Arthur J. England Jr., former Florida Supreme Court chief justice, dies

BY ELINOR J. BRECHER
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But he was proudest of bringing the Interest on Lawyers Trust Accounts (IOLTA) system to Florida, a way to fund legal services for the poor with the bank interest on client money that lawyers deposit in banks.

Under England’s direction, the Florida Bar Foundation started the country’s first IOLTA program in 1981. It has since been adopted by every state and the District of Columbia.

England died of pulmonary fibrosis at home in Coral Gables on Thursday. The day before, he was still working on cases, “tethered to an oxygen machine,” said Deborah Miller England, his wife of 29 years. She also is an attorney — as are two of his six children.

Born in Dayton, Ohio, on Dec. 23, 1932, England was 80, a veteran of the U.S. Army.

In 2008, Miami-Dade’s Eleventh Judicial Circuit Historical Society Board named England a “Legal Legend,” one of 12 honored that year for outstanding contributions to the legal system and the administration of justice in the county.
By then, he had accumulated a long list of awards, including the Florida Bar Foundation’s Medal of Honor.

He once worked at the law firms of Fine Jacobson Block England Klein Colan & Simon, and Steel, Hector & Davis.

Martin Dyckman, a retired reporter from what was then the St. Petersburg Times — now the Tampa Bay Times — spent years covering England’s career. He said that one of his great achievements was getting elected in the first place during a time when the court was rocked by scandals that forced justices to resign.

He was a pilot, said Dyckman, and barnstormed the state on a limited budget drumming up support.

He took the bench as a reformer and an ally of then-Gov. Reubin Askew “during a time when it was pretty risky for lawyers to come out against the clique on the court,” Dyckman said.

Askew called England’s election to the court more important than his own to the statehouse, Dyckman said.

During England’s tenure as chief justice, the court decided to restrict its own jurisdiction, which Dyckman called England’s “signal achievement.”

After leaving the bench, England spent the bulk of his legal career, 1992-2012, at Greenberg Traurig, where he founded and co-chaired the National Appellate Practice.

In 1990, he’d founded the American Academy of Appellate Lawyers, serving as its charter president, and last year established a solo appellate practice.

England was Florida’s first Jewish Supreme Court justice. He was active in Jewish causes, including the Anti-Defamation League, and was a past president of Temple Israel in Tallahassee. He belonged to Temple Beth Am in Pinecrest.

Richard A. Rosenbaum, Greenberg Traurig’s chief executive officer, said in a statement that England “was consistently honored throughout the years for his many outstanding contributions to the legal system. But what those who knew him personally will remember most is the man who exhibited the class, values, ethics and gentle spirit that served as a role model to his firm and his profession.”

Elliot H. Scherker, a shareholder in Greenberg Traurig’s appellate practice who joined the firm 20 years ago to work with England, called his friend “one of the giants of the legal profession in Florida. He served as a mentor and role model for the lawyers within his group, as well as many others. His commitment to the rule of law was unparalleled and his service to The Florida Bar and its Foundation was unequaled.”

According to his website, England served two years in the Army’s Counter-Intelligence Corps. He held degrees from the University Pennsylvania’s Wharton
School of Finance and Commerce and its law school, as well as from the University of Miami’s law school, from which he earned a Master of Laws in Taxation.

He served as Special Tax Counsel to the Florida House of Representatives, where he authored the Florida Corporate Income Tax Code, and as Consumer Advisor and Special Counsel to Askew. He helped bring cameras into Florida’s trial courts and advocated expanding them to all courts.

A prolific contributor to the Miami Herald’s op-ed page, he co-authored a piece in 2011 calling for broader acceptance of cameras in federal courtrooms. The article, written with Talbot "Sandy" D'Alemberte, president emeritus of Florida State University and a former president of the American Bar Association, noted that “in 30 years, not a single conviction in Florida has been reversed because of cameras.”

In private practice, England represented the Florida Department of Agricultural in appeals involving the citrus canker eradication program of the mid-1990s. Working for pro-gambling interests, he helped draft the casino gambling measure that voters rejected in the November 1994 election.

Just before the November 2012 elections, England joined five other former Supreme Court justices in signing an op-ed lambasting the Republican Party of Florida for campaigning against three sitting judges’ retentions, based on their ruling in a death-penalty case.

“The justices’ votes in one case, or even a few cases, should not be relevant to their retention,” the former justices wrote. “Both Republican and Democratic leaders have at times been unhappy with some of the court’s decisions. That is the nature of judicial decisions.

“The entire point of a fair and impartial judiciary is that its decisions will not be influenced by outside forces such as campaign donations or political pressure. ...The RPOF’s recent unprecedented attempt to politicize the judiciary ... undermines the purpose of the merit selection and retention process, which is precisely to remove partisan politics from the judiciary.”

In addition to his wife, England is survived by daughters Andrea England, Karen England and Pamela Rogers, and son Aaron England, all of Miami, as well as daughters Rachel England of Texas and Ellen Morag of Israel. He had four daughters with Morley “Dee Dee” England, of Hollywood, from whom he was divorced.

The family plans a private funeral.
Herman Dorsett, founding FIU professor and longtime civic leader, dies at 78

BY CARLI TEPROFF

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Herman Dorsett, a founding professor at Florida International University, the first African American to sit on the Judicial Nominating Commission and a longtime civic leader in Miami, died Saturday at age 78.

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