

Judicial Profile- Tom Johnson

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Retiring Judge Tom Johnson, age 64, has worked for the State for about 30 years. He can now retire at 90 percent of his pay. He and his wife have a home on the Intracoastal in Jupiter, a dock, and he wants to learn to fish. "Little Red" grew up in Lake Worth; one of six children of a lawyer, A.R. Johnson, who died in 1959. A.R. had come from East St. Louis to Florida in 1922 and worked in the Comeau building doing mostly collections. The judge was a four-letter athlete in high school, swimming, football, basketball and track. He was a lifeguard at the Lake Worth Beach in high school. He mentioned that he met his wife Audrey on the beach who looked real good in a bathing suit. He is remembered as saving about 10 people from riptides.

After graduating in 1946, he became "one of a few good men." He joined the Marine Corps so that he could go to college. After boot camp in Paris Island, he ended up as a guard in Yorktown, Virginia, in a Navy mine depot. He made Private First Class. Then to Palm Beach Junior College for two years on the GI Bill, and directly into law school at the University of Miami. He graduated in 1953, and found himself in the top 25% of his class. Then came back to West Palm Beach to practice law with his father, A.R., and his older brother, Bill. At this time, there were less than one hundred lawyers in the Bar Association.

In 1955, he was appointed assistant county solicitor, a part-time job. The solicitor, at that time, was Chuck Nugent. They prosecuted all criminal cases except first degree murder and rape, which were within the domain of the State Attorney, Phil O'Connell, who was the State Attorney for both Palm Beach and Broward County. These were supposed to be part-time jobs. The State Attorney and Solicitors were so busy that they decided to work full time. This was a burden on our future judge because he was only making \$4,800.00 per year. The criminal cases were tried in the courtroom in the center of the courthouse.

This was an interesting time in law enforcement. Everyone was trying to figure out who had killed Judge Judge Chillingworth and his wife. The judge mentioned that in the five-year period before the case was solved, he always suspected Joe Peel. He said Peel had motive and was a little 'crazy.' Phil O'Connell and Chuck Nugent were doubtful.

In the primary election for Florida governor, between mayor King of Miami and Mayor Burns of Jacksonville in the early 60's the judge worked for Hayden Burns in Palm Beach County. Governor Burns, in turn, appointed him State Attorney in 1964, and he served four years. He was know statewide as a vigorous prosecutor and tried 30 to 35 murder cases; he never lost one and only one sentence was reduced from first-degree murder. His main help, at that time, was from his investigator, Smokey Stover, who had come from West Virginia and the Boca Police Department. With this impeccable record, he ran unsuccessfully again in 1968 against Zell Davis, a Republican. That courthouse. A short time after this, the judge became a Republican. In 1972, the offices of State

Attorney and Solicitor were combined, and Marvin Mounts beat Zell Davis for that position. The judge was now practicing law in the Comeau building, again with his father and brother. Then he ran for the Florida State Senate and won. At that time, there were 13 Republicans in the Senate. He authored the Florida Evidence Code, and the Probate Code. He was defeated in the next election by Don Childers in a Democratic sweep at the courthouse. In 1978 he ran for circuit judge for a two year term, won that election, and has been circuit judge ever since. He has split his time between criminal court, civil court, and four years in probate.

His five sons have all graduated from FSU. Three sons are lawyers in Palm Beach County-Joe with Babbitt & Hazouri; Bill with Metzger, Sonneborn & Rutter; and Bob with the State Attorney's Office. When asked what the best thing in his life was, he states that it is his family. His wife is a Catholic, and the children were raised in the Catholic faith.

When asked for the name of the best judge ever in the courthouse, he mentions Judge Chillingworth. He described the judge as bright, that he knew the law, and you couldn't "BS" him. He also described the Judge as cold, and you never had a friendly chat with him, he was all business. When asked to describe his best case as a judge, he mentioned a two-day case tried by Bob Montgomery and Lake Lytal. There were no objections in the case, it went smoothly, and Bob requested 29 minutes for his closing argument. The judge timed it and it took exactly 29 minutes. He cannot remember who won that case.

When asked the name of the best criminal defense lawyer ever, he mentions Hal Ives. When the judge was Assistant County Solicitor, Hal tried 90 percent of the criminal cases in the county. Judge Johnson estimated that he got paid on 10 percent of the cases. This was before the public defender. All the indigents would grab him in the hall to try a case which started in 15 minutes. Hal Ives was always trying cases back to back. The judge mentioned that Hal had a beautiful closing argument which he used all of the time, and he would consistently beat the Solicitor.

We in the Bar are extremely pleased that this month, our hometown Judge will step into his new Mercedes (a few good investments, he says), cruise up to his waterfront home, and learn to fish. He deserves it. He earned it in that steady climb from lifeguard to Circuit Judge. And on the way, he was an honest, hard-working, likeable, and very effective public servant. So pull in the big one, Little Red.