



Judicial Profile-Edward Fine

By: Eric C. Santo - 1983

Judge Edward fine is a simple, quiet man who thought the odds weren't too great that he'd be a judge. Judging from his demeanor, sensitivity, and interest in the everyday man, Palm Beach County is a big winner because this dark horse came in. The thirty six year old native of Pontiac, Michigan moved to Hollywood, Florida in 1956. He lived there until his college days at Vanderbilt University and spent his college summers selling Webster's Dictionary door to door in Washington, D.C., Lakeland, Jacksonville and Gainesville.

Judge Fine moved on to study law at Gainesville in 1968 after earning a Bachelor of Arts degree in Business Administration from Vanderbilt that year. Before graduating from Florida in 1971, Judge Fine got a start on his legal career by serving an internship with the Public Defender's Office in Gainesville. After law school, Judge fine's first job was with the Public Defender's Office in West Palm Beach where he remained until 1974. During his two and one half years in the local Public Defender's Office, he served in all capacities.

Judge Fine finally found a private office with the firm of Campbell, Colbath and Kapner where he became involved in general civil trial work and where he became a partner. He remained with that firm until 1978, when Governor Askew appointed him to they County Court. The dark horse had made it, at least for a moment. The deadline for filing for re-election was only a week away and it became a two horse race. We all know who came in first-Judge Edward Fine and Palm Beach County. This year, Judge Fine runs unopposed.

VIEWPOINTS:

Philosophy: "I don't have one. It's hard to capsulize. I don't think people live their lives by formulating a philosophy and then applying it."

Observations: "When you watch someone in court you cannot tell where they went to law school or what grades they got. You can't tell how intelligent a lawyer is by watching a presentation... most lawyers are pretty smart. Education and intelligence are not an important factor in doing a good job. From my position, innate natural ability does not make much of a difference either in the outcome of the case or in the presentation.

The thing that makes a really good lawyer is that he always tries to do his best for his client. The jury picks that up too. Most trials are not decided on the testimony because the testimony is in direct conflict. They have to decide on intangibles. Usually the little arguments that are made and the little insights are the result of someone having done a lot of work ahead of time. The lawyers who do the best are those who try the hardest."

View of the Public: “In view of the tremendous volume of cases, you would think I would get cynical, but I really don’t because a very small percentage of the people come in and contest the case. If there are 400,000 traffic citations and three or four percent plead not guilty, I would think three or four percent of all traffic cases might not be guilty. So, I don’t get cynical from the volume. Unlike fiction, truth can be very strange sometimes.”

D.U.I. Cases: “As a practical matter, they can’t throw people in jail automatically because the public would not stand the cost of building all the jails. In the short run, the new law makes a difference because people are more conscious of it. What it will do in the long run remains to be seen.”

Sentencing/Media Feedback: “Historically, the function of the media has been to be the antagonist of government. That is the way they see themselves. The courts do not get a lot of feedback from the public. When you sentence someone, one of the considerations is that you want to give a fair sentence. It’s an injustice to the sheep to spare the wolf. So if you have someone preying on society, it is an injustice to society to be too lenient just as it is an injustice to be too severe. So, if there is a lot of carnage on the highways from drinking drivers, one of the objects of sentencing is to prevent a person from continuing to be a danger. If I thought a person would not be a danger anymore and was sure of it, I would not want to do anything to him. The perception you get from the newspapers is that unless you do something, someone who has a drinking problem is still going to have a problem, and so they need a traumatic event in their life to make them change their ways. The media is a form of feedback if the newspapers, news broadcasts and statistics constantly show there is a problem. It tends to make sentences different more severe.”

Alternatives: “There is no state funding for county probation departments. We are lucky in Palm Beach County because we have a lot of alternatives. Some small counties have no probation department and the judge must either put the person in jail or let him go. There is nothing else.”

Plea Bargaining: “I do not see any weakness in the plea bargaining system when it is done right. The weakness is what is done with people after sentencing. A lot of people are imprisoned when they might be better off in public work projects, which are used in other countries. Here, the bulk of the sentence is punishment—they are sort of made victims themselves.”

Preferences: “I prefer to do both civil and criminal work and enjoy how the system operates. The jury trial is very important because it is the great leveling factor in the system. The people who make the decisions are not bureaucrats or judges.”

Hobbies: Sailing, photography, woodworking and fishing.

Activities: Formerly involved with the Arthritis Association and the Jewish Community Center Principal of Temple Judea Religious School. Wife is a member of the Board of Directors.