

After having been told by many folks over the years that he would be wonderful either as a judge or a professor, Judge Jeffrey Dana Gillen applied for appointment to the bench. Judge Gillen was appointed to the Circuit Court bench by Governor Rick Scott in December 2012. He was sworn in and took the bench early January 2013. Prior to ascending to the bench, Judge Gillen enjoyed a distinguished legal career in the corporate, private, and public service sectors. Judge Gillen worked as an in-house counsel for General Foods, then at his own law firm in Albany, New York. It was in these roles that Judge Gillen developed skills in labor law, employment relations, and discrimination cases. In 1997, Judge Gillen began working for the Department of Children and Family Services where he remained for 15 years and became the agency's first Statewide Appeals Director.

After graduating high school from Culver Military Academy in Indiana, Judge Gillen attended college at Denison University in Ohio where he obtained his Bachelor of Arts degree with a double major in Political Science and History as well as a minor in Spanish. While he is a bit out of practice speaking Spanish, Judge Gillen still understands what it being said during proceedings in his courtroom. It was his father, a successful businessman, who suggested law school when Judge Gillen expressed uncertainty about his own career. His father counseled him that law school provides a person with a foundation that is an asset in any career. Judge Gillen proceeded to attend and graduate from Syracuse University Law School in New York. Another memorable piece of advice that Judge Gillen received from his father is that "people like to do business with people they like." This simple advice translates into all aspects of life, business dealings, and court situations. These words have served Judge Gillen well and he has passed this advice onto others, including his own two children. His son is a veterinarian, and his daughter is a federally-certified schoolteacher, administrator and author.

When asked about his memorable and important cases, Judge Gillen mentioned a big tobacco case between the State of Florida, RJ Reynolds, and Imperial Tobacco Group ("ITG"). Pursuant to a 1997 settlement agreement with the State of Florida ("the FSA"), RJ Reynolds was required to make yearly payments of approximately \$30 million a year to the State in perpetuity to cover past and future health care expenses resulting from consumer use of tobacco products. In 2015, RJ Reynolds sold four of its cigarette brands (Winston, Kool, Salem, and Maverick) to ITG for seven billion dollars and argued that ITG should have been responsible for the payments attributed to the revenue from those brands. ITG agreed to make reasonable best efforts to become party to the settlement agreement and thereby responsible for the payments. It did not become party and neither it nor RJ Reynolds made the payments to Florida. Attorney General Pam Bondi and Philip Morris moved for payments in the case which had remained in the division over which Judge Gillen was presiding. Judge Gillen ruled that an agreement to make reasonable best efforts to become bound by an agreement is not the same as becoming bound and ordered that RJ Reynolds remained liable for the payments attributable to the revenue from the four brands it had sold to ITG. The Fourth DCA affirmed. Judge Gillen made clear his reference to the case was to demonstrate the vitality of the professional mantra his Dad had taught him many years earlier as mentioned above as well as the import of professionalism and civility. The lawyers on the losing end of the RJ Reynolds case nevertheless publicly and strongly supported Judge Gillen for his reelection.

Judge Gillen loves being a judge and particularly enjoys presiding in the criminal division because everything being done is so important to everyone involved, including the community. While Judge Gillen has also presided in the civil, family, probate, mental health, and guardianship divisions, which have equally important cases, he is partial to the criminal division. The practitioners who come before him on a regular basis in criminal cases know what to expect of one another and remain professional and

respectful. Judge Gillen's advice to all practitioners is to be well prepared when entering his courtroom and to exercise the utmost candor with the court. He admonishes that once a person's credibility is compromised, their integrity is suspect, and it is difficult to rehabilitate. This, he stresses, is especially so in the practice of law. Judge Gillen requires the submission of case law sufficiently in advance of hearings. He likes to be thought of as a patient judge who listens to everyone and gives everyone an equal chance to present their case. Judge Gillen is respectful to all parties, well prepared, and organized. While being a judge is a stressful and time-consuming career, Judge Gillen enjoys the honor and privilege of serving his community.

On behalf of the Judicial Relations Committee and Palm Beach County Bar Association, we congratulate Judge Gillen on his third term on the Circuit Court Bench and look forward to his dedicated service, commitment and contribution to the local bar and community at large in the 15<sup>th</sup> Judicial Circuit.

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