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**Honorable
O. D. Howell, Jr.
(1913-1991)
No Ordinary Juvenile
Judge**



Dean Acheson, debonair Secretary of State in the Truman administration, wrote a Pulitzer prize-winning account about his diplomatic career. He called it Present at the Creation*. Oscar D. Howell, Jr. of Tampa (who preferred use of his first initial rather than his given name) started his judicial service about the same time Acheson left the Truman Cabinet - the following year to be precise.

Howell could have written authoritatively on the origins of the modern-day Juvenile Court which functions today as an independent division of the Circuit Court. He was the first judge ever elected to that post in Hillsborough County. Although he later sat in the civil Division he will forever be known as the judge who presided in the Juvenile & Domestic Relations Court as paterfamilias, so to speak, in countless cases for more than twenty five years. O.D. was a serious individual who took his responsibilities intensely seriously.

Howell was a home-grown product, living in the Tampa Heights area of the city. Son of a neighborhood grocer and his wife, he graduated from Hillsborough High School in 1931. Beneath his picture in the school annual, Hillsborean, of that year is the legend, "O.D.'s persistence and dignity held our admiration." Included in the future judge's achievements were Vice-President of his class, Student Council, Honor Society and "Brightest Boy". Slender, soft-spoken, and self-contained, a foreshadow of his appearance and demeanor in manhood, he was no doubt a better student than athlete in school. His sister, Mary Nelle Kovach, nevertheless recalls that he played tennis in high school, and that he worked some summers during the depression in a CCC camp. Mrs. Kovach worked as Judicial Asst. to Judge Neil C. McMullen. Later she was for many years legislative assistant to Malcolm Beard in the state House and Senate.

After earning his law degree at University of Florida in 1937, Howell became associated with the Tampa firm of Shackelford, Farrior and Shannon where he remained until 1940. At that time he entered military service upon activation of the National Guard's 116th Field Artillery. One of Tampa's best known lawyers, T. Paine Kelly, Jr. was called up at the same time.

The vagaries of military service during wartime resulted in his transfer to the Inspector General's Dept. and the 84th Division. Howell told his family that the toughest

assignment he ever had was during the D-Day landing at Normandy when he was charged with the duty of moving the troops, some of whom were recalcitrant, out of the landing crafts and onto the beach. Hal Boyle, well-known war correspondent, interviewed Major O.D. Howell, Jr. about the Army's employment of Frenchmen to clean up the Normandy beaches after the invasion. Said Howell, "They get about seven francs an hour, but the thing that appeals most to them is the free lunch at noon. They really go for chow."

On June 11, 1945, the Tampa Times published a story complete with picture of a smiling (perhaps his promotion had something to do with it) Lt. Col. Howell. It told of a close call to the 34 year old combat officer which occurred in Hanover shortly prior to a 30-day leave in Tampa. The leave was a prelude to his unit's redeployment to the Pacific. It seems that Howell and a junior officer from Tampa, Capt. Dudley, were driving in a jeep, and as they were about to cross a small bridge in a badly bombed-out area, a group of German civilians waved down the jeep, shouting, "Meinen! Meinen!" (meaning that the bridge was mined). The article continues, "Capt. Dudley, who was driving, swung the jeep around and the Germans rushed up to try to talk to the two Yank officers. While they were talking to us, the mine went off on the bridge. Believe me, we left that section of town in a hurry, Colonel Howell said."

Howell spent 20 months on overseas duty. Upon returning home after five long years of service to his country, he resumed law practice, this time individually. For a while he shared space on the second floor of the Madison Drug Building at Franklin & Madison Sts. with Massari, Patton and Spicola. He and now retired Judge Robt. W Patton became fast friends. Subsequently, O.D. relocated to First National Bank Building.

His participation and leadership in community activities was extensive: Pres. of Jr. Chamber of Commerce, Member, Board of Governors of the senior Chamber, Masonic Order, and American Legion. Throughout his adult life, O.D. was a faithful steward in the Presbyterian Church, initially at Tampa Heights, then First Presbyterian downtown as a Deacon and Sunday School Supt. Asst. In later years he was ordained an Elder at Palma Ceia Presbyterian.

At age 37, he made a decision to try and unseat Hon. L.A. Grayson who presided over the Criminal Court of Record as successor to Hon. John F. Himes. Despite his sincerity and impressive credentials, he evidently was short of the connections essential to success in the political climate of Tampa, circa 1948, especially against a popular incumbent.

Section 8061, Laws of Florida 1919, gave birth to a separate juvenile and Domestic Relations Court for Hillsborough County. At the next legislative session in 1921, the law was refined. A part-time judge was authorized with appointment by the Governor for a four year term. In those counties without a separate J. & D.R. Court, County Judges were empowered to function as Acting Juvenile Judges. In 1951, the Juvenile Court Act was passed, and after that time judges were elected rather than appointed. Before the creation of Dept. of Health & Rehabilitative Services, judges had almost total control over disposition of cases of dependent and delinquent children under their jurisdiction. What happened after that, and how the legislature diluted the power of the judges in juvenile cases, even now, is another story.

The election without opposition of Howell to the juvenile Court in 1954, the same year he served as President of the Bar Association of Tampa and Hillsborough County ushered in a new era with a full-time, elected official.

Once he got settled in office, Judge Howell became a dominating figure in the administration of justice for children, whether youthful offenders, or youngsters alleged to be abandoned, neglected or abused, and for parents or guardians responsible for those unfortunates.

In 1967, the Supreme Court of the United States, in a 43 page opinion by Justice Fortas, decided *In the Matter of Gault*, 387 U.S. 1, 18 L.Ed2d 527. The case arose in Arizona where a 15-year-old was charged and convicted of making an obscene phone call to an elderly lady. Fortas described the complained of call as "of the irritatingly offensive, adolescent, sex variety." The juvenile had been disallowed the right to counsel and other fundamental privileges, and the Court essentially held that youthful offenders were entitled to the same constitutionally guaranteed rights as adults charged with crime. That landmark decision prompted Judge Howell to hire, albeit with reluctance, the first lawyer to represent the State in Juvenile Court proceedings. That lawyer was now State Attorney, Harry Lee Coe, later a felony court judge. Coe states that O.D. Howell probably had a greater impact upon the judicial process than any other judge, especially Juvenile, in the county's history. With Judge Howell presiding, Coe vividly remembers, you always knew who was in charge.

A fair measure of a person's character is how he (or she) is regarded by neighbors and co-workers who have known that person over time. One of Judge Howell's neighbors was Mildred B. Geer. She is a close friend to Mary Nelle Kovach, and she also subbed as judicial assistant for Judge Howell and other judges, including this scrivener, for about 10 years, off and on. Mrs. Geer has this to say about O.D. Howell: "He was as fair-minded, conscientious as any judge the county ever had, in my opinion." That view is shared by many, including Margie (Mrs. W S.) Graham who began a career in social work in Judge Howell's court in 1964, and Mary Ann (Mrs. Edw. H.) Ward who started with him in 1966 and who is still active in family mediation. They remember him as a friend of both case workers and the children.

Among Judge Howell's accomplishments in office:

1955 Spearheaded passage of a special act of the legislature giving the Juvenile Court Judge in Hillsborough County authority to collect support money from fathers of dependent children. Local papers reported that in the first 10 months of the implementation of that law Judge Howell's system saved taxpayers \$40,000.

1956 By ordering all youths convicted of traffic violations in his court to attend traffic school, he was recognized as being the most effective judge supporting the program.

Howell was the subject of an in-depth feature article by Leland Hawes, Tribune staff writer at the time, entitled "Reporter Spends Day in Juvenile Court here. Lillian Mook penned an article in *Sandspur* (a publication of the junior League of Tampa) about meeting (and complimenting) Judge Howell and seeing how the court functioned. Miss Mook is now Mrs. Mandyck and resides in Atlanta.

Served as President, Florida Council of Juvenile Court Judges.

Telling a Tribune reporter in 1980 he would not seek reelection that year, Judge Howell said, "I'm just ready to retire" (at 67), and then added, "I'm tired."

After retirement, Judge Howell had more time to enjoy his hobby of cultivating roses. While working, he would bring a rose to his assistant every day during the blooming season. He also enjoyed the fellowship of other retired judges at lunch every Tuesday and

they relished his company as well. Anyone sitting at a luncheon table with O.D. could not help but observe his painstaking, fastidious eating habits; a sight which put those voracious feeders (like me) to shame.

He was married for more than 50 years to wife Margaret. She and their children, Peggy Howell Smith, Dr. Robert S. Howell, and Jeanne Howell Rowe survived his death on May 23, 1991.

O.D.'s daughter, Jeanne, wrote me during preparation of this piece: "A few weeks before he died, Daddy had a little fender bender. Two days before he died, he attended the driving class to prevent points. He was talking with the instructor about how the class worked. The instructor said, 'You seem to know a lot about this program.' Daddy laughed and said, 'Yes, I created it.' You probably remember the story was told at his funeral to show how he always had a sense of humor."

- *Morison Buck*

Afterword:

Adolescence is certainly far from a uniformly pleasant period. Early manhood might be the most glorious time of all were it not that the sheer excess of life and vigor gets a fellow into continual scrapes.

- Don Marquis (1878-1937), best known for his humorous stories and poems of archy and mehitabel.