

Hess' shoes hard to fill

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Circuit Judge **Glenn Hess'** departure in March has at least one colleague asking who will fill his shoes.

"He has a unique perspective on things," County Judge Shane Vann said Thursday, a day after **Hess** submitted his resignation letter to Gov. Charlie Crist. **Hess** said that after 13 years on the bench, it was time for something new.

Vann spent four years as a prosecutor in **Hess'** courtroom before being elected judge in 2006. He said **Hess** demanded a lot from lawyers, but Vann took something more valuable away from the experience.

"I didn't want people talking about me like they talk about Judge **Hess**," he said, laughing. "My experience with Judge **Hess** was very impromptu, very unscripted. It's like, 'Whose line is it anyway?'"

Vann said **Hess** is well-read and takes an active role in his cases.

"He wants to be well-informed," Vann said. "His rulings always cut to the core of the case."

He said **Hess'** exodus will leave a void in the courthouse.

"Somebody's going to have to step up and take on that role," Vann said. "It's going to be interesting to see who does that."

Hess has been in the midst of numerous controversial cases, and his ruling in the Pier Park case is one example of an opinion that was not well received. In December 2001, **Hess** found that the area between Front Beach and Back Beach roads where Pier Park now sits was not "blighted" and did not qualify for tax increment financing as a community redevelopment area.

The ruling, which later was overturned, threatened to kill the project.

Hess also dismissed a lawsuit in 2006 to stop the sale and demolition of an old train depot in Panama City.

In 2005, **Hess** made an almost unheard of ruling to hold two witnesses in a murder case in jail to ensure their testimony could be recorded. Prosecutors worried the witnesses, reported gang members, would disappear or be met with foul play before they could testify at trial.

In the last three years, **Hess** has:

Ruled that a pastor's multi-milliondollar home was not covered by religious tax exemptions and could be taxed by the county. That lawsuit still is pending.

Awarded a developer \$22 million from two former business partners for a condominium project that fell through.

Ruled that a new courtroom audio recording system was public record and could be disseminated for public review.

He made headlines for sentencing Casey Bloom in 1996 to 22 months in prison followed by 12 years probation for DUI manslaughter. The state and the victim's family agreed to the sentence at the time. Bloom was pardoned in 2006.

Hess also presided over one of the best-known civil cases in Bay County history, the "Toy-Yoda" case, in which a Hooter's waitress sued the company when she said she was promised a new Toyota car for winning a contest but received a Star Wars doll instead. The parties settled out of court.

Being **Hess**

"When I decided to run for judgeship, there were two things that people told me they expected from a judge: someone who would listen to them and someone who would be fair. I tried my best to do both," **Hess** said last week after submitting his resignation.

In addition to his rulings, **Hess** is known for two things: trains and colored pencils.

During trials, **Hess** had sets of colored pencils on his desk and spent much of his time filling a desk calendar with drawings, many of which later were framed and hung on walls around the courthouse. His third-floor chambers have an electric train on tracks looping around the wall overhead. He also has a clock that signals each hour with a train whistle.

"I've never known a judge to have a train track in his office," said former State Attorney Jim Appleman, now a private attorney. "That's about as unique as you get."

Appleman knew a much quieter, more reserved Hess in 1981 when he was a young prosecutor during Appleman's first year in office. Since leaving office, Appleman said he has had few cases in Hess' courtroom and little contact with him otherwise.

Jonathan Dingus worked in Hess' courtroom 10 years ago as a prosecutor and more recently as a private attorney.

"He's honest to a fault, fair, brings common sense to the job," Dingus said. "You never know quite what to expect. He would always have some insight into an issue that I or the prosecutor, or I as the prosecutor, hadn't thought of before we went in there. It's always good to have a different point of view on something."

Dingus said Hess is not afraid to speak his mind.

"He's got the courage to do the right thing and not worry about what's going to come out in the press about what he said or did," Dingus said.

Attorney Waylon Graham said Hess was an impartial umpire in the courtroom.

"He understood his role to call balls and strikes. He wasn't an advocate for either side; he always played it right down the middle of the plate," Graham said.

He said the judge used his sense of humor at the appropriate times.

"He tried to make it a less oppressive atmosphere," Graham said. "Judge Hess knew when to be serious, but he knew when he could cut up a little bit and put everyone at ease."