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Inquiry Concerning a Judge: Carven D. Angel

MARSHAL: HEAR YE. HEAR YE. HEAR YE. THE SUPREME COURT OF THE GREAT STATE OF FLORIDA IS NOW SESSION FORM ALL WHO HAVE CAUSE TO PLEA, DRAW NEAR, GIVE ATTENTION AND YOU SHALL BE HEARD. GOD SAVE THE UNITED STATES, THE GREAT STATE OF FLORIDA AND THIS HONORABLE COURT.

CHIEF JUSTICE: GOOD MORNING.

MARSHAL: LADIES AND GENTLEMEN, THE FLORIDA SUPREME COURT. PLEASE BE SEATED.

CHIEF JUSTICE: PLEASE REMAIN STANDING. AS I SPEAK THIS MORNING AND AS WE CONVENE COURT, ONE OF OUR GREAT FORMER PRESIDENTS, PRESIDENT RONALD REAGAN, LIES IN STATE IN WASHINGTON, D.C. AND I WOULD LIKE US TO BEGIN THESE PROCEEDINGS THIS MORNING, BY A BRIEF PERIOD OF SILENCE, AND IF YOU ALL WOULD BOW YOUR HEADS AND HAVE YOUR OWN THOUGHTS. THANK YOU ALL VERY MUCH. YOU MAY BE SEATED. BEFORE WE COMMENCE THE PROCEEDINGS THIS MORNING, THE COURT WANTS TO WELCOME THE GOVERNMENT LAWYER SECTION OF THE FLORIDA BAR THAT HAS AN ANNUAL PROGRAM OF PRACTICING BEFORE THE FLORIDA SUPREME COURT AT THIS TIME EVERY YEAR, AND, AGAIN, WE WELCOME ALL OF YOU TO THE SUPREME COURT. THE FIRST MATTER ON THE COURT'S DOCKET THIS MORNING, IS THE PUBLIC REPRIMAND OF JUDGE CARMEN ANGEL. JUDGE ANGEL, WOULD YOU PLEASE APPROACH THE PODIUM AND REMAIN STANDING. JUDGE ANGEL, THE CHARGES FILED AGAINST YOU ARISE FROM AND RELATE TO YOUR ADMITTED MISCONDUCT DURING YOUR CAMPAIGN FOR REELECTION AS A MARION CIRCUIT COURT JUDGE IN MARION COUNTY, FLORIDA. THE PANEL OF THE FLORIDA JUDICIAL QUALIFICATIONS COMMISSION WAS PRESENTED PURSUANT TO ARTICLE V SECTION 12 OF THE FLORIDA CONSTITUTION. IN THAT ADMISSION, YOU ADMITTED YOUR IMPROPRIETY OF YOUR CONDUCT WHICH OCCURRED DURING THE COURSE OF YOUR 2002 REELECTION CAMPAIGN. BY THESE PROCEEDINGS THIS MORNING, WE ARE REMINDED ONCE AGAIN OF THE NECESSITY THAT CANDIDATES FOR JUDICIAL OFFICE MUST ADHERE TO THE VERY STRICT REQUIREMENTS IMPOSED UPON THEM BY CANON 7 OF THE CODE OF JUDICIAL CONDUCT. LET ME BRIEFLY REVIEW THE CHARGES TO WHICH YOU HAVE ADMITTED. FIRST, DURING THE CAMPAIGN, IN VIOLATION OF SECTION 105.0711 OF THE FLORIDA STATUTES AND CANON 7- A -1-D OF THE CODE OF JUDICIAL CONDUCT, YOU ATTENDED AND PARTICIPATED IN A REGULAR MEETING OF THE Ocala REPUBLICAN WOMEN'S CLUB. DURING THE CAMPAIGN, AGAIN IN VIOLATION OF THE SECTIONS I HAVE PREVIOUSLY CITED, YOU AND MEMBERS OF YOUR FAMILY, ATTENDED AND CAMPAIGNED FOR YOUR ELECTION AT A SALUTE TO LABOR PICNIC AND DEMOCRATIC CANDIDATE RALLY. THREE, DURING THE CAMPAIGN, ON OR ABOUT AUGUST 15, 2002, AGAIN IN VIOLATION OF THE SECTIONS THAT I HAVE PREVIOUSLY CITED, YOU ATTENDED AND PARTICIPATED IN A MEETING OF THE REPUBLICAN CLUB OF SUMTER COUNTY. FOUR, DURING THE CAMPAIGN, ON OR ABOUT AUGUST 26, 2002, AGAIN IN VIOLATION OF THE SECTIONS PREVIOUSLY CITED, YOUR WIFE ATTENDED WITH YOUR KNOWLEDGE AND PARTICIPATED ON YOUR BEHALF, IN THE LAKE COUNTY FEDERATED WOMEN REPUBLICANS MEET THE CANDIDATE NIGHT. YOUR WIFE ASSUMED YOUR OPPONENT HAD BEEN INVITED BUT YOUR OPPONENT HAD NOT BEEN INVITED AND WAS NOT PRESENT. FIVE, DURING THE CAMPAIGN AND, AGAIN, IN VIOLATION OF THE SECTIONS PREVIOUSLY CITED, YOU ATTENDED THE DENNIS BAXLEY FAMILY PICNIC, WHICH WAS A PARTISAN POLITICAL GATHERING TO SUPPORT REPUBLICAN DENNIS BAXLEY, A CANDIDATE FOR THE HOUSE OF REPRESENTATIVES, TO WHICH YOUR OPPONENT, AGAIN, WAS NOT INVITED, AND DURING THE PICNIC, YOU SPOKE, ASKING FOR THE VOTES OF THE PERSONS

PRESENT . SIX , DURING THE CAMPAIGN , AGAIN IN VIOLATION OF THE SECTIONS PREVIOUSLY CITED , YOU ATTENDED A MARION COUNTY REPUBLICAN PARTY FORUM IN OCALA AND WERE RECOGNIZED AS A JUDICIAL CANDIDATE . SEVEN , DURING THE CAMPAIGN , AGAIN IN VIOLATION OF THOSE SECTIONS , WHEN ASKED ABOUT YOUR POLITICAL PARTY AFFILIATION , YOU IDENTIFIED YOURSELF AS A MEMBER OF A PARTISAN POLITICAL PARTY AND THUS HELD YOURSELF OUT AS A MEMBER OF A PARTISAN POLITICAL PARTY. EACH OF THESE INCIDENTS MAY GIVE TO THE PUBLIC , THE APPEARANCE THAT YOU WERE PART OF THE PARTISAN ACTIVITIES INVOLVED, AND THIS , OF COURSE , IS PROHIBITED BY CANON 7 OF THE CODE OF JUDICIAL ETHICS . UNFORTUNATELY , MEMBERS OF THE PUBLIC I N ATTENDANCE AT THESE PARTISAN POLITICAL EVENTS THAT I HAVE JUST LISTED, COULD REASONABLY CONCLUDE THAT THE JUDICIAL CANDIDATE IN ATTENDANCE , STOOD FOR THE SAME PARTISAN POLITICAL VIEWS ESPOUSED BY THE PARTISAN POLITICAL CANDIDATES IN ATTENDANCE . THAT , OF COURSE , IS A RISK THAT I WILL SPEAK TO , AND UNFORTUNATE LY YOU , JUICE JUDGE ANGEL , PERMITTED THAT TO HAPPEN. WHAT ARE THESE CITIZENS TO THINK, WHEN THEY LATER VIEW THAT JUDICIAL CAN'T DATE WHO ATTENDED CANDIDATE WHO ATTENDED THOSE FORUMS ON THE BENCH? EVERY JUDICIAL ELECTION PRESENTS, BOTH, A GREAT OPPORTUNITY AND A GREAT RISK. THOSE ELECTIONS PRESENT U S WITH A GREAT OPPORTUNITY TO EDUCATE OUR CITIZENS ABOUT THE PROPER ROLE AND RESPONSIBILITY OF THE THIRD BRANCH. AND ESPECIALLY THE ROLE AND RESPONSIBILITIES OF THE INDIVIDUAL JUDGES WHO SERVE THAT BRANCH , AND THAT ALL JUDICIAL CANDIDATES IN FLORIDA WILL HONOR THOSE RESPONSIBILITIES . OF COURSE ABSOLUTE IMPARTIALITY AND FREEDOM FROM PARTISAN INFLUENCES , ARE THE MOST IMPORTANT O F THESE RESPONSIBILITIES . AT THE SAME TIME , HOWEVER , JUDICIAL ELECTIONS PRESENT A GREAT RISK, A RISK THAT THE PUBLIC WILL BE MISINFORMED ABOUT THE PROPER ROLE AND RESPONSIBILITIES OF JUDGES , AND THAT BECAUSE OF THAT MISINFORMATION, CONFIDENCE IN OUR JUSTICE SYSTEM WILL BE UNDERMINED OR SHAKEN, IF THE PUBLIC PERCEPTION IS THAT JUDGES MAY ACT IN A PARTISAN MANNER , RATHER THAN STRICTLY ADHERE TO THE RULE OF LAW. PUBLIC CONFIDENCE IN THE IMPARTIALITY AND INTEGRITY OF OUR JUDGES , IS ABSOLUTELY ESSENTIAL TO THE PUBLIC'S CONFIDENCE IN OUR JUSTICESYSTEM. IT IS ESPECIALLY IMPORTANT THAT OUR CITIZENS UNDERSTAND THAT JUDGES MUST B E IMPARTIAL , AND THAT THE INDEPENDENCE OF THE JUDICIARY IS PREMISED ON THE JUDGE'S PLEDGE OF FREEDOM FROM PARTISAN INFLUENCES. A JUDGE MUST, ALSO , HAVE AT ALL TIMES , THE RESPECT AND CONFIDENCE OF ALL THOSE WHO ARE AFFECTED BAY THE JUDGE'S ACTIONS . THE JUDGE MUST PROVIDE THE SAME IMPARTIAL FORUM TO A CITIZEN ACCUSED OF THE WORST CRIME OR THE CEO OF THE WORLD'S RICHES CORPORATION. EACH CASE WORLD'S RICHEST CORPORATION.EACH CASE MUST BE DECIDED ON THE FACTS PRESENTED . THIS WHICH IS SO FUNDAMENTAL TO A JUDGE'S ROLE , MUST ALSO BE A PART OF THE SELECTION PROCESS IN ELECTIONS . AS I HAVE S O NOTED, IT IS IN ELECTIONS THAT THE PEOPLE IN A COMMUNITY DEVELOP KNOWLEDGE AND OPINIONS CONCERNING OUR JUDGES AND JUDICIAL SYSTEM. HENCE JUDICIAL CANDIDATES HAVE A SPECIAL OBLIGATION TO ASSURE THAT THE SYSTEM IS VIEWED AS IMPARTIAL AND FREE OF PARTISANSHIP . THE SYSTEM WILL BE JUDGED AND EVALUATED ON THE CONDUCTOF THE JUDICIAL CANDIDATES , WHETHER THEY BE LAWYERS OR INCUMBENT JUDGES. IT CANNOT B E EMPHASIZED ENOUGH THAT A CANDIDATE FOR JUDICIAL OFFICE IS IN A UNIQUE POSITION TO INFORM THE PUBLIC ABOUT THE RULE OF LAW AND THE SPECIAL ROLE OUR JUSTICE SYSTEM AND JUDGES PLAY, IN RESOLVING OUR CITIZENS AND OUR SOCIETY'S PROBLEMS. JUDICIAL ELECTIONS ARE OFTEN THE ONLY OPPORTUNITY CITIZENS HAVE TO LEARN ABOUT THESE IMPORTANT PRINCIPLES , AND JUDICIAL CANDIDATES HAV E A SPECIAL OBLIGATION TO SEE THAT THESE PRINCIPLES ARE ARTICULATED AND HONORED . THE RESPONSIBILITY OF THE JUDICIAL CANDIDATE TO EDUCATE THE PUBLIC ABOUT THE UNIQUE ROLE OF THE THIRDBRANCH, IS ESPECIALLY IMPORTANT , BECAUSE VIRTUALLY ALL OF THE ELECTIONS FOR POSITIONS IN THE OTHER TWO BRANCHS, ARE CONDUCTED ON A PARTISAN BASIS . I CANNOT COMPLETE THIS REPRIMAND, WITHOUT EXPRESSLY NOTING TWO THINGS THAT MITIGATE THE SANCTIONS WE ARE NOW IMPOSING . FIRST , THAT YOU HAVE CANDIDLY ADMITTED THE CONDUCT ALLEGED BY THE COMMISSION, AND SECONDLY, THAT WHILE YOUR CAMPAIGN APPEARANCES HAVE PROPERLY BEEN FOUND TO HAVE VIOLATED THE SPIRIT AND WORDS OF CANON 7 , THERE HAS BEEN NO CLAIM ASSERTED THAT YOU HAVE MADE BLATANT CLAIMS OF

PARTISANSHIP, SUCH AS WE HAVE UNFORTUNATELY SEEN IN OTHER RECENT CASES BEFORE THIS COURT. NEVERTHELESS , WE COMMENDTHOSE THAT SERVE ON THE JUDICIAL QUALIFICATIONS COMMISSION, FOR ADOPTING A ZERO TOLERANCE POLICY , IN GUARDING AGAINST THE INTRUSION OF PARTISAN POLITICS INTO THE JUDICIAL SELECTION PROCESS. SUCH AN INTRUSION , CONSTITUTES A SERIOUS THREAT TO THE CONCEPTS OF NEUTRALITY AND IMPARTIAL ITY , WHICH FORM THE TWIN PILLARS OF ANY HOUSE O F JUSTICE. ABOVE ALL, WE MUST NEVER FORGET THAT THE RULE OF LAW IS NOT A CONSERVATIVE OR LIBERAL VALUE . IT IS CERTAINLY NOT A REPUBLICAN OR DEMOCRATIC VALUE. RATHER, IT IS AN AMERICAN VALUE , AND CONFIDENCE IN THAT RULE OF LAW RESTS ENTIRELY , AT ANY GIVEN POINTIN TIME , ON THE CHARACTERAND INTEGRITY OF THE INDIVIDUAL AMERICAN JUDGE , AND THE JUDGE 'S ABSOLUTE COMMITMENT TO FAIRNESS AND IMPARTIAL ITY. WE MUST JEALOUSLY GUARD THIS RULE OF LAW AND NOT ALLOW IT TO BE UNDERMINED OR USED AS A PAWN IN THE PARTISAN RHETORIC THAT OFTEN MARKSTHE HIGHLY PARTISAN POLITICAL CAMPAIGNS INVOLVING THE OTHER TWO BRANCHS OF GOVERNMENT. JUDICIAL CANDIDATES ARE BOUND TO KNOW THAT THEIR FUNDAMENTAL OBLIGATION IS T O BE NONPARTISAN. THEY MUST NOT ALLOW THEIR ACTIONS DURING A JUDICIAL CAMPAIGN, TO CAUSE THE PUBLIC TO THINK OTHERWISE. JUDGE ANGEL , YOU MUS T NEVER FORGET THAT OUR JUSTICE SYSTEM IS JUDGED EVERYDAY BY WHAT JUDGES AND CANDIDATES DOON SAY. PLEASE TAKE THIS IN THE SPIRIT IT IS INTENDED AND GO FORWARD AND MAKE US PROUD OF YOUR CONDUCT , ON AND OFF THE BENCH, AS A REPRESENTATIVE OF FLORIDA'S FINE JUDICIARY . JUDGE ANGEL , YOUR PUBLIC REPRIMAND IS NOW CONCLUDED AND YOU MAY LEAVE .

THANK YOU.