

>> ALL RISE.

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

ALL WHO HAVE CAUSE TO PLEA, GIVE
NEAR.

GIVE ATTENTION, 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.

>> GOOD MORNING.

THE FIRST CASE ON THE DOCKET IS
THE REPRIMAND OF JUDGE
JACQUELINE SCHWARTZ.

JUDGE SCHWARTZ, I SEE THAT YOU
ARE AT THE PODIUM.

JUDGE SCHWARTZ, YOU HAVE BEEN
SUMMONED HERE TODAY BECAUSE OF
CONDUCT WHICH THIS COURT HAS
DETERMINED TO BE IN VIOLATION OF
THE CODE OF JUDICIAL CONDUCT.
AND 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 HOW
JUDICIARY RESTS ULTIMATELY ON
THE TRUST AND CONFIDENCE THAT
THE PEOPLE CONFER UPON JUDGES.
AMONG THE REQUIREMENTS IMPOSED
UPON JUDGES IS THE OBLIGATION TO
BE CIVIL AND RESPECTFUL IN ALL
OF YOUR DEALINGS WITH MEMBERS OF
THE PUBLIC AND TO HONOR THEIR
RIGHT TO APPEAL FROM ANY
MISTAKES YOU MAY HAVE MADE AS A
JUDGE.

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 SCHWARTZ, IN FEBRUARY OF 2015 YOU ENTERED INTO A STIPULATION WITH A JUDICIAL QUALIFICATIONS COMMISSION OF THE STATE OF FLORIDA WHICH HAS BEEN FILED IN THE RECORD.

IN IT YOU AGREED TO THE ALLEGATIONS OF MISCONDUCT AGAINST YOU AND TO THE RECOMMENDED DISCIPLINE.

HOWEVER, THIS COURT-- IN AN ORDER RELEASED ON APRIL 29, 2015-- REJECTED THE PROPOSED PUNISHMENT OF A PUBLIC REPRIMAND AND A LETTER OF APOLOGY AS BEING TOO LIGHT.

WE RETURNED THE MATTER TO THE JUDICIAL QUALIFICATIONS COMMISSION, AND YOU SUBSEQUENTLY STIPULATED TO HARsher PUNISHMENT.

A PORTION OF THE FACTS BEFORE US AROSE FROM CONDUCT DURING YOUR 2014 CAMPAIGN FOR JUDICIAL OFFICE, AND SPECIFICALLY FROM THE USE OF CAMPAIGN SIGNAGE. IN YOUR STIPULATION WITH THE JUDICIAL QUALIFICATIONS COMMISSION, YOU HAVE AGREED THAT ON OR ABOUT JUNE 2, 2014, YOU ENTERED A CONVENIENCE STORE IN COCONUT GROVE, FLORIDA, AND CONFRONTED THE STORE OWNER, BECAUSE THE STORE WAS DISPLAYING A CAMPAIGN SIGN OF YOUR OPPONENT.

WHEN THE OWNER REFUSED TO DISPLAY ONE OF YOUR SIGNS IN THE STORE, YOU RESPONDED BY REFERRING TO HIM BY ONE OF THE WORST PROFANITIES KNOWN TO THE ENGLISH LANGUAGE.

YOU ALSO SAID YOU INTENDED TO SUE HIM.

IN A SECOND INCIDENT, YOU WERE PRESIDING OVER A CASE AND, DURING THE COURSE OF THE

LITIGATION, YOU PROCEEDED TO MAKE NOTATIONS IN THE MARGINS OF THE ORIGINAL COURT DOCUMENTS CONTAINED IN THE OFFICIAL FILE THAT ALLEGEDLY SHOWED YOU HAD MADE IMPROPER COMMUNICATIONS IN THE MATTER.

LATER, AN ATTORNEY IN THAT CASE REQUESTED CERTIFIED COPIES OF THE DOCUMENTS CONTAINING YOUR NOTATIONS, AND YOU ORDERED YOUR BAILIFF TO REMOVE THOSE DOCUMENTS FROM THE FILE. CONSEQUENTLY, THE CLERK WAS UNABLE TO MAKE CERTIFIED COPIES OF THE DOCUMENTS IN QUESTION. AS A RESULT, YOU INTERFERED WITH THE OFFICIAL RECORD AND INHIBITED THE AFFECTED PARTY FROM APPEALING ANY DECISIONS THAT MIGHT HAVE BEEN CONTRARY TO LAW.

TO YOUR CREDIT, YOU ACCEPTED FULL RESPONSIBILITY FOR YOUR IMPROPER ACTIONS AND AGREED TO DISCIPLINE CONSISTING OF A REPRIMAND, A LETTER OF APOLOGY AND \$10,000 FINE AND A SUSPENSION FROM OFFICE WITHOUT PAY FOR 30 DAYS.

JUDGE SCHWARTZ, THIS COURT IS INCREASINGLY FACING CASES SUCH AS YOURS WHERE WE ARE REJECTING THE RECOMMENDED DISCIPLINE IN FAVOR OF HARSHER PENALTIES. WE VIEW THIS AS THE ONLY WAY WE CAN ASSURE THE PUBLIC THAT MISCONDUCT SUCH AS YOURS WILL BE TAKEN VERY SERIOUSLY.

I CAN ASSURE YOU, JUDGE SCHWARTZ, THAT THE UNCALLED-FOR BURDENS YOU HAVE IMPOSED ON PEOPLE SUBJECT TO YOUR JUDICIAL POWER ARE NOT MATTERS TO BE TAKEN LIGHTLY NEITHER BY YOU, NOR BY THE JUDICIAL QUALIFICATIONS COMMISSION, NOR BY THIS COURT.

WHEN YOU CURSE A RESIDENT OF THIS STATE USING SUCH LANGUAGE,

THAT RESIDENT-- AND THE PUBLIC AT LARGE-- CORRECTLY QUESTION THE SOUNDNESS OF YOUR JUDGMENT AS THE HOLDER OF JUDICIAL OFFICE.

WHEN YOU DEFY THE LITIGANT OF THE FULL RIGHT TO APPEAL BY REMOVING DOCUMENTS FROM THE PUBLIC RECORD THAT REFLECT YOUR DECISION-MAKING PROCESS, YOU ARE STRIKING AT THE VERY HEART OF THE AMERICAN CONCEPT THAT JUDICIAL PROCEEDINGS ARE OPEN, PUBLIC AND APPEALABLE.

JUDGES ARE NOT PRIVILEGED SIMPLY TO ERASE THEIR MISTAKES FROM THE PUBLIC RECORD.

FOR THESE VIOLATIONS OF THE CODE OF JUDICIAL CONDUCT, JUDGE SCHWARTZ, WE HAVE CONCLUDED THAT YOU MUST BE DISCIPLINED MORE HARSHLY THAN YOU FIRST AGREED. THE SUPREME COURT OF FLORIDA HEREBY PUBLICLY REPRIMANDS YOU FOR YOUR MISCONDUCT AND ORDERS YOU TO PAY A FINE OF \$10,000, WRITE A LETTER OF APOLOGY AND SUFFER A 30-DAY SUSPENSION FROM OFFICE WITHOUT PAY.

FINALLY, I ADVISE YOU TO CONSULT THE LENGTHY BODY OF CASE LAW ISSUED BY THIS COURT IN DEALING WITH CASES OF REPEATED JUDICIAL MISCONDUCT.

YOU WILL FIND THAT THIS COURT HAS VIEWED ANY SUCH SUBSEQUENT VIOLATIONS BY A JUDGE VERY HARSHLY, INDEED.

ANY FURTHER MISCONDUCT BY YOU AS A JUDICIAL OFFICER WILL BE VIEWED FAR MORE SEVERELY THAN WHAT YOU HAVE EXPERIENCED HERE TODAY.

YOU'RE FREE TO LEAVE.