

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA

UNITED STATES COURTHOUSE  
207 NW SECOND STREET  
OCALA, FLORIDA 34475



FEDERAL BUILDING  
401 SE FIRST AVENUE, STE. 152  
GAINESVILLE, FL 32601

WM. TERRELL HODGES  
SENIOR JUDGE

PLEASE REPLY TO OCALA OFFICE

November 19, 2012

Mr. David A. Wilson, President  
North Central Florida Chapter of  
the Federal Bar  
210 SW 2nd Street  
Ocala, FL 34470

Dear Mr. Wilson:

I want to thank, most sincerely, the North Central Florida Chapter of the Federal Bar Association and each of its individual members for the heart warming evening the Chapter sponsored for me and my family on November 2, 2012. Thank you especially for the crystal eagle that I will treasure in memory of the special occasion it will now represent for me.

I hope it is needless to say that I thoroughly enjoyed the whole affair and the opportunity to mingle, albeit briefly, with those in attendance. My only regret is that I was unable to talk at length with everyone who was there.

I noticed on the program that there were a number of sponsors and I would appreciate your letting each of them know of this letter lest they conclude that I am totally bereft of common courtesy. (I hesitate to write to them directly for fear that I may be precluded from doing so by the Code of Judicial Conduct.)

I realize that mere longevity is frequently a cause for recognition apart from any other distinction, and I gladly waive any further celebration if I make it to 50 years as I fully hope and expect to do!

Thanks again to all concerned.

Sincerely,

A handwritten signature in black ink that reads "Wm. Terrell Hodges".

Wm. Terrell Hodges

## Judge Hodges honored at reception

Published: November 13th, 2012

Category: Feature (<http://www.law.ufl.edu/flalaw/category/feature/>)



([http://www.law.ufl.edu/flalaw/wp-content/uploads/2012/11/IMG\\_5403\\_low\\_res.jpg](http://www.law.ufl.edu/flalaw/wp-content/uploads/2012/11/IMG_5403_low_res.jpg))  
Judge William Terrell Hodges (JD 58) was honored Nov. 2 at the Thomas Center in Gainesville. (Photos by Haley Stracher)

By Richard Goldstein

When U.S. District Judge William Terrell Hodges (JD 58) was nominated to the federal bench in 1971, he assumed his robes in the middle district of Florida before the age of 40, and 41 years later he holds the same job, now as a federal judge on senior status in Ocala.

A remarkably stable career one might conclude.

But it was clear during a Nov. 2 reception at the Thomas Center in Gainesville sponsored by the North Central Chapter of the Federal Bar Association that Hodges did not stand still during his long tenure.

As protégé of former Chief Justice William Rehnquist, Hodges rose to lead policymaking body for the administration of justice in the federal courts, becoming chair of the Judicial Conference of the United States. Hodges and District Judge Anthony Alaimo lodged the complaint that would result in the impeachment and removal from office of U.S. District Judge Alcee Hastings, who had been acquitted by a jury of soliciting a bribe in a mob case. And he mentored decades worth of law clerks.

Those clerks were present in force at the Thomas Center to praise their former boss.

Scott L. Whitaker (JD 76), who clerked for Hodges from 1976 to 1978, said Hodges took seriously his duty to dispense justice and to guard against abuse of power.

"I watched him struggle every time he had to pass sentence," Whitaker said. "His humility in all things is beyond anything I've ever seen. He always used to say, every time you use a little power, you lose a little power. I've never seen him abuse it once."

Still, one story of the way Hodges exercised power elicited knowing laughter from the audience that included UF Law students.

Judge Gerald Bard Tjoflat of the 11th U.S. Circuit Court of Appeals explained that Tampa maintained a bus stop immediately in front of the courthouse steps while Hodges was chief judge of the middle district during the 1980s.

"The city of Tampa had a bus system and they had a monstrous bus stop at the base of the old federal courthouse in Tampa. All the buses came there and the jurors would have trouble getting up there" to the courthouse, Tjoflat said.

Hodges sent a letter to the mayor demanding that the bus stop be moved. When no action ensued, Tjoflat said, federal marshals dismantled the offending public transportation facility with blow torches.

Sitting on a dais with Tjoflat, Hodges accepted laconically the stories and praise offered during the "Toast to Judge Hodges" event.

"That was the result of deputies who volunteered; no order was given so it was unappealable," Hodges deadpanned.

Last year Hodges served as the Peter T. Fay Jurist-in-Residence at UF Law speaking with students and faculty about judicial clerkships, trial advocacy and legal careers.

Hodges was appointed by President Richard Nixon in 1971. He served as chief judge from 1982 to 1989 and has maintained senior status since 1999.

Tagged as: judge hodges (<http://www.law.ufl.edu/flalaw/tag/judge-hodges/>), William Terrell Hodges (<http://www.law.ufl.edu/flalaw/tag/william-terrell-hodges/>)



([http://www.law.ufl.edu/flalaw/wp-content/uploads/2012/11/IMG\\_5293\\_low\\_res.jpg](http://www.law.ufl.edu/flalaw/wp-content/uploads/2012/11/IMG_5293_low_res.jpg))  
Judge William Terrell Hodges (JD 58) was honored Nov. 2 at the Thomas Center in Gainesville. (Photos by Haley Stracher)

United States District Court  
MIDDLE DISTRICT OF FLORIDA  
TAMPA, FLORIDA 33601-2908

WM. TERRELL HODGES  
CHIEF JUDGE

March 22, 1985

POST OFFICE BOX 2908

Mr. Robert A. Hester, Field Office Manager  
Office of Public Buildings and Real Property  
General Services Administration, Region 4  
500 Zack Street, Room 733  
Tampa, FL 33602

RECEIVED  
MAR 23 1985  
GSA TAMPA FIELD OFFICE

Dear Mr. Hester:

Thank you for favoring me with a copy of the letter dated March 20, 1985 addressed to you by the Executive Director of the Hillsborough Area Regional Transit Authority. This concerns, of course, our ongoing problem with the intolerable congestion on the sidewalk brought about by the bus stops in front of this building since the time we reopened the Florida Avenue entrance as the only means of access to Court facilities.

I suppose that our authority to insist upon relocation of the bus stops - - or the question whether we should exercise any such authority under present circumstances - - is a matter which might be the subject of debate; but there can be no question whatever concerning our authority (and our present obligation) to direct that the Authority immediately remove the stanchions, umbrellas and benches obstructing the sidewalk.

Accordingly, please tell the Transit Authority that it has forty (40) days to remove those obstructions. If they are not removed within that time the Judges of this Court have authorized me to order the Marshal to remove them instanter - - and that is precisely what I intend to do.

Hopefully, the relief afforded by the removal of those obstructions will be sufficient to reduce the present congestion to tolerable limits during the limited period of time required for the Transit Authority to build its new terminal facility. If it does not afford significant relief - - and if the safety and security of jurors and others attempting to enter and leave the Courthouse continues to be impaired and endangered - - we will then consider the entry of an order concerning the bus stops themselves.

Thank you once again for your continuing assistance.

Very truly yours,



Wm. Terrell Hodges

cc: Tampa Division Judges  
Mr. George Perryman, GSA  
Marshal Richard L. Cox, Jr.,  
*Cliff Hayden, Hartline*

United States District Court  
MIDDLE DISTRICT OF FLORIDA  
TAMPA, FLORIDA 33601-2908

WM. TERRELL HODGES  
CHIEF JUDGE

POST OFFICE BOX 2908

May 1, 1985

Mr. George Barford  
P. O. Box 3239  
Tampa, FL 33601

Re: Hillsborough Area Regional Transit Authority

Dear Mr. Barford:

Thank you for your letter of May 1 reporting that the ownership of the items obstructing the sidewalk is a matter of doubt and that, under the circumstances, HART is not in a position to take any action to remove them.

I understand your position perfectly and will proceed accordingly.

Sincerely yours,



Wm. Terrell Hodges

## HILLSBOROUGH AREA REGIONAL TRANSIT AUTHORITY

### SPECIAL BOARD OF DIRECTORS MEETING

Friday, May 10, 1985; 8:00 AM  
Conference Room, 4305 E. 21st Avenue  
Tampa, Florida

### M I N U T E S

The Board of Directors of the Hillsborough Area Regional Transit Authority met in special session on Friday, May 10, 1985, at 8:00 AM. The meeting was called to order and presided over by the Vice-Chairman, Commissioner Rodney Colson.

#### ROLL CALL:

Board Members Present: Commissioner Rodney Colson  
C. Lawrence Stagg  
Mayor Bob Martinez  
Dr. William Leonard  
Richard Maurer  
Councilman John King  
Robert Scott  
Lawrence O'Neil

Board Members Absent: Charles Banks

Others Present: Cliff Hayden, Jr.  
Brad Vinson  
Harry Orr  
Neal Meader  
Rob Gregg  
Dennis McDougal  
Eric Estell  
Irma Capaz  
George Barford

Mr. Hayden gave a brief background on the history of the shelters that were removed from in front of the Federal Courthouse:

The shelters were installed in 1972 under a grant from the Florida Department of Transportation to the City of Tampa. In 1972 when the shelters were installed, the officials at the General Services Administration had no objection. In 1980, when HART was formed, a transition agreement with the City of Tampa listed the assets given to the newly created Authority. One of these assets was listed as an umbrella canopy, no quantity and no location was listed. In 1982, under a grant from the Florida Department of Transportation, the downtown bus loop was implemented. Public hearings were held prior to the implementation of the loop and there was no opposition from the Federal Courts or General Services Administration. During 1982, my predecessor, Mr. Harry Orr, received several letters from the General Services Administration and the Federal Court System requesting removal or relocation of the bus shelters in front of the Federal Courthouse. While security was mentioned, the main thrust of the correspondence centered around the litter and the ground damage around the Courthouse. HART has

on several occasions attempted to work with the General Services Administration to help solve the litter problem and we have offered to resod the lawn.

On March 22, 1985, HART received a copy of a letter addressed to Mr. Robert Hester, Office Manager, General Services Administration from Judge Hodges. The letter indicated that the shelters constituted an intolerable congestion on the sidewalk and posed a threat to the safety and security of the jurors leaving the Courthouse. In the foregoing correspondence, Judge Hodges gave the Authority forty (40) days to remove the shelters or he would instruct the Federal Marshal to remove the shelters. HART asked the attorneys to look into the matter and suggested a meeting with Judge Hodges to discuss the plans for the transitway and a possible compromise until the transitway could be completed.

On April 23, 1985, Chairman Banks, HART Attorney Mike Nuechterlein, and I, met with Judge Hodges to discuss the situation and look for possible alternatives. Unfortunately, no compromise was reached.

On May 1, 1985, our attorney related to Judge Hodges that due to the controversy over the ownership of the shelters, HART was unable to remove them as instructed. The following Sunday, May 5, 1985, Federal Marshals removed the shelters in front of the Courthouse.

Part of the responsibility of the Authority is to provide passenger amenities to encourage the use of public transit and this includes transit shelters.

The legal authority for the Judge to remove the shelters rests with two facts - ownership of the shelters and ownership of the land. HART's attorney has been asked to research both of these issues.

Mr. George Barford, Attorney, stated that the firm (Carlton, Fields, Ward, Smith, & Cutler, P.A.) has begun an investigation into the ownership of the shelters and the land, but because of the shortness of time, did not have anything to report to the Board. The investigation should take about another week. Mr. Barford will continue title search and wait further instructions.

Mayor Martinez stated that a title search is required, but as a Board we need to make a recommendation regardless of who owns the property. HART needs to engage in dialogue with General Services Administration to resolve this issue. The new benches are more amenable to that site and perhaps could be located in a manner that does not block the steps to the Courthouse. The benches could be rearranged as to not occupy as much of the right-of-way as possible. Mayor Martinez stated that we ought to think of the comfort of the public, and government, regardless of level, should be sensitive to the public needs. Unless the Authority feels they do not want a bus stop there, we ought to go ahead and make provisions to have what is necessary.

Mr. Stagg stated that he knows Judge Hodges personally and the Judge is a fair, reasonable, patient, and very judicious person. Mr. Stagg said he was told this was the decision of the Federal Court and not just

the decision of one Judge. Mr. Stagg wanted to suggest we do something regardless of how the title search comes out. We should keep in mind the interest of the Federal Court in making sure that congestion on the sidewalk does not compound the problem.

Mr. Stagg suggested that we re-contact the Judge and try to set up a meeting with him, General Services Administration, and City and DOT representatives if necessary. We should try to come up with some sort of compromise solution to allow us to provide limited shelters only until such time as the Marion Street Transitway is ready.

Mr. Stagg moved to asked the Executive Director to contact the Court and arrange a meeting with staff and see if there is some sort of solution that can be agreed upon to take care of both interests.

Mr. O'Neil seconded the motion.

There was further discussion.

Councilman John King basically agreed with Mr. Stagg with some innovative thinking and willingness to compromise. If GSA were willing, as a partial solution, construct an additional sidewalk that routes from the first raised area and went either North or South from either side. In addition, we could use the new shelters and limit them to the North end of the property. Councilman King suggested that as part of the discussion these items be placed on the table.

Dr. Leonard stated that on April 25, 1985, the Judge was told that the title to these shelters was questionable and the Judge acted right after that. Dr. Leonard feels more due process was called for. Dr. Leonard feels it is possible to work out a solution and favors Councilman King's proposal. Dr. Leonard thinks we should go back and sit down and discuss this situation again so that both rights are safeguarded.

Mayor Martinez stated that if there is any adjustment to the ledge that exists it should be down to fit in with the design of the structure, and that should be discussed.

Mr. Hayden commented on the motion. He fully agrees with all the comments that have been made, but would like to remind the Board that he, along with Chariman Banks, and HART attorney did meet with the Judge and many of these solutions were discussed. Mr. Hayden fully supports the idea of meeting with the General Services Administration and the Judge again to try and work out a compromise, but we do have to be cognizant of the fact that many of these suggestions have been offered and turned down. By our regular Board meeting on May 23, we should be ready to face the fact that there may be no compromise.

Mr. Hayden is concerned that the Judge said if the problem was not relieved he will remove the bus stop.

Mr. O'Neil stated he would like to negotiate and solve the problem and not worry about taking action in the future.

Councilman King said he feels there is a good chance the Judge will ask us to remove the bus stop. The Board needs to set a time limit for these negotiations to finish.

Mayor Martinez suggested that before meeting with the Judge and others concerned have a consulting firm look at that block and analyze where benches ought to be and whatever else can be done to control traffic.

Commissioner Colson stated he agrees with the motion, but also feels that the Board will take a position on whatever it has to after the negotiations.

Mr. Maurer feels that the question of the shelters is a completed issue. The removal of the shelters was simply a first step and the correspondence clearly indicates that if that does not solve the basic problem the next step will be taken. The Board needs to be more concerned about the relocation of the bus stop than anything else. The ability of any organization to force the removal of a bus stop from public property is going to be the crust of the situation. The only way to get shelters back on that block is to buy some land from the Courthouse and extend the width of the sidewalk, and no funds exist.

Mr. Maurer feels the negotiations will not lead anywhere except to discuss whether or not the bus stop stays.

Mr. Bob Gilder, President NAACP, stated his concerns over the situation. We must be concerned about the inconvenience this has caused the people in the community. We need to get together and find a way for those people that ride the bus to have some kind of shelter.

Mr. Gilder asked everyone to sit down with good will and work this out in the best interest of the community. If need be, we will pass out folding chairs and umbrellas.

Commissioner Colson stated that a motion has been made and seconded that the Authority get together with the Judge, the City, the State, and General Services Administration to try and negotiate a solution. In the meantime, the attorney is going to determine the ownership of the right-of-way and at that time we will have information to come back together and make a decision.

Commissioner Colson asked for a vote on the motion. The motion was unanimously approved.

OFF-THE-AGENDA ITEM:

Mr. Hayden stated that last week we discovered a ruptured unleaded fuel tank. We have been instructed by the Department of Environmental Regulation to conduct certain tests to determine the extent of the leak. We have until May 24, to respond to DER's letter. Arrangements have been made for the tests to be done at an estimated price of \$12,000.

An investigation is being made to see what caused the damage. HART will seek to recover the damages.

Mr. Stagg motioned to approved with the stipulation that the manufacturer and the contractor are advised that they will be held responsible for the expenses incurred. Motion seconded by Councilman King. Motion unanimously approved.

Meeting adjourned at 8:37 AM.

Respectfully submitted,

  
Secretary

Approved:

  
Chairman

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# Orlando Sentinel



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Home → Collections → Hodges

## Tampa Judge Axes Shelters At Bus Stop

May 7, 1985 | By United Press International

TAMPA — Curbside [bus](#) stop shelters have been removed from the sidewalks in front of the downtown post office and federal court building by U.S. marshals on the order of U.S. District Judge William Terrell Hodges.

The shelters were removed Sunday, leaving about 3,000 daily bus riders with no protection from the sun and rain and almost nowhere to sit while waiting.

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Hodges' order was not challenged by the city of Tampa or the Hillsborough Area Regional Transit Authority (HART), but did evoke [calls](#) from angry riders. HART Executive Director Cliff Hayden said the authority received calls from about 100 angry riders last week.

"They can't understand what gives the judge the authority to take them down," he said.

"I just don't have any comment to make about it," Hodges said Sunday.

Hayden said a new bus plaza is planned nearby but it will be a year before it will be operating. He said HART has no plans to provide seating for riders outside the courthouse.

"I guess they'll be standing on the sidewalk and some (sitting) on the courthouse steps," Hayden said.

Hodges issued the order several weeks ago because he said the people massed around the shelters waiting for [buses](#) caused intolerable congestion and hampered the coming and going of federal court jurors.

He gave the city and HART an ultimatum -- remove the shelters or he would have U.S. marshals do [the job](#).

Neither the city nor HART acted. On Sunday, a team of seven marshals aided by a welder, spent five hours dismantling and removing the shelters.

#### Related Articles

Vacant Factories Will Be Solar-collection Facilities  
August 5, 1999

Lynx to add more shelters at bus stops  
January 20, 2006

Bus Hijackers Surrender After Standoff In Greece  
December 16, 2004

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## Bench Battle, Part 2

June 9, 1985 | By Harry Straight and Donna Blanton of the Sentinel Staff

Recommend 0, Tweet, 3, 8+1

IF YOU EVER DOUBTED the power of the federal bench, take a look at a compromise between U.S. District Judge W. Terrell Hodges and the Tampa bus system. Hodges last month ordered U.S. marshals to remove sidewalk bus shelters in front of Tampa's federal courthouse. The shelter crowds were hazardous to people going in and out of the courthouse, Hodges said. None of Tampa's politicians offered a solution to the Hillsborough Area Rapid Transit Authority, which owns the shelters. Its lawyers worked out a compromise with Hodges for a smaller shelter around the corner from the old one. Crowds were never a problem until the courthouse was renovated last year and new security precautions forced everyone going to the courthouse to use the front door only. Guess what federal judge was in charge of the renovation?

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#### See Also

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8. Best Exercise to Lose Belly Fat

#### Featured Articles



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*The North Central Florida Chapter of the*

*Federal Bar Association Presents*

***"A Toast to Judge Hodges"***

*An Event Honoring Senior United States District Judge*

*William Terrell Hodges'*

*Forty Years (and Counting) of Federal Judicial Service*

*Friday, November 2, 2012*

*Six O'Clock*

*The Historic Thomas Center*

*302 Northeast Sixth Avenue*

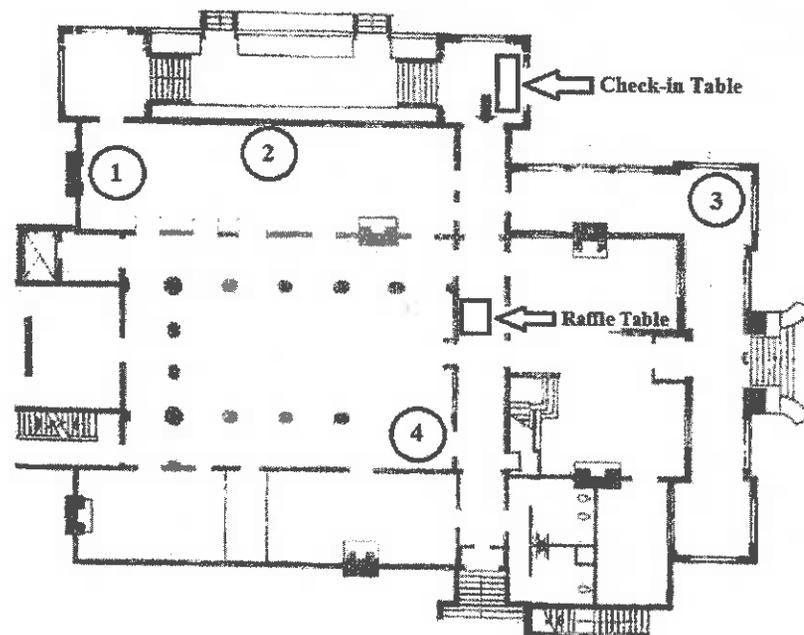
*Gainesville, Florida*

## Program

Reception	Guests are invited to mix and mingle, taste wines and complimentary food pairings at four different stations, and vote on the station they believe Judge Hodges would like the best by placing their raffle ticket* in the bowl at that station
Welcome and Introduction	David Wilson, President of the North Central Florida Chapter of the Federal Bar Association  Stephanie Marchman, Membership Chair of the North Florida Chapter of the Federal Bar Association and Former Law Clerk to the Honorable Wm. Terrell Hodges
Roast and Toast	The Honorable Gerald Bard Tjoflat, Circuit Judge, United States Court of Appeals, Eleventh Circuit  Additional Special Guests
Response	The Honorable Wm. Terrell Hodges, Senior United States District Judge, United States District Court, Middle District of Florida
Award	Award to those able to appreciate Judge Hodges' "taste"

\*Raffle tickets may be purchased from Federal Bar Association Law Student Representatives at the Thomas Center entrance and tasting stations. Proceeds benefit the North Central Florida Chapter of the Federal Bar Association and will fund future Chapter events and continuing legal education programs.

## Food and Wine Tasting Stations



1. Spring Rolls and Teriyaki Chicken Skewers
2. Hummus, Spanakopita, and Bruschetta
3. Assorted Cheeses and Fruits, Turkey and Rolls
4. Assorted Desserts

# FORUM 8

Volume 72, No.4

Eighth Judicial Circuit Bar Association, Inc.

December 2012

## President's Message



*By Dawn M. Vallejos-Nichols*

I can't believe it is December already. I can't believe that in one month it will be 2013. I know that as we get older the years seem to go by faster, but even young people that I encounter tell me that they think this year has flown by. Was this year a good one? For the most part, and I can only speak for me and my family, it was. My

family is healthy, we have roofs over our heads (even though currently ours is a little leaky!), good jobs, plenty of food to eat, and friends and family that we care about and that care about us. But I know others whose families have been touched by devastating illness, sudden loss of life, and unemployment in 2012. For them, 2013 can't come fast enough. We will all experience years like that somewhere along the road of life, but for those who experienced tragedy in 2012, I hope 2013 brings you brighter days.

We tend to think about these things more as the holidays and the year's end approach. Whether consciously done or not, it's the time of year that we evaluate where we are and how we are doing – professionally and yes, economically. But while it is lovely to make gains in your professional and economic lives, don't forget the importance of your emotional and for many, spiritual well-being. They are what help us survive the years that bring unexpected turmoil, and should be nurtured above all else. Even while striving to get ahead in your profession, make sure to take time for yourself, and to make time to spend with family and friends. Turn the phone and the computer off every once in awhile,

and enjoy a brief liberation from beeping emails, texts and client calls.

Although the holidays, for many, bring increased stress brought on by over-commercialization, that was certainly not the original intent of any December holiday. Many find that helping others in need brings back the original meaning and spirit of the holiday. I am pleased that the EJCBA has two holiday programs to assist those who find themselves less fortunate this holiday season – we have been collecting canned and non-perishable food items for the past two luncheons for Bread of the Mighty

and will be doing so once again on December

14; and we are collecting unwrapped toys for Alachua County Head Start, who will disburse the toys to youngsters ages 3-5 so that their holidays can be filled with wonder. We will also accept donations of money in any amount – please indicate on your check in the "Notes" section that the funds are for the EJCBA holiday project.

Finally, I want to share with you a story that I read a few years ago and searched out again to share. I hope it inspires you like it does me. I took this shared idea to heart, and each year in my brother's Christmas card, I tell him the charity I have donated to in his name that benefits people in his community (he lives in Seattle). I know that it makes him happier than any gift I could attempt to give, and it makes many others happy, as well.

I hope each of you in this circuit has a joyous and safe holiday season. See you in the New Year.

### **A Christmas Story**

It's just a small, white envelope stuck among the branches of our Christmas tree. No name, no identification, no inscription. It has peeked through the

*Continued on page 7*



# “A Toast to Judge Hodges” Federal Bar Association Reception

By Robert S. Griscti

Senior Judge William Terrell Hodges was recognized for his 40 years (and counting) of service as a United States District Judge at “A Toast to Judge Hodges” reception at the Thomas Center in Gainesville on November 2, 2012. The event was presented by the North Central Florida Chapter of the Federal Bar Association.

Judge Hodges was roasted and toasted by his colleague, Eleventh Circuit Court of Appeals Judge Gerald Bard Tjoflat, as well as by friends and former law clerks from Gainesville and statewide.

Appointed by President Richard Nixon to the United States District Court for the Middle District of Florida in 1971, Judge Hodges served as Chief Judge of the Middle District from 1982 to 1989 and now sits in the Ocala Division of the Middle District of Florida. As a Senior Judge, he resides in Gainesville, Florida by choice -- he is a true Gator fan.

A few of Judge Hodges' many accomplishments and recognitions were mentioned at the reception by Stephanie Marchman, his former law clerk and prior FBA Chapter President:

- Chair of the District Judges Representatives of the Judicial Conference of the United States and Chair of the Judicial Conference's Executive Committee, the principal policy making body for administration of the United States Courts;
- Chair of the Committee on Pattern Jury Instructions of the Eleventh Circuit, responsible for developing the pattern jury instructions for the Eleventh Circuit;
- Chair of the United States Judicial Panel on Multidistrict Litigation, responsible for coordinating litigation with common questions of fact in the federal courts across the nation;
- 2002 recipient of the Edward J. Devitt Distinguished Service to Justice Award, an honor bestowed annually by the United States Supreme Court to one Article III judge of national stature.

Judges Tjoflat and Hodges entertained the audience with stories from the federal bench and plenty of humor. Judge Hodges reminisced about such topics as past conversations and contacts with Supreme Court Justices, including “The Chief,”

William Rehnquist. Recalling one instance, Judge Hodges was once asked to make a “2 pm sharp” call to The Chief, who, Judge Hodges later learned, had hiked to a payphone from a country retreat for the pre-scheduled call.

A measure of the respect and admiration for Judge Hodges is reflected in the attendance at the evening reception of members of the federal bench and bar from throughout Florida, joined by many Gainesville and Ocala judges, lawyers and students.

Sponsors for the event were the national Federal Bar Association, the University of Florida Levin College of Law and the Eighth Judicial Circuit Bar Association; from Jacksonville, Bedell, Dittmar, DeVault, Pillars & Coxe, P.A.; Sheppard, White & Kachergus, P.A.; Smith Hulsey & Busey; Akerman Senterfitt; and the Jacksonville Chapter of the Federal Bar Association; from Tampa, Thompson, Sizemore, Gonzalez & Hearing, P.A. and the Tampa Bay Chapter of the Federal Bar Association; from Clearwater, Johnson, Pope, Bokor, Ruppel & Burns, LLP; from Orlando, Rumberger, Kirk & Caldwell; from Tallahassee, Holland & Knight LLP; and from Gainesville, Avera & Smith, LLP; N. Albert Bacharach, Jr., P.A.; Scruggs & Carmichael, P.A.; Law Offices of Gilbert A. Schaffnit; Larry Turner, Peg O'Connor and Ron Kozlowski; Dell Graham; Law Firm of Robert Griscti, P.A.; Donnelly & Gross, P.A.; Fine, Farkash & Parlapiano; Law Offices of Rush & Glassman; and James H. Sullivan III. The North Central Florida Chapter of the FBA thanks everyone for their attendance and support.



U.S. Senior District Judge Hodges & U.S. Magistrate Judge Lammens. Photo courtesy of University of Florida Levin College of Law

<p>FBA Webinar CLE Series</p>	<p><b>Patent Piracy—When is Offshore Infringement?</b></p> <p><b>July 31, 2013</b></p>
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## "A Toast to Judge Hodges" Federal Bar Association Reception



Senior Judge Will Terrell Hodges was recognized for his years (and counti service as a United States District Ju "A Toast to Judge

Hodges" reception at the Thomas Center in Gainesville, Florida November 2, 2012. The event was presented by the North Cent Florida Chapter of the Federal Bar Association.

Judge Hodges was roasted and toasted by his colleague, Eleven Circuit Court of Appeals Judge Gerald Bard Tjoflat, as well as by and former law clerks from Gainesville and statewide. Judges Tj and Hodges reminisced about their judicial careers and friendsh together, telling the audience with humor about a variety of top from their contacts with Supreme Court Justices to their role in administration of the federal courts.

Appointed by President Richard Nixon to the United States Distr Court for the Middle District of Florida in 1971, Judge Hodges se Chief Judge of the Middle District from 1982 to 1989 and now r in Gainesville, Florida and sits as Senior District Judge in the Oc Division of the Middle District of Florida.

A few of Judge Hodges' many accomplishments and recognition mentioned at the reception by Stephanie Marchman, his former clerk and prior President of the North Central Florida Chapter:

HILLSBOROUGH AREA REGIONAL TRANSIT AUTHORITY

SPECIAL BOARD OF DIRECTORS MEETING  
Conference Room, 4305 E. 21st Avenue  
Tampa, Florida

MINUTES

A special meeting of the Board of Directors of the Hillsborough Area Regional Transit Authority was held on Monday, June 3, 1985, at 8:00 AM. The meeting was called to order and presided over by the Chairman, Charles M. Banks.

ROLL CALL:

Board Members Present: Charles M. Banks  
C. Lawrence Stagg  
Mayor Bob Martinez  
Richard Maurer  
Lawrence J. O'Neil  
Robert Scott  
Commissioner Ron Glickman

Board Members Absent: Dr. William Leonard  
Councilman John King

Others Present: Cliff Hayden, Jr.  
Brad Vinson  
Harry Orr  
Neal Meader  
Frank Ahedo  
Rob Gregg  
Dennis McDougal  
Irma Capaz  
Mike Nuechterlein

Chairman Banks stated that this special meeting was called for the purpose of dealing with the problem of our bus shelters which were removed from in front of the Federal Courthouse.

Chairman Banks went on to state that some kind of acceptable arrangement was being sought for both the Transit Authority and the Federal Judges. A meeting was scheduled with Chief Judge Hodges, but due to a conflict in the Judge's schedule, the meeting was cancelled. Our attorney was directed to continue negotiations with the Chief Judge, and an arrangement has been worked out that is acceptable to the Federal Judges. Chairman Banks recommends that we accept the arrangement.

This arrangement would locate new shelters on Zack Street North of the Federal Building. The shelters would face South, or the approaching buses as they come up Florida Avenue. This is a temporary measure until we get our permanent set up on Marion Street.

Chairman Banks said we have three choices:

- 1) Do nothing (which is unacceptable)
- 2) Possible extended period of litigation
- 3) Accept this arrangement (which is recommended)

Mr. Scott would be in favor of accepting this arrangement if we are going to provide adequate shelter for our bus riders.

Mr. Scott moved to accept the recommendation to place the shelters in the northwest section of the Federal Building as shown on the sketch that was presented. Mr. O'Neil seconded the motion.

There was further discussion.

The shelters will seat about 15 people and provide a shaded area for waiting passengers.

Mr. Bob Gilder, NAACP President, stated that this is a possible solution to the problem of having a stalemate with the Judge. Mr. Gilder feels that if this is accepted it is a way out for everybody, but still thinks somebody owes the poor people who ride the bus an apology for the hardship, the interruption, and the disrespect that they have been shown.

Mr. Randy Graham, representing the League of Young Voters, stated he appreciates the Board's efforts in trying to resolve this problem. The shelters were in front of the Federal Building for 14 years and up to now have had no problems. It is not fair, we pay our taxes and have no voice. Legal steps can be taken because just removing the benches and having them put around the corner is not solving the problem.

Mayor Martinez asked who would be working with the drivers. Mr. Hayden stated that assuming the Board passed this recommendation, supervisors would be there for the first couple of weeks until the people and the drivers get used to the new situation. This is not the best solution, but it is a solution that will offer some shelter and some benches for the riders.

Mayor Martinez stated we have to make sure it works. This should not be just a place for benches to solve the dispute between two agencies. We should go on record that we will spend whatever money is required for the benches to be moved again if in fact the people will not sit here because they are afraid they will miss their bus.

Mr. O'Neil suggested we take it for a trial period.

Mr. Maurer stated that the motion could be amended to accept the recommendation and review the situation after a 60-day period.

Mr. Scott amended his motion to review the situation after a 60-day period.

Mr. O'Neil amended his second with the understanding that if we found out prior to 60 days that it is not working, then this Board should act.

Mr. Bob Gilder would like the Authority to get some kind of input from the riders. Chairman Banks stated this would be done.

Mr. Stagg asked about the status of the Federal Grant and what is the predicted construction time on Marion Street once the Federal funds are released.

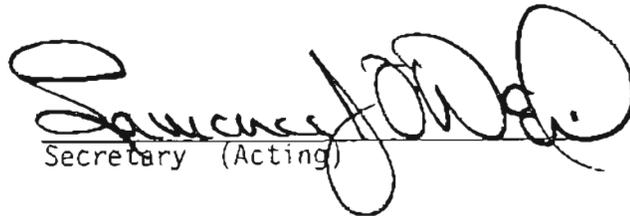
Mr. Hayden stated we are still waiting for grant approval. We are hoping to put out the Request for Proposal for architect/design by next week. We hope to be well underway with construction early next year.

Chairman asked for vote on the motion.

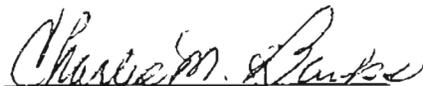
Motion carried unanimously.

Meeting adjourned at 8:24 AM.

Respectfully submitted,

  
Secretary (Acting)

Approved:

  
Chairman

Officials of the Hillsborough Area Regional Transit Authority and Chief Judge Wm. Terrell Hodges of the United States District Court, Middle District of Florida, today announced an accord in the placement and location of facilities for bus patrons near the United States Courthouse in downtown Tampa.

In reaching their accord, the parties sought to reconcile the public's interest in unimpeded access to the United States Courthouse and in suitable facilities for those awaiting bus transportation.

The parties' agreement will result in new, convenient shelters for bus patrons being established at the Authority's expense on Zack Street near the existing bus stop. These facilities will give bus patrons comfortable and easy access to the bus stop while leaving access to the main entrance of the Courthouse open to all.

Upon the advice of their attorneys, and as a part of the effort to amicably resolve a matter of public concern, HART will not assert a claim, if any exists, for the shelters previously removed.

Both Chief Judge Hodges and members of the Authority express pleasure and satisfaction in the resolution of a matter about which there has been considerable misunderstanding.



## Hillsborough Area Regional Transit

May 29, 1985

TO: ALL NEWS MEDIA  
FROM: CLIFF HAYDEN, JR., EXECUTIVE DIRECTOR  
SUBJECT: SPECIAL BOARD MEETING

**Directors:**  
CHARLES M. BANKS  
Chairman  
RODNEY COLSON  
Vice-Chairman  
Commissioner  
Hillsborough County  
C. LAWRENCE STAGG  
Secretary  
BOB MARTINEZ  
Mayor, City of Tampa  
WILLIAM N. LEONARD  
RICHARD MAURER  
LAWRENCE J. O'NEIL  
ROBERT R. SCOTT  
JOHN M. KING  
Councilman  
Temple Terrace  
**Executive Director**  
CLIFF HAYDEN, JR.

A special meeting of the Hillsborough Area Regional Transit Authority Board of Directors has been called by the Chairman, Charles M. Banks, for Monday, June 3, 1985, at 8:00 AM, to be held at the HART office located at 4305 East 21st Avenue, Tampa, Florida.

CPH/nas

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## Will Golden-Collum Memorial Federal Building stay underused?

By Suevon Lee

Staff writer

Published: Friday, October 15, 2010 at 11:42 p.m.

Unlike its state counterpart directly across Northwest Second Street, the federal courthouse in Ocala is seeing little foot traffic these days.

It has no full-time magistrate judge.

Its one senior district judge recently reduced his caseload by half.

All three of its courtrooms, including a \$1.75 million new one on the ground level, sit empty for the most part, save for the rare hearing or trial.

Some in the local legal community have privately expressed concerns about the future of the federal judicial stamp in Ocala.

They point to troubling signs, such as the frequent reassignment of Ocala-based criminal and civil cases to judges who sit elsewhere within the 350-mile-wide Middle District.

In September, Gary R. Jones — the one full-time federal magistrate judge in Ocala who handled initial appearance hearings, change of pleas and preliminary proceedings for the past 10 years — left to assume the same position in the Gainesville division of Florida's Northern District.

Meantime, Senior U.S. District Judge William Terrell Hodges, who in recent years has experienced some health issues, has relinquished half his caseload.

As a retired judge and Gainesville resident, Hodges, who assumed senior status in Ocala in 1999, often works from his chambers in the Gainesville federal courthouse, and he remains the sole judicial officer to maintain a semi-regular presence in Ocala's Golden-Collum Memorial Federal Building.

When the need arises, federal judges from other divisions will come to Ocala to preside over hearings.

But it's becoming more common for cases to be reassigned directly to their courtrooms, requiring attorneys based in Ocala to make the trip elsewhere — whether that's Jacksonville, Orlando, Tampa or Fort Myers, the four other locations in the expansive Middle District.

With its main clerk's office headquartered in Orlando, the Middle District covers a massive geographical area that stretches from the Georgia border to south of Naples.

It encompasses 35 of Florida's 67 counties, accounting for more than half of Florida's population.



*Doug Engle/ Staff photographer*

The Golden-Collum Memorial Federal Building is seen Friday morning. A vote will take place Oct. 26 to determine whether or not to leave the federal building open or move the federal judges to Orlando.

Questions posed about any inconvenience as a result of these reassignments to the local federal prosecutors and assistant federal public defender in Ocala were referred to supervising offices.

"We are definitely going to make this work in any way we can," said Donna Lee Elm, the Tampa-based appointed federal defender. "This is right now very much a temporary situation. Right now, we are managing just fine. We are taking extra steps to make sure our clients are being taken care of."

Yet the current void in the local federal judiciary is having some impact on the local economy. Federal criminal defendants are housed in the Marion County Jail at a rate of \$65 per day. With the reassignment of federal criminal cases out of Ocala comes the necessity to transfer inmates to other county jails.

In February, there were 34 federal inmates housed in the Marion County Jail; this month, to date, there are only nine. The steady decrease is reflected in revenue.

Last fiscal year, which ran October 2008 to September 2009, the amount of revenue the county pulled in from the federal government to house federal inmates amounted to \$289,261, an average of about \$24,105 a month. This fiscal year, from October 2009 to July 2010, the last month for which figures were available, Marion County has generated revenue of only \$180,757, or, over a 10-month period, an average of \$18,075 per month.

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This all comes at a time when recent moves have been made to beef up the federal court presence in Marion County.

Early this year, the U.S. Attorney's Office in Ocala moved into a renovated, 8,000-square-foot space on the second level of the Bank of America building by the downtown square. According to Amy Filjones, spokeswoman for the main U.S. Attorney's Office in Tampa, the relocation occurred to prepare for additional staff at some point.

"That's why we have that much space," she said of the new offices. Since 2007, there have been two full-time federal prosecutors stationed in Ocala. Prior to that, criminal indictments here were being handled by the other divisions, like Jacksonville or Orlando.

Some question what impact there may be now that a new U.S. attorney is at the helm of the Middle District. Robert E. O'Neill, who was sworn into office a couple weeks ago, is no stranger to the Ocala federal courthouse: He prosecuted the criminal tax fraud case against actor Wesley Snipes two years ago.

In a phone interview, O'Neill, who was previously the chief of the criminal division in the Tampa section, said he plans to conduct a general assessment of the district over a 30-day period, adding he doesn't yet know whether the federal prosecutor's office in Ocala may indeed gain additional staff.

"That would depend on the resources. We do have limited resources. The long-term prognosis is that we will have a budget cut in 2012," he said.

He added that he recognizes the need for a separate federal prosecution unit in Ocala.

"Having been in the office as criminal chief, it seems that ... it would be hard to eliminate one [of the district's federal prosecutors' offices]," he said.

In April, a new courtroom was unveiled at the federal courthouse in the area that once housed the Social Security office. These days, the spacious, blue-carpeted

courtroom, which includes a judge's chambers and jury assembly area, sees little use.

Funding for that space was approved in 2003, after then-Chief U.S. District Judge Patricia C. Fawsett, who is based in Orlando and is now a senior judge, made the request to the 11th Circuit Court of Appeals, which has jurisdiction over the federal courts in Florida, Georgia and Alabama.

It was intended as a courtroom for a full-time magistrate judge to substitute for the small, 1,200-square-foot courtroom currently on the second floor. That, too, sits dark on most days.

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Much of the uncertainty over the state of Ocala's federal judicial imprint hinges on how likely it is the vacancy created by Jones' departure will be filled.

An annual conference attended by district judges is scheduled to convene next week in Palm Coast. Funding requests for vacant positions will be discussed. U.S. District Judge Anne C. Conway, the current chief judge of the Middle District, said she would have a better idea of the funding outlook following that conference.

Still, were the funds to be approved to bring a new full-time magistrate judge to Ocala, the process to name an appointment would take at least a year.

Conway, who assumed the chief judgeship from Fawsett in 2008, pointed out in a recent phone interview that Ocala is the least active of the five divisions that make up the Middle District. The busiest locations are Orlando — where Conway is seated — and Tampa, she said.

"There's always a chance of that happening," she said, when asked whether the Ocala division could be ordered closed. "I couldn't say it would never happen, but there's so many factors that have to be taken into consideration."

Only congressional authority could allow for such a closure, but some wonder whether the intention within the Middle District exists.

"Realistically, why keep paying money to keep this courthouse going and staff it here when you see less and less business, and when judges are going to have to travel from Orlando to here?" asked Jack Maro, a criminal defense attorney who represents both state and federal defendants in Ocala.

Conway said it didn't strike her as particularly problematic that cases from Ocala are being reassigned to other judges.

"A lot of the cases in Ocala are the types that are fairly portable," she said, identifying those as "the cases that don't have parties and witnesses where you have to be in close proximity to the courthouse."

But attorneys like Maro may offer a different perspective.

The lawyer estimates that he has turned down about a half-dozen defendants in the last six months because they would not be able to afford his fees now that the reassignment of cases would require him to travel such great distances within the Middle District.

"I've cut back because I'm not interested in driving to Jacksonville," said Maro, who has practiced law here for 38 years. "I can't justify charging a client thousands of dollars of driving time, where it's going to exceed the cost of the case."

He points out that the reshuffling of cases could also have a detrimental effect on the number of cases being filed in Marion County in federal court.

"You're overloading that [other divisions'] docket, but you're also in some way affecting the filing decision based on accessibility of court and of prosecutors and law enforcement," he said.

The Middle District's Clerk of the Court, Sheryl L. Loesch, said that regardless of the lack of a full-time federal judge in Ocala, the building remains an "open, functioning courthouse."

"My staff is there. I've assured them they're going to stay there," she said. "Ocala is a viable division of this court."

*Contact Suevon Lee at 867-4065 or [suevon.lee@starbanner.com](mailto:suevon.lee@starbanner.com).*

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