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Morison Buck

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Judge William C. Brooker
Probate Perfectionist

Meet William Curtis (Bill) Brooker. The year is 1946 and he's an established, 57-year-old lawyer (rated AV in Martindale-Hubbell) with an office in Citizens Bank Bldg. Behind him are twenty-five years in practice. Suddenly, he is appointed County Judge to replace Judge George Cornelius who died in office. Holding judicial office in his home county, the place where he was born, educated and lived nearly all of his life, the scion of a pioneer East Hillsborough County family, must have been a source of great pride. It was a position he would hold securely for the next 27 years. He would live only three years after concluding his service as County Judge. When he retired at age 84, coincident with the effective date of new Article V of the Florida Constitution, and at an age when most men would look for a lounge chair, he had the energy and deeply ingrained work habits to seek out something else to do. It wasn't long before he was offered and accepted "Of Counsel" status with MacFarlane, Ferguson, Allison & Kelly to lend his expertise to their probate department.

Brooker was a tall, angular, somewhat brooding figure wearing a serious expression and partially rimless eyeglasses. During hearings he seemed always to be in motion, either fiddling with his tape recorder, an old model Audiograph, which he used to record all hearings in Chambers, or summoning Nadine Reed (longtime law clerk) or Josephine Boyle (his trusted lieutenant and former legal secretary) to respond to any questions which he might think of during the proceeding. The judge had a manner of speaking rapidly, but he was authoritative and decisive. When he made a final ruling in a case, that usually ended the matter without further argument or discussion.

Bill Brooker grew up in the Brandon area, and attended local schools, graduating from Hillsborough High School. That he took unalloyed pride in the rich history of the Brooker family name in East Hillsborough is evident from a lengthy article by Leland Hawes of the Tampa Tribune published September 9, 1990. Hawes' story is liberally sprinkled with Judge Brooker's affectionate of his observations of how it was living in an undeveloped section of the county before the turn of the century. The Brooker clan in general and Judge Broker in particular were featured many times in the D. B. McKay historical column appearing Sundays in the Tribune for many years.

While studying law at Georgetown University (founded 110 years before Brooker's birth in 1889), he acted as Chief Clerk for the House Committee on Rivers and Harbors chaired by Florida Congressman, S.M. Sparkman. During his tenure in that assignment,
perhaps showing precursory indications of his desire to excel, he drafted the bill that
authorized lighting of the torch held by the Statue of Liberty in New York harbor (Public
Law 168, July 27, 1916). That magnificent creation was paid for by popular subscription
when erected in 1886, but was not illuminated until after passage of legislation
constructed by a young law student from Hillsborough County.

His original plan was to pursue a career in the diplomatic service, but that plan was
scrapped when America entered the war which was consuming Europe. Instead, he was
commissioned a Lieutenant in the 4th Division formed in December 1917, and saw active
service with the 58th Infantry on the front in France for about six months. During that
time his unit was subjected to mustard gas, and the Judge was wounded at Vesle River in
the Second Battle of the Marne; he was awarded the Purple Heart. The 4th Division
suffered 11,500 soldiers killed or wounded and was the only division to serve in both the
French and British sectors of the Western Front. Later in life, Judge Brooker was a leader
in American Legion affairs, not only with Post 5 in Tampa, but also as State Commander.

In 1921, he embarked on his legal career in Tampa with valuable secretarial support
off and on over the years, commencing about 1927, from Josephine Boyle. Mrs. Boyle
knew him better than anyone outside his immediate family.

His daughter, Anne, remembers that her father was once offered an appointment as
United States Assistant Attorney General by President Franklin Roosevelt, but he
declined. Moreover, she tells me that while Spessard Holland was Governor of Florida
(1941-1945) he was asked if he would be interested in appointment to the Florida
Supreme Court. Evidently he chose to remain close to home.

Brooker's judicial career got off to an uneasy start. Soon after his appointment by
Governor Millard E Caldwell, he sought election in his party primary (Democrat); that
was prior to the era of non-partisan judicial contests. In the primary of May 7, 1946 he
was opposed by Harry G. McDonald (who would years later become a judge of probate).
McDonald has been a state legislator, not infrequently an apprenticeship for would-be
judges, and later an unsuccessful candidate for U.S. Congress. Brooker squeaked past his
challenger garnering 11,965 votes to McDonald's 11,044. Judicial elections in the era of
pre-Florida Bar standards and restrictions were not essentially different from ordinary
political contests. Candidates for judgeships were restrained only by self-imposed
concepts of fair play and civility.

Only one other lawyer ever challenged Judge Brooker. That was Thomas A. Miller,
Sr. (now a retired Circuit Judge). In the primary of May 7, 1968 Brooker was
approaching his 79th birthday. Judge Miller advises me that during the campaign he
raised the age issue. Although it seemed a good idea at the time, it didn't work. Brooker
appealed to the voters for, in the words of the song made famous by Bing Crosby in 1931
- Just One More Chance. Miller ran a clean, hard race but could not overcome Brooker's
popularity, and the incumbent won 63.7% of the vote.

Brooker kept his political fences in good repair over the years. He adopted the
practice of sending a personal letter to the next of kin of persons recently deceased, as
shown by the obituary notices, expressing his condolences and offering the assistance of
his office if needed. That simple method of reaching the voter or potential voter was
effective. As Harry Truman liked to say, "that's all there was to it!"

In 1947, shortly after being elected the previous fall, he showed extraordinary
political presence when he wrote Dwight Eisenhower, about to become President of
Columbia University, urging him to seek the highest office in the land. As the judge wrote his daughter in 1969 after Eisenhower's death, he treasured a letter from the General written on June 7, 1944, the day following the AEF invasion of France. Copies of that exchange of correspondence are attached as addenda to his article.

Judge Brooker was meticulous about being correct in his rulings. Retired lawyer, Clayton M. Tittsworth, recounts how he was awarded a fee in an estate after a hearing on the issue. Then, he recalls, he received a phone call from Judge Brooker at home on Sunday stating that the Court needed additional expert testimony. After a second hearing, the amount previously allowed was unchanged.

The Judge kept a number of homilies and the like beneath the glass atop his desk in Chambers. One of them, retired Judge Philip L. Knowles still remembers, was a letter addressed to "Reprobate Judge of Hillsborough County."

One of his major achievements was authorship of three monographs designed to assist lawyers. The first one, "Practice and Procedure in the County Judge's Court" was published in 1948. A second edition followed in 1954, with the final, expanded version. "Practice and Procedure in Probate, Guardianship and Incompetency" came out in 1962.

Curiously, none of them are available in Hillsborough County Central Law Library, but copies may be found at the Stetson Law Library.

His record at the appellate level in terms of wins and losses, not always a real measure of a trial judge's ability, was good. There were not a large number of appeals taken from his Court. Thanks to the largess of retired 2nd District Judge, Robert T. Mann whose computer went through some sort of downloading, a process with which this writer is totally unfamiliar, there were 21 appeals taken from County Judge Brooker between 1959 and 1970, and only 6 lower court decisions were reversed or remanded.

Back in 1970, long before most courts and legislatures had to be confronted with the issue, Judge Brooker declined to perform a marriage ceremony between lesbians. He reportedly determined that the law would not allow him to do so.

Former probate staff remember him as a usually stern task master and a workaholic, but a boss who always enjoyed sociality on holidays and employees' birthdays. Those were the recollections of Marie Canzoneri, Mary Cummings, Esther Demko, Lorraine Thompson, and Pearl Ford, to mention a few who spent many years in the office. He could, they tell me, chastise anybody in the office for an egregious mistake, bawl them out until they cried, then come around later and apologize. Mrs. Ford laughs when telling that judge had a fetish about germs, returning from the bathroom with hands swathed in paper towels to avoid touching door knobs and other suspect surfaces.

Judge Brooker and wife, Eloise Hackney Brooker (who died in January, 1998) had a daughter, Anne. The latter has two daughters, Rebecca Scott and Jennifer James, and several grandchildren.

Damon Runyon is quoted as saying that great men come few and far between like the teeth of a hippopotamus. William C. Brooker's untarnished record of service to his country and a virtual lifetime of service to his fellowman place him in the front rank of County judges who have achieved greatness.

- Morison Buck