

>> ALL RISE.
HEAR YE, HEAR YE, HEAR YE,
SUPREME COURT OF FLORIDA IS NOW
IN SESSION.
ALL WHO HAVE CAUSE TO PLEA,
DRAW NEAR.
YOU SHALL BE HEARD.
GOD SAVE THESE UNITED STATES,
GREAT STATE OF FLORIDA, THIS
HONORABLE COURT.
>> LADIES AND GENTLEMEN, THE
SUPREME COURT OF FLORIDA.
PLEASE BE SEATED.
>> GOOD MORNING, EVERYONE.
WELCOME TO THE FLORIDA SUPREME
COURT.
THE FIRST CASE BEFORE THE COURT
THIS MORNING IS THE REPRIMAND OF
JUDGE BRENDA TRACY SHEEHAN.
IF YOU'LL PLEASE STEP UP TO THE
BENCH, TO THE PODIUM.
JUDGE SHEEHAN, YOU STAND HERE
THIS MORNING BECAUSE OF ETHICAL
MISCONDUCT IN YOUR OFFICIAL ROLE
AS A JUDGE.
THIS PUBLIC REPRIMAND, WHICH IS
BEING BROADCAST THROUGHOUT THE
STATE, IS THE RESULT OF YOUR OWN
MISCONDUCT.
TODAY IS A SAD DAY FOR YOU AND
FOR ALL OF US ON THIS BENCH.
MOST IMPORTANTLY, IT IS A SAD
DAY FOR THE ENTIRE STATE
JUDICIARY.
NONE OF US CAN UNDO WHAT YOU
HAVE DONE, BUT WE CAN MAKE CLEAR
THE GRAVITY OF YOUR ETHICAL
VIOLATIONS.
IT IS ONE WAY THIS COURT CAN
ASSURE THE PUBLIC THAT IT TAKES
MISCONDUCT BY A JUDGE VERY
SERIOUSLY AND THAT IT WILL NOT
HESITATE TO PUNISH ERRANT JUDGES
IN A MOST PUBLIC WAY.
THIS IS OUR CONSTITUTIONAL
OBLIGATION.
IT IS ALSO ESSENTIAL IF WE ARE
TO LIVE UNDER THE RULE OF LAW.
OUR COURTS EXIST TO PROTECT THE
RIGHTS AND LIBERTIES, UPHOLD AND
INTERPRET THE LAW AND PROVIDE
FOR THE PEACEFUL RESOLUTION OF
DISPUTES.
BUT THIS FUNDAMENTAL MISSION CAN
BE CARRIED OUT ONLY WITH THE

TRUST AND CONFIDENCE THAT THE PEOPLE CONFER UPON JUDGES. BY YOUR ACTIONS, JUDGE SHEEHAN, YOU HAVE DAMAGED THAT TRUST AND CONFIDENCE.

THE FLORIDA CONSTITUTION GIVES THIS COURT THE DUTY TO REVIEW CASES OF ALLEGED JUDICIAL MISCONDUCT IN THEIR ENTIRETY AND THE POWER TO ACCEPT, REJECT OR MODIFY THE FINDINGS AND RECOMMENDATIONS OF THE JUDICIAL QUALIFICATIONS COMMISSION.

YOU ENTERED INTO A STIPULATION WITH THE COMMISSION ADMITTING TO VIOLATIONS OF THE CODE OF JUDICIAL CONDUCT.

IN CASES WHERE A JUDGE ADMITS TO WRONGDOINGS, AS YOU HAVE, THE COURT MOST COMMONLY WILL CONCLUDE THAT THE FINDINGS OF THE JUDICIAL QUALIFICATIONS COMMISSION ARE SUPPORTED BY CLEAR AND CONVINCING EVIDENCE. WE DID SO IN YOUR CASE, AFTER THOROUGHLY CONSIDERING THE DETAILS OF YOUR ADMITTED MISCONDUCT IN TAMPA ON THE NIGHT OF JULY 5, 2013.

SPECIFICALLY, AS WE NOTED IN OUR OPINION, AND AS YOU STIPULATED WITH THE JUDICIAL QUALIFICATIONS COMMISSION, YOU WERE SEEN DRIVING ERRATICALLY.

LAW ENFORCEMENT STOPPED YOU, ADMINISTERED FIELD SOBRIETY TESTS AND THEN TRANSPORTED YOU TO THE HILLSBOROUGH COUNTY JAIL, WHERE TWO BREATHALYZER TESTS WERE ADMINISTERED.

THE SCORES OF EACH TEST INDICATED A BREATH ALCOHOL LEVEL MORE THAN DOUBLE FLORIDA'S LEGAL LIMIT.

ON AUGUST 23, 2013, YOU PLEADED GUILTY TO A CHARGE OF DRIVING UNDER THE INFLUENCE.

YOU WERE SENTENCED PURSUANT TO THE MANDATORY PROVISIONS OF FLORIDA LAW.

BECAUSE YOU ARE A JUDGE, THE JUDICIAL QUALIFICATIONS COMMISSION OPENED ITS INVESTIGATION.

AFTER REVIEWING THE FACTS AND

YOUR BACKGROUND, THE JUDICIAL QUALIFICATIONS COMMISSION CONCLUDED THE INTEREST OF JUSTICE AND SOUND JUDICIAL ADMINISTRATION WOULD BE BEST SERVED BY ENTERING INTO A STIPULATION WITH YOU.

IN THAT STIPULATION YOU AND THE JUDICIAL QUALIFICATIONS COMMISSION AGREED THAT A PUBLIC REPRIMAND IS THE APPROPRIATE PENALTY FOR YOUR WRONGDOING. BECAUSE SUCH PENALTY IS CONSISTENT WITH OUR PRECEDENT, THIS COURT APPROVED THAT RECOMMENDATION.

IN OUR OPINION IN THIS CASE, JUDGE SHEEHAN, THIS COURT CALLED YOUR CONDUCT REPREHENSIBLE. OUR OPINION FURTHER CHARACTERIZED YOUR ACTIONS THIS WAY.

QUOTE, JUDGE SHEEHAN'S ACTIONS OF DRIVING UNDER THE INFLUENCE NOT ONLY VIOLATED FLORIDA'S CRIMINAL LAW, BUT ALSO ENDANGERED THE PUBLIC. SUCH DISREGARD OF CRIMINAL LAW AND PUBLIC SAFETY UNDERMINES THE PUBLIC'S CONFIDENCE IN THE INTEGRITY OF THE JUDICIARY AND WILL NOT BE TOLERATED.

YOUR STIPULATION WITH THE JUDICIAL QUALIFICATIONS COMMISSION NOTED THAT YOU DID NOT CAUSE ANY PERSONAL INJURY OR PROPERTY DAMAGE TO OTHERS IN THIS INSTANCE AND THAT YOU HAD NEVER BEFORE BEEN CHARGED WITH DRUNKEN DRIVING.

IT ALSO NOTED THAT YOU HAVE TAKEN STEPS TO ENSURE THERE WILL BE NO RECURRENCE OF SUCH WRONGDOING.

IN YOUR STIPULATION, YOU EXPRESSED REGRET AND APOLOGIZED FOR YOUR MISCONDUCT.

YOU ALSO ACKNOWLEDGED THAT YOUR ACTIONS HAD THE RESULT OF LESSENING THE PUBLIC'S CONFIDENCE IN THE JUDICIARY.

YOU ACCEPTED FULL RESPONSIBILITY FOR YOUR ACTIONS, WHICH CONSTITUTED VIOLATIONS OF TWO CANONS OF THE CODE OF JUDICIAL

CONDUCT, CANON 1 AND CANON 2A.
1 EXPLAINS THE IMPORTANCE OF
ETHICAL JUDICIAL CONDUCT BY
NOTING THAT AN INDEPENDENT AND
HONORABLE JUDICIARY IS
INDISPENSABLE TO JUSTICE IN OUR
SOCIETY.

IT FURTHER PROVIDES THAT A JUDGE
MUST HOLD TO HIGH STANDARDS OF
CONDUCT SO THAT THE INTEGRITY
AND INDEPENDENCE OF THE
JUDICIARY MAY BE PRESERVED.

CANON 2A STATES THAT A JUDGE
MUST RESPECT AND COMPLY WITH THE
LAW AND SHALL ACT AT ALL TIMES
IN A MANNER THAT PROMOTES PUBLIC
CONFIDENCE IN THE INTEGRITY AND
IMPARTIALITY OF THE JUDICIARY.
COMMENTARY EXPLAINS THAT
IRRESPONSIBLE OR IMPROPER
CONDUCT BY JUDGES ERODES PUBLIC
CONFIDENCE IN THE JUDICIARY.

A JUDGE MUST AVOID ALL
IMPROPRIETY AND APPEARANCE OF
IMPROPRIETY AND THE PROHIBITION
AGAINST BEHAVING WITH
IMPROPRIETY APPLIES TO
PROFESSIONAL AND PERSONAL
CONDUCT OF A JUDGE.

THE JUDICIAL QUALIFICATIONS
COMMISSION CONCLUDED THAT YOUR
WRONGDOING WAS AN ISOLATED
INCIDENT AND DID NOT DEMONSTRATE
AN UNFITNESS TO OFFICE.

WE AGREE.

FINALLY, JUDGE SHEEHAN, WE
ENCOURAGE YOU TO REVIEW THE
PRIOR JUDICIAL ETHICS CASES THIS
COURT HAS ISSUED OVER THE YEARS.
YOU WILL FIND THAT MOST INVOLVED
CASES, LIKE THIS ONE, OF ONLY A
SINGLE EPISODE OF UNETHICAL
CONDUCT DURING A JUDGE'S CAREER.
REAL OFFENSES ARE RARE BECAUSE
THEY ARE RARELY TOLERATED.
BUT OUR CASES SHOW THIS.

IF A SECOND EPISODE OF
MISCONDUCT OCCURS, THIS COURT
ALWAYS RESPONDS FAR MORE
HARSHLY.

YOU ARE HEREBY PUBLICLY
REPRIMANDED FOR YOUR MISCONDUCT
AND YOU ARE FREE TO LEAVE.