judge, First District Court of Appeal, 2005 - present  
Public Safety Policy Coordinator, Executive Office of the Governor, 1999-2005  
Council Director, Florida House of Representatives Justice Council, 1997-1999  
Staff Director, Florida Senate Criminal Justice Committee, 1996-1997  
Assistant State Attorney, Second Judicial Circuit, State of Florida, 1991-1996  
Assistant General Counsel, Florida Parole Commission, 1989-1991  
Assistant Attorney General, Criminal Appeals Division, 1987-1989  
Assistant General Counsel, Florida Department of Environmental Regulation, 1984-  
1987  
Private practice, Big Pine Key, FL, 1984  
Assistant Director, Appellate Advocacy Program, University of Florida College of  
Law, 1982-1984

**Committees:**

Member, Supreme Court Committee on Standard Jury Instructions in Criminal Cases, 2005-present  
Member, Appellate Education Committee, 2007-present

**Legal Publications:**

“Restricting State Prisoners’ Due Process Rights: The Supreme Court Demonstrates Its Loyalty to Judicial Restraint,” Cumberland Law Review, 1991.

“The Proper Standard of Appellate Review of Circumstantial Criminal Convictions,” Florida Bar Journal, June, 1988.

**Associations and Affiliations:**

The Florida Bar; Tallahassee Bar Association; William Stafford Tallahassee Inn of Court (1995-2008); First District Appellate American Inn of Court (2008-present).