

Sun Sentinel

Best for Palm Beach County Circuit Court: Ticktin and Goodman

August 14, 2014

[Palm Beach County](#) is the 15th Judicial Circuit. Circuit Court judges are a rung above County Court judges and handle serious criminal cases including homicide, burglary and child abuse. They hear civil cases involving more than \$15,000. The judges typically serve for long periods in specialized divisions — such as civil, criminal, family law and probate. All registered voters in the county can vote in this race.

Group 14: Jessica Ticktin offers needed change

At some point in her current six-year term, incumbent [Palm Beach County](#) Circuit Court Judge Diana Lewis' reputation for rudeness stopped being a forgivable quirk and became an embarrassment for the judiciary. While recognizing that Lewis has considerable legal skills, the Sun Sentinel recommends that voters choose challenger Jessica Ticktin in the Aug. 26 election for the Group 14 seat.

Ms. Ticktin put it well in an interview: "Right now, we have an issue with the incumbent judge. Last time, she was given a second chance. And I don't think she did well with that second chance."

Many lawyers agree with the challenger. In the most recent [Palm Beach County](#) Bar Association poll, from 2013, more lawyers made an effort to rate Judge Lewis — 216 — than responded for any other judge. In category after category, such as impartiality and common sense, the lawyers said Judge Lewis "needs improvement." For "judicial demeanor and courtesy to lawyers," 19 respondents said she was "excellent," but 147 said she "needs improvement."

The bar poll is not a scientific survey. In Lewis' last election in 2008, the Sun Sentinel did not give it decisive weight. But by now, Lewis has scored too low in too many of the polls to discount the results.

Lewis has not heeded the criticism about her demeanor. Asked directly, "What specifically have you done in response to the long-term criticism?" she responded, "I have tried to do my job the best way I know how. I make rulings, I make decisions on a timely basis."

In other words, nothing specifically. That's the response of a person who does not recognize that she needs to change.

Several other responses during the interview — in which the candidates were questioned together — were telling.

Ticktin said that Lewis, whose duties include hearing foreclosure cases, too often refused to grant a technical change in the sale date of homes to allow mortgage modifications to work. "I've heard from many attorneys already that this judge is known for saying 'No. Too bad.' And I don't know why, but it's hurting a lot of people. It's not appropriate. There's no justification for it."

Lewis did not challenge the assertion, but instead said, "We're under a mandate from court administration, Supreme Court, to get the older cases out. Because we might lose funding for that." The timeline and the funding were more important to Lewis than a humane outcome.

And when Ticktin said that Lewis was "getting worse," Lewis responded, "I don't think I'm getting worse. I think the lawyers are getting worse." Lewis, serving now in the probate division, did praise the probate attorneys who appear before her.

Ticktin is qualified to serve on the Circuit Court bench. She is a successful attorney specializing in family law. She also has significant administrative experience, serving for four years as managing partner for the Ticktin Law Group. In that capacity, she was responsible for 10 law offices across Florida and supervised 24 lawyers, plus about 50 support staff.

Management experience will help Ticktin handle a heavy caseload. Lewis already is regarded as an efficient jurist.

Ticktin does not have jury trial experience; Lewis does, though during her most recent term, she has not served in divisions that have jury trials. Neither candidate in this race has had significant experience in criminal law and trials.

Ticktin is capable of becoming as good a judge as Lewis has been. The key is that she can provide that service without alienating those who appear before her.

We do need to note that this race has been unusually contentious for a judicial race. When Lewis tried switching races to avoid a head-to-head contest, Ticktin made it clear she would switch races to force such a contest. In her interview, Ticktin acknowledged that she didn't just want to be a judge, she wanted to knock Lewis off the bench because she has performed so poorly.

Ticktin is so passionate about defeating Lewis that she has put \$200,000 of her own money into the campaign. Lewis said that, if necessary, she has "the wherewithal" to keep pace with Ticktin's spending. Heavy spending on contested judicial elections is becoming more common in [Palm Beach County](#). It makes some people uncomfortable, but it is the new reality.

However, Ticktin is the better choice — not because of the cash she's spending, but because of the steady, fair temperament she would bring to the Circuit Court bench.