

>> ALL RISE.

HEAR YE, HEAR YE, HEAR YE, THE  
SUPREME COURT OF FLORIDA IS NOW  
IN SESSION.

ALL WHO HAVE CAUSE TO PLEAD,  
DRAW NEAR, GIVE ATTENTION AND  
YOU SHALL BE HEARD.

GOD SAVE THESE UNITED STATES,  
THE GREAT STATE OF FLORIDA, AND  
THIS HONORABLE COURT.

LADIES AND GENTLEMEN.

THE SUPREME COURT OF FLORIDA.  
PLEASE BE SEATED.

>> WELCOME TO THE FLORIDA  
SUPREME COURT.

OUR FIRST CASE FOR THE DAY IS  
THE REPRIMAND OF JUDGE DALE C.  
COHEN.

JUDGE COHEN, PLEASE STEP  
FORWARD.

GOOD MORNING.

JUDGE COHEN WE HAVE SUMMONED  
YOU HERE TODAY BECAUSE OF  
CONDUCT WHICH THIS COURT HAS  
DETERMINED TO BE IN VIOLATION  
OF THE FLORIDA CODE OF JUDICIAL  
CONDUCT.

WHICH NOW REQUIRES US TO IMPOSE  
APPROPRIATE DISCIPLINE.

AS THE CODE OF JUDICIAL CONDUCT  
RECOGNIZES JUDGES INDIVIDUALLY  
AND COLLECTIVELY MUST RESPECT  
AND HONOR THE JUDICIAL OFFICE  
AS A PUBLIC TRUST AND STRIVE TO  
ENHANCE AND MAINTAIN CONFIDENCE  
IN OUR LEGAL SYSTEM.

THE EFFECTIVENESS OF OUR  
JUDICIARY RESTS ULTIMATELY ON  
THE TRUST AND CONFIDENCE THAT  
THE PEOPLE CONFER UPON JUDGES.  
AS A RESULT, ONE OF THIS  
COURT'S MOST IMPORTANT DUTIES  
IS TO CARRY OUT THE  
RESPONSIBILITY GIVEN TO US IN  
THE FLORIDA CONSTITUTION TO  
DISCIPLINE JUDGES FOR

MISCONDUCT.

JUDGE COHEN, IN AUGUST OF 2009, AN ATTORNEY APPEARING BEFORE YOU FILED A MOTION TO DISQUALIFY YOU IN A CASE BECAUSE OF AN ALLEGED CONFLICT OF INTEREST.

SPECIFICALLY THE ATTORNEY HAD SUPPORTED YOUR WIFE'S OPPONENT IN A JUDICIAL ELECTION FOR ANOTHER CIRCUIT COURT SEAT. ACCORDING TO THE MOTION THE ATTORNEY AND YOUR WIFE BECAME INVOLVED IN DISPUTES OVER HIS WORK ON BEHALF OF YOUR WIFE'S OPPONENT.

UNDER THE RULES OF COURT, YOU WERE REQUIRED TO GRANT THE MOTION FOR DISQUALIFICATION OR DENY IT AS LEGALLY INSUFFICIENT. INSTEAD AFTER HAVING LUNCH WITH YOUR WIFE YOU BROUGHT YOUR WIFE TO THE COURTROOM, CALLED HER TO THE WITNESS STAND OVER COUNSEL'S OBJECTIONS AND QUESTIONED HER ABOUT THE FACTS ALLEGED IN THE RECUSAL MOTION. IN DOING SO YOU FORCED THE ATTORNEY TO PLACE HIS OWN CREDIBILITY AGAINST THE CREDIBILITY OF YOUR WIFE. YOU ACKNOWLEDGED IN YOUR TESTIMONY THAT THESE ACTIONS VIOLATED THE FLORIDA CODE OF JUDICIAL CONDUCT IN ALLOWING YOUR WIFE TO TESTIFY AND NOT FOLLOWING THE LAW.

THIS WAS A VIOLATION OF CANNON 2A OF THE CODE WHICH REQUIRES JUDGES TO RESPECT AND COMPLY WITH THE LAW.

LIKewise, JUDICIAL CONDUCT TO BE INFLUENCED BY SOCIAL AND FAMILY RELATIONSHIPS IN VIOLATION OF CANNON 2B.

YOUR CONVERSATIONS WITH YOUR

WIFE ABOUT THIS MATTER ALSO  
CONSTITUTED EXPARTE  
COMMUNICATIONS WHICH ARE  
FORBIDDEN BY CANNON 3B(7).  
AT THE SAME TIME YOU  
PRESIDED OVER THESE  
PROCEEDINGS DESPITE THE FACT  
DISQUALIFICATION WAS REQUIRED  
THEREBY VIOLATING CANNON  
3B(1) AND 3E WHICH REQUIRE  
RECUSAL IF A JUDGE'S  
IMPARTIALITY MIGHT BE  
REASONABLY QUESTIONED.  
THE CONDUCT VIOLATED CANNON  
3B(2) WHICH REQUIRES JUDGES TO  
REMAIN FAITHFUL TO THE LAW.  
FURTHER YOUR ACTIONS ARE A  
VIOLATION OF CANNON 1  
AND COMMENTARY  
THAT FORBIDS BEHAVIOR THAT  
UNDERMINES THE INTEGRITY AND  
INDEPENDENCE OF JUDICIARY.  
AN OBSERVER OF THE HEARING WHICH  
YOUR WIFE TESTIFIED CERTAINLY  
COULD HAVE REACHED THE  
CONCLUSION THAT YOU WERE USING  
THE POWER OF YOUR OFFICE TO  
VINDICATE YOUR WIFE AGAINST  
ACCUSATIONS BY AN ATTORNEY WHO  
HAD SUPPORTED ONE OF HER  
OPPONENTS IN ONE OF HER  
ELECTIONS CAMPAIGN.  
THE HOSTILE ATMOSPHERE YOU  
CREATED WAS OWN ONLY EXACERBATED  
IN FURTHER PROCEEDINGS  
WHEN YOU SHOWED SIMILAR ANIMUS  
TO THE ATTORNEY.  
THE JQC SUGGESTS THE APPROPRIATE  
DISCIPLINE IS THE PUBLIC REPRIMAND  
YOU ARE NOW RECEIVING AND  
REPAYMENT OF THE COST OF  
PROCEEDINGS.  
WE AGREED WITH THE JQC IN OUR  
OPINION ISSUED ON AUGUST 30th  
ISSUED EARLIER THIS YEAR.  
JUDGE COHEN, THE SUPREME COURT

OF FLORIDA HEREBY PUBLICLY  
REPRIMANDS YOU FOR YOUR  
MISCONDUCT AND ORDERS YOU TO  
PAY COSTS AS PROVIDED IN THAT  
OPINION.

FINALLY ADVISE YOU TO CONSULT A  
LENGTHY BODY OF CASE LAW ISSUED  
BY THIS COURT IN DEALING WITH  
CASES OF JUDICIAL MISCONDUCT.  
YOU WILL FIND THAT THIS COURT  
HAS VIEWED ANY FURTHER  
VIOLATIONS BY A JUDGE VERY  
HARSHLY INDEED.  
YOU'RE FREE TO LEAVE.