

Judicial Profile of Emery J. Newell
By Kevin X. Crowley
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“I like working with kids.” With that single statement, Circuit Judge Emery J. Newell defined the impetus, which has kept him at the forefront of juvenile justice in Palm Beach County for the past 20 years. He is at once tough and pragmatic when dealing with youthful offenders and at the same time critical of a juvenile system, which has in significant measure failed to accomplish its purpose.

Judge Newell was born in West Palm Beach and attended Kelsey City Elementary School (now Lake Park Elementary). In the early 1940's, when all of the county's schools were still segregated, he, along with every white child of high school age from West Palm Beach to Jupiter, rode one school bus to and from Palm Beach High (now Twin Lakes). There, Newell distinguished himself as an all-district third baseman for the baseball team. Following graduation, Newell and chum, Marshall Criser, hitchhiked to New York, arriving in Times Square just as World War II ended –“quite a spectacle for a small town Florida boy.”

A degree from the University of Florida in Business Administration was followed by entry into the U of F Law School. The decision to enter law was “almost gravitational” since Newell's father was a West Palm Beach lawyer and ultimately served as criminal court judge for 18 years. In 1951, shortly before attaining his J.D. degree, Newell received “greetings” from the Army inviting him to spend some time in Korea. Newell was commissioned and served as legal officer for the Port of Incheon. Friends joked that “I was so far to the rear, I had to go forward to get supplies.”

From 1953 to 1961 Newell was engaged as a private practitioner in West Palm with a term as Municipal Judge of Lake Park and a two-year stint as vice-mayor of North Palm Beach. In 1961, he was appointed by Governor Farris Bryant as Palm Beach County's first judge of Juvenile and Domestic Relations Court. Elevation to the circuit bench came via the constitutional revision of Article V in 1972. He has served in that capacity since, only once receiving electoral opposition.

Judge Newell is married to the former Jane Parmelee, whose grandfather George Graham Currie was pioneer County. The Newell's have three daughters, Susan, Shelley and Janie. For the past ten years Newell has taken his penchant for “working with kids” beyond the courtroom as a little league coach and high school football official.

As he puffed on his cigar, Newell reflected on his work in the juvenile system. **Judicial Philosophy:** “The juvenile system has gotten highly legalistic. I used to see juvenile court as providing a social welfare function. Now we have prosecutors and defense attorneys. At intake, at the police station and in court, the child is told that he has the right to an attorney, so he thinks he had better get one. With such a concentration on affording due process, little opportunity is left for getting to the root of the child's problem. I have no desire to go back to the old system but ideally I would like to see a better mix of the social welfare function and the adversary system.”

1961 vs. 1981: “Years ago, most offenses by minors were theft and sometimes burglary, very little violence. Now we have rapes, armed robberies and drug-connected violence. The drug problem is significant. I have not yet seen a drug program which has consistently been able to succeed.”

Sentencing: “Generally, there are four categories: 1) probation, 2) in between measures, such as halfway houses, 3) the Florida School For Boys in Okeechobee, and 4) transfer to the adult system. There are problems. Those sentenced to probation think it’s all a big joke because whether it’s under funding or personnel mismanagement, the kids on probation are largely ignored. The school for boys is a kind of last resort and the job just isn’t being done in Okeechobee. Vocational training doesn’t amount to anything. The kids are being released too early. If the offense is serious enough to warrant commitment to Okeechobee, the offender should stay there for eight months or a year.”

Lawyers in the Juvenile System: “I’m impressed with lawyers, it’s the legal system I don’t always like. Of course, I see mostly prosecutors and public defenders and in Palm Beach County they’re good. The attorneys here are not unyielding and I think you need more flexibility in juvenile cases.”

Most Difficult Task: In dependency cases where the decision is to permanently remove the child from his parents or to leave the child in a very bad environment which will give him virtually no chance in life.”

Most Satisfying Aspect: “Invariably a young person will come back a few years after he appeared in my court to thank me. I’ll find out he’s working or back in school and otherwise straightened out.”

The Future of Emery Newell: “As long as the people of Palm Beach County want me here, I’ll be here.”

The following information was added by Judge Newell in 2006:

EMERY JORDAN NEWELL

Born: January 25, 1928, West Palm Beach, FL.

Parents: Edward George Newell – Lawyer and Judge
Elma Dorsey Newell – Teacher & housewife

Education: Palm Beach High – 1945
West Palm Beach, FL

University of Florida – 1951
Degrees in Business Administration & Law

Phi Eta Sigma - Freshman scholastic honorary
Phi Delta Phi – Legal Scholastic honorary
Sigma Nu – Social fraternity, President
ROTC – Appointed 2nd Lt., US Army Reserve

Military: Active duty with U.S. Army, attached to JAG, including a tour of duty in Korea.

Family: Married Jane Parmalee, a native of West Palm Beach, whose grandfather, George Graham Currie, lawyer, poet, land developer was one of the early leaders of the West Palm Beach community.

Jane and Emery have three daughters, Susan Jaffer, Shelley Sayre and Janie Bogan.

Professional Career: 1st Lt., U.S. Army, attached to JAG, 1951-1953.

Lawyer in partnership with father, the sole practitioner, then partner in Earnest, Pruitt, Newell and Schulle. 1953-1961

Municipal Judge of Lake Park – late 1950's to 1961.

Appointed as first judge of Palm Beach County Juvenile and Domestic Relations Court in 1961.

Elevated to Circuit Court in Jan. of 1973 when the Juvenile Court was merged with the Circuit Court system. Retired from bench in 1991.

Served as Chief Judge of the 15th Judicial Circuit from 1985-1987. During his tenure, most of the planning, programming and design of the 1990's courthouse was accomplished.

President-elect-Florida Association of Juvenile Court Judges. Organization. Disbanded in 1973 when its member judges became part of Circuit system

Significant activities or Honors:

West Palm Beach Downtown Kiwanis
President, Director and Lt. Governor of 14th Kiwanis Division. A founder and first president of the West Palm Beach Kiwanis Foundation.

Exalted Ruler of West Palm Beach Elks, (BPOE)

Councilman and Vice Mayor of North Palm Beach on the Villages first elected council.

President, Jr. Bar Section of Palm Beach County Bar Association.

Vice-President of W. Palm Beach Little League and 11 year Little League Coach.

President of East Coast Football Officials Association – 10 year official

Elder – Immanuel Presbyterian Church of Lake Park.

Co-Founder of Nelle Smith Residence for Girls.

Member of a select committee of the Florida Bar which drafted the first Rules of Procedure for Florida's Juvenile Courts.

Board of Directors: YMCA, Salvation Army, Community Chest, Maurawood (initial board), Childrens Services Council (initial board), Palm Beach Criminal Justice Commission (initial board), Florida State Training Schools and Historical Society of the Palm Beaches.

Recipient of Distinguished Service Award from West Palm Beach Jaycee's – 1960

Named Child Advocate of the year by Wendy's and the Childrens Home Society, 1984.

Named to the Forum Club's Roll of Honor upon his retirement from the Bench in 1991.