



Judge Marvin Mounts

By: Eric Santo

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To some Tallahassee politicians, a judgeship is just another job. But, to the Honorable Marvin Mounts, being a judge and actively pursuing the improvement of the judicial system is a full and rewarding job.

Being a judge can lead to other rewards: the opportunity to teach at the Florida Judicial College and the National Institute of Trial Advocacy; The experience of serving on the Governor's Advisory Committee on Corrections and conducting yearly prison tours; and the feeling of accomplishment by contributing to the education of college students who go on to be community leaders.

Before being elected to circuit court in 1972. Marvin Mounts served this community for thirteen years in the County Solicitor's Office. During that period he was twice elected as County Solicitor. Recently, Judge Mounts has also become chairman-elect of the Criminal Law Section of The Florida Bar. He has generously agreed to offer the fruits of his efforts, his experience and insight, in the following viewpoints.

VIEWPOINT:

The Judiciary: "I thought it would be interesting and challenging. The measure of life should be awakening in the morning and asking yourself whether you are going to like what you do today. As long as you can do that in the affirmative, you are doing what you ought to do."

Regrets: "The golden age of judging ended about the time I became a judge. The judiciary has become bureaucratic. The attitude of society is that it is just another job. The school board attorney and county attorney make more than or as much as judges and they have perks such as a car. The stature of the judiciary has diminished, I guess, because there are so many of us now. I would not encourage my sons to look to being a judge. I would tell a young man to make a million dollars in private practice. Make yourself financially secure and independent and then think about becoming a judge. I've made my bed and sleep in it. I like being a judge and my outside activities."

Pet Peeve: "Attorneys who don't manage time efficiently."

Common Mistake: "In criminal cases, lawyers will in effect give a quiz to the jury. They do not understand that the jurors are ill at ease as a lawyer would be going to the dentist or emergency room. Jurors may be embarrassed before their peers for not knowing the answer to the lawyer's question."

Prison System: "Probably, without being able to document it, the system is almost as complex as life itself. One cannot summarize what the system is in one sentence or several generalizations. Probably, this system is as good as any in the nation, which does not say a great deal because prisons are very wretched way of life at best. Almost everyone in there is a social failure. Managing those people and having those people try to live together presents difficulties of the first rank."

Alternatives: “The current prison reform bill talks about alternatives. One of the alternatives. One of the alternatives proposes is a new type of community control which very vaguely means putting people in a motel to which people report every evening not too much unlike our stockade operation. We already have these alternatives. The prison reform bill does not mean much for Palm Beach County.”

Proposed Change: “Clarence Darrow once said: “A courtroom is not a place where truth and innocence inevitably triumph. It is only an arena where contending lawyers fight not for justice, but to win.”

“The lawyers tell the jurors they are looking for only fair-minded, objective jurors to fairly and truly judge the case. That is a great lie. They are looking for jurors who will deliver the verdict they selfishly desire for their clients. That is the great fraud of jury selection. We tell these people that we are on a great quest for truth and justice. We are not. We are engaged in a great adversary system in which the victor takes the spoils. The legal system has become too adversarial. It is too much of a fight. We have lost sight of a lawyer’s real function—conciliation, compromise and adjustment of disagreements in the most satisfactory method available to both sides. I would redirect the system to that approach to life.”