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ROBERT W. RAWLINS, JR.: FROM GAS STATION ATTENDANT TO CHIEF  
(1928-2005) JUDGE

“He has the perpetual air of being about to commit some act of drollery.”

The foregoing quotation is attributed to popular American novelist, Frances Parkinson Keyes (rhymes with ‘skies’) (1885-1970). A prolific writer, who published more than 50 books, she was also an editor of Good Housekeeping magazine. Her most famous production was the best-selling *Dinner at Antoinette*. Mrs. Keyes was paying homage to Jean-Jules Vusserand, French Ambassador to the United States in the 1920s. But to almost everyone who knew Bob Rawlins or who can see his expression in the photograph accompanying this story might deem her words a brief precursory description of one of the Thirteenth Circuit’s most popular contemporary judges.

The namesake of his father, a reputable Volusia County farmer, Bob Jr. was born October 7, 1928 in Daytona Beach, Florida. Always adventurous, he enlisted in the Army at age 17, attaining the rank of Sergeant; later, he was somehow transferred to the Air Force and was stationed for a time at Guadalcanal. During the Korean conflict, he was recalled and got to see more of the other side of the world when sent to Saudi Arabia. After completing his military obligation, he relocated to Tampa and got his pre-law education at the University of Tampa. He was awarded a BS degree in 1955. One of his esteemed colleagues on Circuit Court years later was Hon. Ralph Steinberg who got his BS degree two years earlier than Rawlins from the local university.

Now eligible for admission to Stetson College of Law, he enrolled promptly after obtaining his undergraduate degree. In order to meet his financial needs as a law student he toiled at a gas station at Tyler and Tampa Streets in Tampa. Bill Bebler, veteran Tampa Police Officer (now retired), has a highly favorable recall of Judge Rawlins. It should be noted that Bebler’s daughter, Lynn Riley, who lives in eastern Hillsborough County with her husband and two children, has long been a mainstay paralegal in Mediation & Diversion, 208 George Edgecomb Courthouse. Officer Bebler relates:



*“I knew him while he was going to Stetson and working the midnight to 8:00 shift at the service station and I often stopped by and talked to him. At that time, I was walking a beat from Scott St. to Cass St. I had to cover Florida Ave., Franklin and Tampa streets. He went to the Public Defender’s Office and later became Chief of the Division. One other Asst., Vince Giglio, later became a judge. I received several commendations from Judge Rawlins stating that when I testified whether it was for or against the defense, they knew it to be true. Judge Rawlins called me several times when I was threatened and asked me to check out several leads on my off-duty time. This is one man that I truly admired and wanted to go to his funeral, but it was on the east coast and I was sick at the time. This is/was a five star judge.”*

A chance meeting with John Gilbert at a Bar Association luncheon meeting led to the formation of a tightly knit two man firm. Gilbert later became a Circuit Judge. Those ambitious and hard-working law partners were associated for about a decade in the early sixties. For a brief period, after being able to hang out his own shingle as a lawyer, who was well established in the Arcade building in the Sulphur Springs area of Tampa.

Former Chief Assistant Public Defender, Tom Meyers of Tampa, now a retired lawyer of fine reputation, tells a story about Rawlins’ experience in handling a probate matter which gives some insight into the future judge’s sense of fairness. Bob represented the personal representative who was also a beneficiary. After the proceeding had been virtually concluded, all that had to be done was the issue of attorney’s fees. Rawlins said he thought the reasonable value of his services was \$2000. The client squawked so it was agreed that the issue would be left up to the presiding judge, Jas. D. Bruton, Jr. Bruton heard from both parties. After learning that the client was an electrician, Judge Bruton awarded a fee of more than double the amount proposed by Bob Rawlins.

While Gilbert and Rawlins were in practice at 805 E. Jackson Street, just a short walk from the County Courthouse, they met and befriended two young lawyers, John Cash and Richard (Rick) C. Edwards. The latter credit both Gilbert and Rawlins with invaluable help in teaching the mechanics of filing a law suit and other practical necessities involved in the every-day practice of law. Edwards also says:

*“I had only been practicing about two years when Bob (Rawlins) introduced me to criminal law inasmuch as he was then an assistant public defender under Joe Spicola, Jr. Due to Bob’s influence with Spicola, I was hired as an assistant P.D., and continued under Bob and later Judge Luckey. It certainly would have been hard to gain trial experience without Bob’s practical instruction and assistance. Such was also true in the civil side of the law, and Judge Gilbert was much help in that regard.*

*It was a blessing that John Cash and I met these two outstanding and unselfish gentlemen at the commencement of our law practice. I am and will be indebted to these individuals for the rest of my life. If ever anyone helped two novices get*

*started in our profession and guided us as time went on, it was Bob Rawlins and John Gilbert.”*

In 1961, Bob Rawlins became the first assistant hired by the Public Defender, Joe Spicola, Jr. His duties were part time so he continued law practice with Gilbert. Then for three years beginning in 1968 he served as the duly elected Public Defender for Hillsborough County (13<sup>th</sup> Judicial Circuit). Attesting to his popularity with the Bar and the electorate, Rawlins drew no opponents whatsoever after his appointment to the Hillsborough County Criminal Court of Record in 1971 (he and Harry Ryder were chosen by Governor Askew to serve as judges of the same court at the same time). Call it what you will, Rawlins had the good fortune to avoid challenge at the polls from 1972 through the last time he was obliged to seek re-election in 1984. Few judges could match his record of approbation.

It should be quickly noted in passing that Judge Ryder and Rawlins, and the remaining judges serving in the Criminal Court of Record in Hillsborough County, all became Circuit Judges as of January 1, 1973 when amended Article V of the Florida Constitution took effect.

Circuit Judge Wayne S. Timmerman, currently serving in Felony Division H worked as first an Asst. County Solicitor and then Asst. State Attorney in the criminal division presided over by Judge Bob Rawlins. That was during the period 1972 and 1973, so he should know whereof he speaks, when he says:

*“I have always and still do feel that Judge Rawlins was one of the best jurists I had the pleasure of being associated with during over 40 years that I have been privileged to work in the justice system of Hillsborough County. I was Asst. Clerk of Court under Henry Garcia from age 18 until I finished law school, passed the Bar and went on duty in the Air Force in 1967.*

*Judge Rawlins was the epitome of a good judge. He knew the law, was extremely fair and courteous both to defendants as well as attorneys who appeared before him. One thing I remember about Judge Rawlins was that he had the cleanest and neatest desk top of any judge I have ever seen (including myself). There were never any books, pleadings, magazines or any other extraneous materials on his desk.”*

Thomas K. Morrison, Tampa attorney, served for four years starting in 1976 as an Assistant City Attorney in the City of Tampa’s legal department. And he was reportedly effective in that assignment. The following is his account of a most unusual and titillating experience he had in Judge Rawlins’ courtroom in the year 1977:

*“The Quad Block had not yet arisen in 1977, and Old Hyde Park Village was still an idea. Tampa was ripe with ‘adult entertainment’ establishments. Our town’s ‘movers and shakers’ were pressing Mayor Bill Poe to rid the city of its wild image so that redevelopment could be sparked. While Tampa was trying to*

*become the 'Next Great City', an entrepreneur by the name of Diamond Lil was trying to establish herself as the Queen of the many strip joints in town. There were more than 100 'flesh pots' in the Big Guava at the time.*

*Criminal prosecution was ineffective to stem the tide of adult themed enterprises. Mayor Poe charged me, then, a young assistant city attorney, with finding a civil remedy that would effectively restrict the more egregious activities. After consulting counterparts around the country I settled on a two front strategy. First, City Council enforced a long overlooked ordinance that provided for revocation of the occupational license of any business as a result of a conviction of an employee of a crime involving moral turpitude committed in the ordinary course of business. Second, Council adopted an ordinance prohibiting exposure of body parts particularly sensitive to sun burn in any establishment that served food or alcoholic beverages. The constitutionality of both actions was promptly challenged and upheld in court.*

*Our next test case was that of Diamond Lil. Judge Rawlins was next on the assignment rotation when we filed action against Lil seeking an injunction to prevent her from having nude entertainment in her bar and grille ('Diamond Lil's') and to prevent her from doing business without an occupational license, which had been revoked.*

*At our first Show Cause hearing, Diamond Lil appeared, resplendent in her platinum blond bee-hive hair and rhinestone gown, with ample cleavage. She was accompanied by several entertainers, all in diaphanous costumes leaving little to the imagination. The participants were crowded into Judge Rawlins' hearing room when he entered, unsuspecting, but unruffled by the vast amount of epidermis on display in his chambers. At the close of my case, opposing counsel Billy Fussell called his first witness who gave her name and promptly began to gyrate and to remove what little garments adorned her ample figure. Before she proceeded to remove the lower tier of her costume, Judge Rawlins calmly announced, in his characteristic Southern gentlemanly manner, that he'd seen enough and had a vivid and memorable picture of the communicative arts that were sought to be protected. He enjoined the defendant, stating that she and her 'charming employees' must remain clothed at work and that 'Ms. Lil' must refrain from conducting business without an occupational license.*

*Diamond Lil subsequently had large video screens mounted on her stage. A live performer would then appear scantily clothed while her nude video-taped image appeared dancing on the screen. Business proceeded in this manner until I again brought Ms. Lil and her girls before Judge Rawlins in a Show Cause hearing. At the outset, Judge Rawlins admonished counsel that partially clad lawyers, parties, witnesses or spectators would not be allowed nor would it be necessary for him to view the interesting video evidence that Mr. Fussell had ready to play. After hearing the evidence, Judge Rawlins turned to me and drawled, 'Billy got you on that one Tom. I don't think that movie screen violates your ordinance.' Diamond*

*Lil's sparkling smile faded quickly, however, when it was her turn to be addressed. 'Ms. Lil,' spoke the Judge, 'it pains me to be harsh with someone as creative as you seem to be.' That said, Judge Rawlins held Diamond Lil in contempt of court for doing business without an occupational license and sentenced her to 30 days in jail. Sentence was accompanied by an admonishment to pay attention when a judge says 'don't do that anymore.'*

*It was Thanksgiving Eve, 1977. Diamond Lil was home for Thanksgiving dinner due to Judge Rawlins' generosity. She promptly closed her business and left town to pursue other opportunities. Within six months all but four of the nearly 100 establishments whose business licenses were revoked had closed permanently."*

Hon. J. Rogers Padgett, Judge of one of two Trial Division judges in the current structure of the Circuit Court, also serves as Administrative Judge of the Felony Division. He is believed to be the longest serving judge in the 13<sup>th</sup> Judicial Circuit since L.L. Parks who went on the court here in 1923. Parks served a record 37 years but was gone when Padgett arrived in 1965. Judge Padgett hopes and expects to complete 34 years of court service after chalking up three more years. Judge Padgett's cogent observations about Judge Rawlins are:

*"Bob was a homey, almost earthy, sort of guy whose closest friends were outside the judiciary and the law, people he had known for many years and felt comfortable with. But it turned out that some of his friends were indeed outside the law and got caught up in the ever-ongoing Federal investigation of local government corruption. Bob was generally acknowledged to be the 'un-indicted co-conspirator' in a Federal case, about case-fixing, in which some hard feelings among those who believed that 'the judge' could somehow protect them from conviction and incarceration. Bob, understandably, distanced himself from them.*

*That, however, was not the reason he moved from Tampa. Tampa was not truly his home town. I think he simply had no more use for Tampa and the perpetually suspicious U.S. Attorney's Office and Tampa Tribune and longed for the St. John's River part of the state he knew as a child where he had bought property years earlier. He served as Circuit Judge for a long time after the above-described events and even as Chief Judge from 1979 to 1981. I think he was bitter about those events and toward the U. S. Attorney's Office but certainly not obsessively so and he never indicated any real concern about them. His personality didn't change.*

*As Chief Judge he was, I would say, paternalistic, solicitous. He was always available and would visit with us when he failed to hear from us for a while. In those days the Chief's job and the number of judges made it easier to be that way but it was also his nature. He and I met unsuccessfully with Judge Don Kilgore to try to intervene in Don's drug addiction before the JQC got into it. As I remember his term as Chief he always wanted to know what the judges thought and what they needed. He was very straightforward; he would say 'yes' or 'no'.*

*I am sure Bob was the last person I will ever meet whose father was a Civil War veteran. Bob had brothers and sisters who were about 50 years older than he.”*

Ron Cacciatore, past President of the Hillsborough County Bar Association and for years a successful trial lawyer specializing in criminal defense, waxes rhapsodically about his experience with Judge Rawlins:

*“Any young lawyer who had the opportunity to try a case before Judges Carl Durrance, Walter Burnside or Robert W. Rawlins, Jr. was fortunate indeed. Those who had that opportunity learned how to really try a case in state court. Of the three, one was truly a ‘cracker’ judge. Judge Rawlins was raised in rural north Florida and was one of those tough individuals who worked his way through undergraduate school and law school. Growing up hard probably had a lot to do with Judge Rawlins’ personality and temperament. He was truly a caring and compassionate judge because of his rural background had a folksy way about him.*

*In one of my earlier first cases with him I was successful in cross-examining a witness. As I was sitting next to my client at counsel table the bailiff came over and handed me a note and the note read: ‘Gee, you are just like Perry Mason.’ The note was from the judge. When I looked up at the Bench, he just smiled at me.*

*Once when I was trying a homicide case before him, I looked in my briefcase which was between my client and I, and to my surprise saw a pistol that I had forgotten was in my briefcase (and people say it is impossible for people to forget guns and knives in their luggage at the airport). Obviously, I was concerned and asked if I could approach the Bench. I showed the judge my open briefcase and he took possession of the pistol, smiled at me, and said he was going to charge me rent for ‘holding it.’ Clearly, Judge Rawlins was not trained at a fancy Ivy League school, but he had a great sense of what was right and what was wrong and was very seldom reversed by the appellate court. He was compassionate when he needed to be and tough when he was required. The judge seemed to have a sixth sense about him and seemed to know what was appropriate or inappropriate and was generally right.*

*We became good friends and at times he would call upon me for advice and likewise I would seek his advice.*

*In one trial when an attorney asked a question which drew an answer unanticipated, the judge in his ‘cracker’ way after the jury had been excused stated ‘somebody sure ripped their pants with that question.’*

*To this day he is the only judge who threatened to hold me in contempt because in the heat of battle I ran into the courtroom brandishing a piece of evidence which*

*had not been shown to the prosecutor. I of course immediately apologized to the judge and all was forgiven.*

*Back in those days it was not considered inappropriate for lawyers and judges to hunt together and I was in a hunting club with him. Obviously, I never discussed any cases with him while we were in the woods hunting. He was a true sportsman and a great friend. I learned as much from him in the woods as I did in the courtroom.*

*In one of my more embarrassing moments I shot the judge in his rear-end with a shotgun pellet while deer hunting in Georgia. A deer was coming towards my stand and the judge knew that and left his stand so that he could see whether I was going to be successful. I didn't know that he had moved and was in my line of fire. He was a long way off, probably 75 yards. In any event, the deer hit the road and I shot behind the deer. One of the shots hit the judge in his posterior. The shot did not tear his pants or cause any injury other than a red spot. I never lived that down and have been kidded about that to this day.*

*Without a doubt he is one of the fairest judges I ever had the honor of appearing before in court. Robert W. Rawlins, Jr. was one of my favorite judges and I always considered him a good friend.*

*I will always treasure the moments and the times I spent with him in court and in hunting in South Georgia. I missed him when he left Tampa and will continue to miss him. He was truly one of our great judges on the criminal Bench.”*

Frank Alfonso of Tampa, former Court Administrator for the 13<sup>th</sup> Judicial Circuit, worked closely with Judge Rawlins when the latter served as Chief Judge, initially for a two year term, 1979-1981. Available records show that Rawlins served for a portion of a second term until relieved by Arden Mays Merckle who was succeeded by Judge J.C. Cheatwood. Alfonso gives high marks to Judge Rawlins for his achievements in office when he says:

*“As a result of his progressive vision, he was instrumental in the development of several court programs that, to this day, still serve the citizens of Hillsborough County. Among them are: Citizens Dispute Settlement Program (Mediation & Diversion), Juvenile Arbitration, Witness Aid Center, One Day/One Trial Jury Service, etc... Had it not been for Judge Rawlins' interest and perseverance, none of these programs would have come to fruition and served as the model for other jurisdictions in Florida as well as other states. Chief Judge Rawlins was ahead of his time in trying to solve the over-crowded court system.”*

Even now during his retirement, Alfonso chuckles when he recalls that one of the Circuit's senior judges, also now retired, invariably referred to him as Mr. Falsone.

Active judges are required to file annual reports of net worth, assets and liabilities. In August, 1977, veteran Tribune reporter and Staff Writer, Philip Morgan did a detailed story on the filings by Hillsborough County Judges. Judge Rawlins reported a net worth of \$136,000 (higher than most judges who filed reports). His assets included one share in Jobore Inc. of Tampa which operated Pine Grove Tavern and trailer park on North Nebraska Avenue. The corporation formed in 1963 with his law partner, John Gilbert and R.L. Whaley, real estate broker. Morgan reported that Rawlins' name was dropped from corporation files in 1971, year of his appointment to the Court, but his disclosure form reveals that he earned \$2,000 in dividends from the corporation in 1976.

Early on during his judgeship, he hired a gracious lady, Esther Crabtree as his judicial assistant, and she remained with him in that important assignment for 18 years. She confirms that Rawlins worked in several different divisions of the court from Probate to General Civil to Felony; service in the latter slot is always in the spotlight with news media in all its forms. Mrs. Crabtree relates that the judge established the habit of arriving at work before regular opening hours of the courthouse so he could review the files for the day's business. She also observes that in presiding over criminal matters he was always respectful of the accused and did not "talk down" to him or to her regardless of their station in life or appearance.

In late 1977, a storm of controversy blew up around him. Although he weathered the adversity without permanent injury to his good reputation, it was, he deeply felt, an irresponsible attack upon his integrity. It so embittered him that he admonished his family and close friends to never reveal to the Tampa press anything about his life or (his death). When death occurred, there was not one word or line about it in the Tampa Tribune or the St. Petersburg Times.

What happened was that several persons were indicted on racketeering and conspiracy charges in the U.S. District Court in Tampa. Judge Rawlins was never charged with any violation of law but over a period of several days in late December of 1977 local papers printed front page headlines in bold type proclaiming, "FEDS NAME RAWLINS & KOTVAS AS UNINDICTED CO-CONSPIRATORS", and the like. Judge Rawlins was never charged with any crime. The Asst. U.S. Attorney prosecuting the primary case, Terry A. Smiljanich (now in private practice of law) was asked about how Judge Rawlins made the headlines. He replied:

*"It is my recollection that no information was ever made public about any role as 'unindicted co-conspirator' or otherwise, that Judge Rawlins may have had in connection with a multi-count, multi-defendant obstruction of justice conspiracy that was tried in December, 1977. Any such information during the course of the trial before Judge Krentzman, would have been within the grand jury secrecy rules. I do recall, however, that after a private bench conference, one of the defense counsels thereafter related to the press information he believed he had received during such a private discussion with the Court, resulting in the press clipping to which you refer."*

Despite the off-color publicity generated by the above-described news stories and the innuendos associated with them, Judge Rawlins made no public statements other than to deny any wrongdoing, and his service on the Court for 12 more years appears to have not been adversely affected.

Bob Rawlins was a convivial personality who enjoyed life to the fullest. He became a participant when he first came to Tampa in the Florida Confederate Army. It was organized and chartered in 1957—a social group of business and professional men in North Tampa and Sulphur Springs which liked to dress up in Confederate uniforms and participate in parades and parties, and which also sponsored some charitable work.

Ralph Sutton, celebrated piano player, best known to traditional jazz music fans as a member of The World's Greatest Jazz Band, was a great fan of Fats Waller and Sutton's style of "stride" piano was in large part patterned after Waller. When someone once asked Sutton why he likes to hear Fats play, he said: "Because he makes me happy," Bob Rawlins was at his happiest when he was out in the woods hunting game with friends like John Gilbert and Ron Cacciatore. He was a proud member of Bib Bull Hunting Club (whatever that is).

Judge Rawlins had a singular talent at earning respect for his courtroom demeanor. Free from cant or pomposity, he earned approbation even from lawyers who disagreed with his ruling from the Bench because they felt like they had gotten fair and evenhanded treatment in his court. That was likely his supreme achievement during the 18 years he possessed the awesome power of a man wearing a black robe called: The Judge.

Judge Rawlins retired from the Court in 1989 but continued to work as a Senior Judge until his sudden death on April 16, 2005 at age 76. Survivors included his wife, Laurie, to whom he was married for 45 years and who died a short time after her husband; two sons, a daughter and two grandchildren. On June 13, 2005, the Florida Conference of Circuit Judges adopted a resolution to honor him.

Morison Buck

#### AFTERWORD:

There was a young lawyer who attended a revival meeting, and during the course of the gathering he was asked to deliver a prayer. Unprepared, he gave a prayer straight from his lawyerly heart: "Stir up much strife amongst thy people, Lord", he prayed, "lest they servant perish".

Senator Sam Ervin