



Judicial Profile

by Richard S. Dellinger and Coleman Watson

Hon. John Antoon II U.S. District Judge, Middle District of Florida

"The Judges ... should always be men of learning and experience in the laws, of exemplary morals, great patience, calmness, coolness and attention ... they should not be dependent upon any man or body of men."

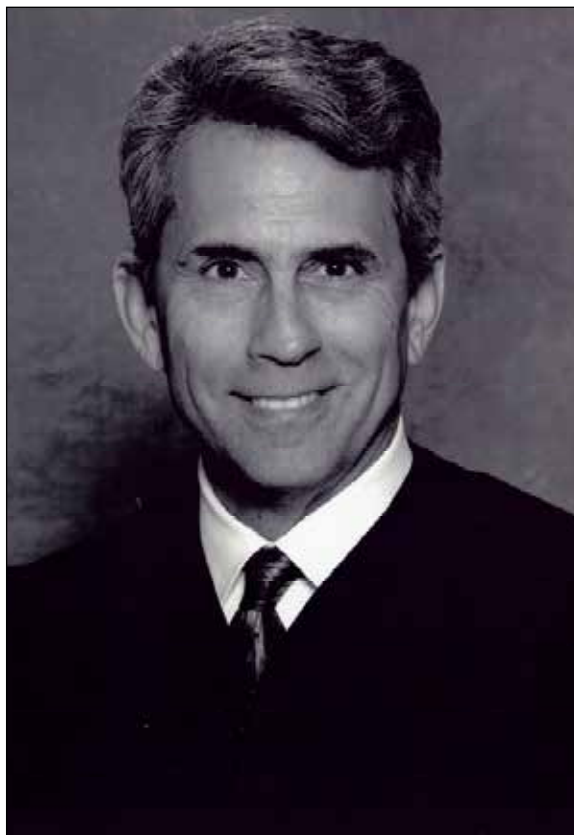
--John Adams, 1776

Since beginning his judicial career in 1985, U.S. District Judge John Antoon II has aspired to meet the standard announced by John Adams over 200 years ago. Examination of Judge Antoon's career, which has spanned almost three decades and thousands of cases, reveals a jurist devoted to the rule of law. A compassionate man with a focus on preserving the dignity of all who appear before him, the judge has tried cases and resolved countless issues without regard for the identities of the parties or public reaction to his rulings. He understands that a secure democracy requires an independent judiciary.

Impressive Role Models

During his tenure as a district judge, attorneys, members of the court staff, and other judges have found Judge Antoon to be patient, thoughtful, committed to public service, and compassionate, while still being firm and hardworking. He is quick to recognize his good fortune in having wonderful role models throughout his life, and his judicial temperament reflects many of his role models' best characteristics.

His role models include his grandparents: his paternal grandparents were immigrants who came to America for the opportunity it offered. "My grandfather was a hardworking peddler that was devoted to his family and church, who achieved financial success, and had children that were all successful in their endeavors," said Judge Antoon. His maternal grandparents were American



pioneers that left their Tennessee home when they saw an opportunity to farm wheat in the Northwest. Judge Antoon recalls that "they understood what was important in life; they were good to the core."

The judge's parents likewise served as his role models. They met during World War II. His father was drafted during his last year at the University of Missouri, where he was studying journalism. Pearl Harbor was attacked a short

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time later, and the Army Air Corps stationed him at Minner Field, a night fighter training base in California. The judge's mother, a farm girl, worked as the base commander's secretary. As his father pursued a military career in the Army Air Corps, specializing in public relations and community affairs, the judge's family moved frequently.

The judge inherited his father's intellectual curiosity and appreciation for clear communication. His father grew up in a poor neighborhood in St. Louis where toughness was essential to survival. It was also from his father that the judge learned the value of self-discipline and the importance of serving one's country.

The judge's mother is a model of moral strength and patience. She was born in a sod house in the dead of winter on a remote Montana homestead. As the fifth of seven children, sharing and doing without came naturally. In raising her four children, she was always an interested listener—none of her children recalls her ever raising her voice in anger. Through his mother, Judge Antoon learned the value of patience and the art of listening.

Judge Antoon credits both his mother and father for simple lessons learned that would later shape the way he opines from the bench. His mother, who is now 91 years old, would teach the young Antoon that life is full of diversity; he should always be tolerant of others' points of view; and never fail to consider that there are at least two sides to every argument. His father would teach him "qualities valued in the legal profession—discipline and effective communication." In his own words, "my father had the ability to write clearly and colorfully. I try, but it is difficult to meet the high standards he set."

Judge Antoon was also influenced by the senior members of his law firm. He considers himself fortunate to have joined the Brevard County, Fla., firm of Stromire, Westman, and Lintz early in his career. It was a small-town firm, but the lawyers were exceptional in both skill and professionalism. The general practice firm put an emphasis on meticulous preparation and clear communication with clients. The judge considers the opportunity to practice with the firm the biggest break in his career.

Robert T. Westman, a senior partner in the firm, has played an important role in the judge's life. A former Naval aviator, Westman was insistent on precision; he had a low tolerance for blurry lines. He was an excellent lawyer, but Westman told the judge it was important to be a husband and father first. Westman also read widely and loved the outdoors, and he and the judge took annual backpacking trips into the Rocky Mountain wilderness together for more than 30 years. Judge Antoon describes his relationship with Westman and fellow partner Lester Lintz as follows: "Lester and Robert were classmates in law school and close friends as well as partners. They were both older than I. Lester, an estate planning and probate expert, was the epitome of professionalism—no lawyer gave clients more courteous attention. He is a true gentleman. Over the years, I heard both Lester and Robert say of the other, 'if everyone were more like [the other] there would be few problems in the world.' They were

both correct. Robert had more influence on my career than anyone else. He is a skilled lawyer with an ability to analyze and communicate clearly and effectively, but what sets him apart is his instinctive sense of proportionality and balance. He was aggressively honest in his dealings with clients, opposing counsel, and the courts. Robert understood the role that lawyers play in a democracy."

These inspiring people and the many fine jurists with whom Judge Antoon worked over the years as a state and federal Judge laid the groundwork for an exemplary judicial career. On Feb. 9, 2000, Judge Antoon was nominated as a federal district judge by President Bill Clinton, and he was confirmed by the U.S. Senate on May 24, 2000. Judge Antoon will assume senior status on June 3, 2013.

Growing Up During the Space Race

On May 23, 1961, President John F. Kennedy announced: "I believe that this nation should commit itself to achieving the goal, before this decade is out, of landing a man on the moon and returning him safely to the Earth." The race was on. Soon thereafter, astronauts and engineers arrived in Brevard County, making it a center of the fledgling space industry. In Cape Canaveral and Cocoa Beach, residents rubbed shoulders with astronauts, who had become celebrities. The entire world watched as scientists developed the rockets and technology that would soon take astronauts to the moon.

In 1962, Judge Antoon's father transferred from Wheelus Air Force Base in Tripoli, Libya, to Patrick Air Force Base in Brevard County, where the family moved into military housing in Satellite Beach. The base, home to the 45th Space Wing and the 920th Rescue Wing, was integrally involved with space flight. As the space industry developed in Brevard County, communities from Titusville to Melbourne Beach prospered.

In 1964, Judge Antoon graduated from Satellite High School, where he was on the school's first basketball team. He studied math and science with the children of engineers and scientists who were essential to the U.S. space program. Upon graduation, he set his sights on playing basketball at Florida Southern College. Reflecting on his basketball days, the judge remarked, "The competition was tougher than I expected. Looking at a lot of time on the bench (a bench of a different sort), I decided to focus on academics." He earned several academic scholarships and a Bachelor of Arts degree with a major in history. He later received his law degree from Florida State University, a Masters in Science from Florida Institute of Technology, and a Masters in Law from the University of Virginia.

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Judge Antoon with his family in Turkey.

Early Legal Career

Both of Judge Antoon's brothers attended the Air Force Academy, and the judge was an Army ROTC distinguished military graduate. Upon being commissioned as a second lieutenant, he was assigned to the Judge Advocate General (JAG) pending completion of law school. He planned on attending the JAG school upon passing the Florida Bar Exam, but just minutes before beginning the exam, he learned that the JAG school classes had been discontinued indefinitely. While awaiting military orders, the judge began teaching at a community college and worked as an assistant city attorney. At that time, cities in Florida had their own courts with misdemeanor jurisdiction, and so the judge served as prosecutor for the City of Cocoa.

After a short tour of active duty with the Army, the judge returned to Brevard County, resumed a part-time role as a city prosecutor, and began civil practice with Stromire, Westman, and Lintz. Eventually, Florida phased out the municipal courts, and the judge transitioned from part-time prosecutor to representing indigent criminal defendants as a part-time assistant public defender. "As an assistant public defender, I represented people with a variety of disadvantages—from poverty to mental illness. This experience reinforced the importance of patience and clear communication," said Judge Antoon. In 1976, Judge Antoon became a partner in the firm, and continued working there until he became a Florida circuit judge in 1985.

Later Law Practice

During his practice in Brevard County, the judge handled a wide variety of cases ranging from real estate transactions to personal injury litigation. He considers himself lucky to have had the kind of broad experience

that is hard to come by in modern legal practice.

Judge Antoon and his partners were actively engaged in pro bono work even before the Florida Bar made it an official obligation. The judge has publicly expressed his admiration for Justice Louis Brandeis, observing: "Justice Brandeis was a stalwart defender of the Bill of Rights, particularly the First Amendment. *Before* taking the bench, he was known for his altruism. He was dubbed the 'People's Lawyer' because of his extraordinary pro bono work. He thought pro bono work had a positive effect on the souls of the attorneys providing it." Justice Brandeis' legacy plays a role in Judge Antoon's active encouragement of civil litigators to volunteer to serve on the Criminal Justice Act Panel in the Middle District of Florida.

Today, Judge Antoon is concerned that the expense of legal services has grown so large that there is a whole class of potential litigants who cannot afford to get their day in court. According to the judge, one way of resolving this problem is for lawyers to seek agreements limiting unnecessary discovery. He believes more cases should be decided on their merits, and that courts could be more creative in assuring that disputes are not decided based on which side has the most money to spend.

Throughout his career, the Judge has participated in organizations to advance the administration of justice and provide service to his community. He served as president of the Brevard County Bar Association and the Vassar B. Carlton Inn of Court. He chaired the Bar Grievance Committee and served on the Fifth District Court of Appeal Nominating Commission. He is currently a member of the board of the George C. Young Inn of Court. He served on the initial Board of Directors of The Haven, which operated as a residential shelter for the care of dependent infants, and he has participated with Big Brothers. Additionally, he was a member of the Sertoma Club and Rotary Club.

Well Rounded Judicial Career

After being elected circuit judge for the 18th Judicial Circuit of Florida (Brevard and Seminole Counties) in 1984, Judge Antoon put his broad legal experience to work on the bench. He knew what kind of judge he wanted to be: first, he wanted all who appeared before him to know that they would be treated fairly regardless of how much or how little power they had. The judge knew that to be the case, but he "wanted the parties and their lawyers to believe it." Second, he wanted to be sure that the parties were satisfied that they had been heard. Finally, the judge believed that it was important that he explain his rulings so that the parties and the reviewing court could understand his reasoning.

Winning the respect of his colleagues, he was twice elected chief judge of the state circuit. He was also elected chair-elect of the Florida Conference of Circuit Judges. Just before he was to assume the position of chair, Judge Antoon was appointed to the Fifth District Court of Appeals by Gov. Lawton Chiles. In that capacity, he authored many opinions shaping Florida law. In 2000, after serving as

president of the Florida Conference of the District Court of Appeal Judges, he left the Fifth District Court of Appeals to assume the position of U.S. district judge.

“John Antoon is a judge’s judge. He is eminently respected by his colleagues on the bench and at the bar for his razor-sharp analytical abilities, his rock-steady judicial temperament, and his thorough and thoughtful judicial opinions. What is more, beyond his traditional judicial role, he carries a very heavy load of court administration duties through his service on important court committees. As chief judge, I rely a great deal on Judge Antoon’s wisdom and judgment in matters of court administration,” says Judge Anne Conway, chief judge of the Middle District of Florida.

When asked about his service, Judge Antoon said: “It is an honor I had no right to expect would ever be mine. I can think of no better way to serve my country. Every day, very intelligent people explain to me how a particular problem should be solved. My job is to seek the truth, or make sure a jury is able to do so, and to follow the law. What a job—every once in a while I have to remind myself that it isn’t a dream.” The judge adds, “The best thing about my job by far is the people I get to work with. I have deep respect for all of my colleagues, who are intelligent, hardworking, and decent people. My law clerks are the best and brightest young lawyers. They are a constant source of optimism—it is good to know the country is producing such outstanding citizens. I confess, I like lawyers—no other profession has such interesting members. I look at my job as going to school. I come to work every day and listen to attorneys that are well versed. They know a lot about so many different subjects from technology of wind turbines to employment agreements to obscure state statutes,” says Judge Antoon.

The judge explains that sometimes following the law is difficult because it is not always clear what the law demands. When the law is clear, however, it is the duty of the judge to follow that law even if doing so is exceedingly unpopular and even if the judge dislikes the result. A judge must have intellectual courage.

Judge Antoon’s efforts to emulate the standard expressed by John Adams have been recognized throughout his judicial career by numerous awards and accolades, including: the James E. Hazebrook Memorial Bar Service Award from the Orange County Bar Association, Trial Judge of the Year from the American Board of Trial Advocates, Central Florida Chapter; the James G. Glazebrook Memorial Outstanding Member Award from the George C. Young First Central American Inn of Court; the Gary L. Formet, Sr. Criminal Justice Award from the Orange County Bar Association; the Distinguished Service Award from the Florida Council on Crime and Delinquency; the Marjorie Olsen Child Advocacy Award for distinguished service to children; the President’s Award from the Brevard County Bar Association; and the Humanitarian Award from the 18th Judicial Circuit for sensitivity towards victims and witness rights.

Witness to Revolution

As the judge approaches senior status, he cannot help but look back on the revolutionary changes he has seen during his career. Having witnessed overt racial segregation in the 1960s, he was later honored to serve on the bench with African-American colleagues, and in 2008, he saw an African-American sworn in as the President of the United States of America.

Witnessing racial segregation in Florida as a young man had a profound influence on Judge Antoon. Although *Brown v. Board of Education* was decided in 1954, schools in Florida were still racially segregated when he graduated from high school. Florida, like the rest of the country, was undergoing a revolution. Having grown up on military bases from California to North Africa, the judge was shocked to observe racial segregation for the first time in Florida. He remembers his first visit to a segregated movie theater in Florida: “I was confused and sad. This was so different from anything I had experienced before. I had read about the absurd cruelty of segregation, but seeing it firsthand was a profound, life-changing experience. It was the beginning of a glimmer of hope that someday I might work to bring about change. I was left with an abiding respect for the federal courts, which were instrumental in achieving desegregation.”

Progress toward racial equality is not the only revolution the judge has observed over his career. He recalls the first time he saw a female trial lawyer in court: “It was a significant event; spectators gathered in the gallery to watch.” There were just three women in his graduating class from law school, but 11 years later, when he interviewed applicants for a position with his firm, there were more women than men in two of the three schools he visited. Judge Antoon is proud that he has served in the Middle District of Florida, where the last three chief judges have been women.

When asked if he sees any other sea changes underway, the judge said that technology will provide many interesting challenges: “Technology is moving so fast that the political branches are just not able to keep up. The legislative branch is unable to anticipate and react to the challenges of new innovations. As a result, the courts may be first to decide important issues.” The judge hopes to witness this revolution as well.

Advice for New Lawyers

While serving as a judge for almost 28 years, Judge Antoon has had the opportunity to see exceptional

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lawyers. The judge considers it a treat to try cases with good lawyers on both sides, and those at the top have some things in common—they are always prepared and they treat those around them, including opposing counsel, with respect. Although good lawyers are committed to zealously representing their clients, they do not let that obligation

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**—Chief Judge Anne Conway,
Middle District of Florida**

override other ethical responsibilities. Understanding the importance of their reputations, good lawyers are candid with the court.

As the day approaches when he will take senior status, Judge Antoon has some advice for new attorneys: “Work hard, but have a rich life outside the practice. Find time to spend with those you love. Don’t be seduced by the promises of tomorrow or lament the disappointments of yesterday. Enjoy the present.”

The Next Challenge

Judge Antoon is also a devoted husband and father. He married his wife, Nancy, in 1991. Together they have a teenage daughter, Molly, who is an avid volleyball competitor. “My wife is the most wonderful companion. She brings balance and immense joy to my life. Molly is the focus of our affection. We take great interest and pleasure in watching her grow,” says Judge Antoon. Even after long days of mulling over the critical facts in the cases before him, it is not unusual to find Judge Antoon and his wife sitting in the stands of Molly’s high school gymnasium to show their support during her volleyball matches.

Taking senior status will give Judge Antoon an opportunity to pursue some of his many interests—backpacking, fishing, reading, gardening, and traveling with his wife and daughter. He does not, however, intend to quit judging. It is his plan to assist his fellow judges by continuing to maintain a substantial caseload. For the time being, he plans to do so in his Orlando chambers. He remains ready to try complex cases, interpret new laws, and observe the unfolding of the technological revolution. ☺