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**Inquiry Concerning a Judge: Richard H. Albritton, Jr.  
SC05-851**

HEAR YE, HEAR YE, HEAR  
YE.

THE SUPREME COURT OF FLORIDA  
IS NOW IN SESSION.

ALL WHO HAVE CAUSE TO PLEA,  
DRAW NEAR, GIVE ATTENTION,  
AND YOU SHALL BE HEARD.  
GOD SAVE THESE UNITED STATES,  
THIS GREAT STATE OF FLORIDA  
AND THIS HONORABLE COURT.  
LADIES AND GENTLEMEN, THE  
FLORIDA SUPREME COURT.  
PLEASE BE SEATED.

GOOD MORNING AND WELCOME TO  
THE FLORIDA SUPREME COURT.  
OUR FIRST ARGUMENT FOR THE  
2006 FALL CALENDAR THE FIRST  
MATTER FOR CONSIDERATION  
THIS MORNING IS THE INQUIRY  
CONCERNING JUDGE RICHARD  
ALBRITTON.

JUDGE ALBRITTON IF YOU WOULD  
ADDRESS THE PROCEEDIUM  
PLEASE.

JUDGE ALBRITTON AS WE BEGIN,  
I MIST TELL YOU THAT THIS IS  
A VERY  
DISSTAYS -- DISTASTEFUL  
MORNING FOR THE ENTIRE  
COURT.

OUR FIRST FORMAL MORNING IN  
THIS 2006 FALL SESSION, OUR  
VERY FIRST CASE WE FACE A  
MATTER THAT ACTUALLY SOILS  
US ALL, BECAUSE WHAT AFFECTS  
ONE AFFECTS ALL OF US.  
IT'S NOT THAT ANY OF US ARE  
PERFECT.

BUT IT IS THAT THE  
MISCONDUCT OF ONE, THE  
MISCONDUCT OF ANY OF US  
TOUCHES THE RESPONSIBILITY  
OF ALL OF US.  
WE HAVE ONLY THE TRUST AND

CONFIDENCE OF OUR CITIZENS  
TO FORM THE FOUNDATION OF  
OUR ENTIRE JUDICIAL SYSTEM.  
THE MISCONDUCT OF ANY OF US  
CAUSES A LOSS IN -- AND A  
PIECE OF THAT FOUNDATION AND  
FRIENDS, WE CAN NOT PERMIT  
ANY OF US TO UNDERMINE THE  
ENTIRE SYSTEM.

THE PRO SEEING BEFORE US  
TODAY REMINDS US OF THE  
IMPORTANCE OF MAINTAINING  
THE DIGNITY APPROPRIATE TO  
ALL JUDICIAL OFFICERS AND TO  
THE DUTY OF EACH JUDICIAL  
OFFICER TO ACT IN A MANNER  
THAT'S CONSISTENT WITH NOT  
ONLY INTEGRITY IMPARRALITY  
AND THE INDEPENDENCE OF THE  
JUDICIARY BUT TO MAINTAIN  
THE APPEARANCE, TO MAINTAIN  
THE APPEARANCE OF ALL PRO  
PRYTY.

NOTHING IS MORE IMPORTANT TO  
CIVILIZED SOCIETY THAN THE  
THREAD OF CONFIDENCE THAT  
HOLDS US TOGETHER.

IT IS IMPERATIVE TO THE  
EFFECT OF FUNCTIONING OF OUR  
SYSTEM THAT ALL OFFICERS  
ABSTAEUPB FROM INAPPROPRIATE  
BEHAVIOR WHICH TENDS TO  
REFLECT NEGATIVELY ON THE  
WHOLE SYSTEM PUBLIC DEFENDER  
OFFICE IN A JACKSON COUNTY  
IN YOUR ROBE.

AND MAYBE THIS WAS AN  
INNOCENT MISTAKE BUT CONVEYS  
AN INFERENCE OF FAVORITISM  
AND I HOPE IT WAS A MISTAKE.  
DURING THAT SAME PERIOD OF  
TIME AS A CONDITION OF THE  
PROBATION, YOU IMPOSED THAT  
WANTIN CHURCH.

IT MAY HAVE HAD SOME MOTIVE.  
WHEN YOU WERE ADVISED THAT,  
THAT WAS UNCONSTITUTIONAL,  
YOU SIMPLY RESPONDED THAT  
YOU KNEW IT WAS WRONG BUT  
THE DEFENDANT DID NOT.

S WITH THAT STATEMENT YOU  
BECOME UNLAWFUL SIR AND YOU  
ABUSED YOUR POSITION BY  
PLACING YOURSELF ABOVE THE

LAW NO MATTER HOW MERIT  
TORIOUS YOUR REASONS MAY  
HAVE BEEN.

ON AN ONGOING BASIS YOU HAVE  
ADMITTED THAT YOU ARE LATE  
TO HEARING, LATE TO TRIALS,  
A MATTER MAY BE NOTICED FOR  
1:30 BUT IT DOESN'T BEGIN  
BEFORE 2:30.

WE SIMPLY CANNOT OPERATE  
THAT WAY.

YOU HAVE ADMITTED SHORT  
BREAKS OF A FEW MINUTES OR  
UP TO 15 MINUTES BUT THEN  
NOT RETURNING FOR AS LONG AS  
ONE OR TWO HOURS AND LEAVING  
OTHERS WAITING ON YOU.

I MUST ASK YOU HAVE YOU NO  
RESPECT FOR OTHERS?

DO YOU THINK THAT YOU ARE  
ABOVE ALL OTHERS AND IN  
CONDUCTING THE BUSINESS OF  
THE COURT?

YOU MUST UNDERSTAND THAT  
NONE OF US ARE.

NONE OF US.

DURING A HEARING IN THE  
INTEREST OF ANGEL POPE IN  
JACKSON COUNTY YOU PLACED A  
YOUNG MOTHER IN A HOLDING  
CELL FOR ALMOST ALL DAY  
BECAUSE SHE COULDN'T RECALL  
HER ADDRESS.

WHEN YOU WERE FIRST ON IF  
BENCH YOU MET WITH DC  
PERSONNEL IN PANAMA CITY TO  
AFFORD AN OPPORTUNITY FOR  
THEM TO KNOW YOU AND YOU TO  
KNOW THEM AND YOU OFFERED  
EVERYONE COFFEE EXCEPT FOR  
ONE FEMALE MEMBER AND YOU  
OFFERED HER MILK BECAUSE YOU  
THOUGHT SHE WAS SO YOUNG.  
WELL MAYBE THAT'S ANOTHER  
FAILED ATTEMPT AT HUMOR OR  
JOKE, BUT YOUR INSENSITIVITY  
TO THOSE PRESENCE CAUSES  
HARM TO ALL OF US.

IN DEPENDENCY CASES WHEN A  
PARENT IS BEFORE YOU, YOU  
HAVE ON OCCASION, REQUIRED  
OR INQUIRED AS TO WHETHER  
THEY WERE USING DRUGS AND IF  
A CITIZEN REPLIED KNOW YOU

ORDERED THEM TO HAVE DRUG  
TETS ON THE SPOT.  
IF THE TEST RESULT COME BACK  
POSITIVE YOU HELD THEM IN  
CONTEMPT.

JUDGE ALBRITTON IN DUE  
PROCESS IS CONCEPT WHICH  
THIS NATION OPERATES.

TO BE A JUDGE U YOU MUST  
UNDERSTAND THAT.

THE CONDUCT IN THAT REGARD  
IS VERY SHOCKING TO LOCK UP  
SOMEONE LIKE THAT UNDER  
THOSE CIRCUMSTANCES.

IN 2004 YOU CALLED AN  
ATTORNEY TO THE BENCH AND  
INQUIRED ABOUT A SOCIAL  
PARTY.

AND SUGGESTED THEY NEEDED TO  
DONATE MONEY, TO DONATE  
MONEY FOR A PARTY FOR YOU,  
SIR.

A DAY OR SO LATER WHILE YOU  
WERE IN COURT YOU MENTIONED  
MONEY TO THAT PERSON, AGAIN.  
AND THEN THAT ATTORNEY WROTE  
A CHECK PAYABLE TO JERRY  
GLASS AND GAVE IT TO  
MR. GLASS, JERRY GLASS AND  
TOLD HIM TO MAKE SURE HE  
TOLD YOU THAT SHE HAD PAID.  
THAT'S WRONG.

AND YOU SHOULD HAVE KNOWN  
THAT, THAT'S NOT THE WAY TO  
CONDUCT YOURSELF.

APPROXIMATELY EIGHT MONTHS  
AGO YOU ASKED INDIVIDUALS TO  
GO TO LUNCH.

MAYBE AN INNOCENT GESTURE.  
BUT AS IT TURNS OUT YOU HAD  
ORDERED THE DCF TO DIRECTLY  
MAY CERTAIN DEFENSE  
ATTORNEYS AS OPPOSED TO  
HAVING THE COUNTY PAY THEIR  
LEGAL BILLS BECAUSE YOU DID  
NOT LIKE THE CASE DCA HAD  
ADVANCED.

AT LAUNCH YOU GAVE LEGAL  
COUNSEL TO THE ATTORNEYS.  
YOU THEN ACTED ON THE CASE  
ON YOUR OWN LEGAL ADVICE  
THEN YOU SIGNED AN ORDER ON  
THE MOTION THAT YOU HAD  
INSTRUCTED.

ON ANOTHER OCCASION YOU USED YOUR OFFICE TO HAVE AN ATTORNEY BUY LUNCH FOR YOU FOR OTHERS.

YOU JUST -- THAT CAN'T HAPPEN.

IN JUNE AT THE PARTY FOR YOU MR. GLASS PREVENTED YOU WITH A GIFT CERTIFICATE FROM THE CONTRIBUTOR RAISING MONEY FOR YOURSELF, SIR, JUST CAN'T OCCUR YOU VIOLATED VARIOUS 11:00 SUBBION OF 1-5 OF THE JUDICIAL CODE OF CONDUCT INCLUDING CANON ONE BY FAILING TO MAINTAIN A HIGH STANDARD OF CONDUCT TO PRESERVE THE INTEGRITY OF THE JUDICIARY, CANON 2-A WHICH REOWEDDING PUBLIC CONFIDENCE AND CANON BY FAILING TO MAINTAIN THE APPEARANCE OF PROPRIETY AND IMPARRALITY.

WE HAVE A CONSTITUTIONAL MANDATED PROCESS THROUGH WHICH WE ADDRESS JUDICIAL MISCONDUCT THAT VESTS SUBSTANTIAL AUTHORITY IN THE JUDICIAL QUALIFICATIONS COMMISSION IN ACCORDANCE WITH YOUR STIPULATION AND THE FINDING AND CONCLUSIONS AND RECOMMENDATION THAT'S THE REASON YOU ARE HAVING THIS PUBLIC REPRIMAND.

YOU STIPULATED THAT THIS REPRIMAND IS AN ELEMENT OF A GREATER SCHEME OF APPROPRIATE DISCIPLINE UNDER THE CIRCUMSTANCES AND CONSISTENT WITH OUR LAW WE'VE REQUIRED YOU TO BE HERE THIS MORNING TO UNDERSTAND THE SCOPE OF YOUR MISBEHAVIOR.

WE'RE HERE TODAY IN AN ATTEMPT TO RESTORE SOME OF THE CONFIDENCE AND THE INTEGRITY OF THE FLORIDA JUDICIARY BUT ALSO TO STRONGLY WARN YOU THAT YOU NEED TO CHANGE YOUR WAYS. WHEN YOU ACCEPT JUDICIAL

OFFICE YOU STEP ACROSS THE RANKS OF THE LAY CITIZEN AND ACCEPT AN OATH TO BE A JUDGE.

THIS IS MORE THAN A PHYSICAL STEP.

IT MUST BE A TOTAL PHYSICAL AND MENTAL COMMITMENT TO SERVE JUSTICE, THE IDEALS OF THE JUSTICE SYSTEM, AND THE IDEALS OF THE PROPER JUDICIAL OFFICER.

THE JUDGE'S BEHAVIOR IS AND MUST BE OPEN FOR CONSIDERATION AT ALL TIMES. IF WE EXPECT THE JUDICIAL BRANCH TO HAVE THE RESPECT AND CONFIDENCE IT REQUIRES AND IF WE ARE TO PROTECT THE RULE OF LAW THAT HOLDS US TOGETHER.

THE BEHAVIOR THAT BROUGHT YOU HERE TODAY IS COMPLETE DISREGARD FOR THE IDEALS WE MUST MANDATE FOR ALL OF US. WE HAVE THE PRIVILEGE OF DECIDING MATTERS OF GREAT IMPORTANCE TO FAMILIES, SOCIETY, AND THE VERY ESSENCE OF OUR REPUBLIC. ALONG WITH THIS PRIVILEGE COMES THE RESPONSIBILITY OF MEETING EXPECTATIONS OF JUDICIAL BEHAVIOR.

THIS RESPONSIBILITY CAN ADMITTEDLY AT HAND CONSTITUTE A HEAVY BURDEN AND WE MUST BE VERY CAUTIOUS.

THE TYPE AND DEGREE OF THE REPETITIVE UNACCEPTABLE BEHAVIOR IN WHICH YOU ENGAGE PAINTS A PICTURE OF A PERSONALITY THAT'S SIMPLY HAS FAILED TO ENGAGE AS A JUDICIAL OFFICER.

WHEN YOU ASSUMED YOUR JUDICIAL OFFICE YOU ACCEPTED THE OATH TO UPHOLD THE PRINCIPLES CONTAINED IN BOTH THE FLORIDA AND THE CONSTITUTION OF THE UNITED STATES.

ONE OF THE MOST ESSENTIAL

ROLES OF THE JUDICIARY IS TO  
SERVE AS A GUARDIAN OF ALL  
THOSE ORDER LIBERTIES AND  
THE FREEDOMS AND THE RIGHT  
THAT ARE CONTAINED THERE  
ANY.

WITHOUT CONSTANT VIGILANCE  
AND THE RIGHT AND IDEALS  
PROVIDED UNDER OUR TPRAEPL  
WORK MAY FADE.

AS AN OFFICER OF THE  
JUDICIARY YOU BARE A HEAVIER  
BURDEN THAN THE AVERAGE  
CITIZEN WITH REGARD TO THESE  
FUNDAMENTAL CONSTITUTIONAL  
VALUES INCLUDING AFFORDING  
EVERYONE DUE PROCESS AND NOT  
LOCKING INDIVIDUALS AWAY  
SIMPLY BECAUSE THEY CANNOT  
REMEMBER AN ADDRESS.

IN THE STIPULATION YOU  
KNOWINGLY ADMITTED THAT YOU  
IMPOSED AN UNCONSTITUTIONAL  
CONDITION UPON ONE OF OUR  
CITIZENS, TOTALLY CONTRARY  
TO LAW.

THAT A JUDICIAL OFFICER  
WOULD KNOWINGLY IMPOSEN  
UNCONSTITUTIONAL ON AN  
UNWITTING SYSTEM NOT IN  
SPITE OF BUT SEEMINGLY  
BECAUSE THAT CITIZEN WAS  
IGNORANT OF HER  
CONSTITUTIONAL LIBERTIES IS  
IN DERGGATION THAT WE AS  
JUDGES PERFORM.

SUCH BEHAVIOR CANNOT AND  
WILL NOT BE TOLL  
HRAEUTED -- TOLERATED ON  
THE PART OF ANY OF OUR STATE  
JUDICIAL OFFICERS.

YOUR CONDUCT CALLS INTO  
QUESTION YOUR IMPARRALITY  
BECAUSE CALLS INTO YOUR  
EX PARTE CONTACT WITH  
ATTORNEYS PRACTICING BEFORE  
YOU.

YOU DISCUSS MATTERS OF CASES  
PENDING BEFORE YOU.

IMPARRALITY IS A ESSENTIAL  
FOR ALL OF US.

THE ADVERSARIAL PROCESS  
SIMPLY BREAKS DOWN IF WE  
CANNOT TRUST THAT OUR JUDGES

WILL STAND ABOVE THE COUNSEL  
WHO APPEAR BEFORE THEM.  
EVEN THE APPEARANCE OF  
INAPPROPRIATE IS NOT  
ACCEPTABLE.

FAULTLESS BEHAVIOR, THOUGH  
NOT INTENTIONAL FAULTLESS  
BEHAVIOR CAN GENERATE THE  
PERCEPTION, THAT YOU ARE NOT  
AN IMPARTIAL JUDICIAL  
OFFICER.

YOUR BEHAVIOR THAT WE MUST  
ADDRESS TODAY IS CAST A  
SHADOW OF DOUBT OVER ALL OF  
US WITH REGARD TO IMPARTIAL  
ALTERNATE KWREUL.

YOUR TEMPERAMENT IS ALSO  
UNACCEPTABLE.

YOUR JUDGES MUST BE COURT  
JOUST AND PATIENT TO ALL.  
YOUR BEHAVIOR TOWARD PARTIES  
BEFORE YOU HAS FALLEN SHORT  
OF THE STANDARD WE EXPECT.

THE FINDING THE MOTHER THAT  
SHE COULD NOT RECALL HER  
ADDRESS, NOT APPLYING THE  
LAW OBJECTIVELY, CERTAINLY  
THERE'S ROOM FOR HUMAN  
COMPASSION.

BUT YOUR BEHAVIOR IS NOT  
ACCEPTABLE.

THE EXPERIENCES OF EACH  
INDIVIDUAL HAD OCCASION TO  
ENCOUNTER WHAT HAS OCCURRED  
HERE HAS CREATED FOR EACH OF  
THEM THE IMPRESSION THAT OUR  
JUDICIARY AS A WHOLE DOES  
NOT OPERATE AS IT SHOULD.

IT'S A STAIN ON ALL OF US  
NOT ONLY FOR THE CITIZENS  
WITH WHOM YOU'VE BEEN  
IMTEMPERATE BUT THE  
COLLECTIVE EYES OF ALL  
CITIZENS.

THIS THOUGHTLESS BEHAVIOR  
EXPENDS THE CAPITAL PRODUCED  
BY THE KIND AND  
COMPASSIONATE ACTION OF  
OTHER FLORIDA JUDGES.

FINE MEN AND WOMEN WORKING  
EVERY DAY TO UPHOLD OUR  
STANDARDS AND ONE CAN  
ABSTAIN US ALL.

WE CAN'T ACCEPT THIS

BEHAVIOR WHICH NEGATIVELY  
DOES SO.

YOU MUST BE MINDFUL THAT  
YOU -- YOUR CONDUCT IS OPEN  
FOR OBSERVATION FROM ALL IN  
THE COMMUNITY.

YOU CARRY YOUR POSITION OUT  
INTO THE COMMUNITY AND YOUR  
BEHAVIOR THERE, THE SOCIAL  
ENCOUNTERS WHEN YOU ARE NOT  
ON THE BENCH CAN MUCH OR  
EVEN MORE DAMAGING THAN WHAT  
OCCURS IN THE ACTUAL  
COURTROOM.

TO INJECT YOUR SELF INTO A  
SOCIAL SETTING IN ASKING  
PEOPLE TO TAKE YOU HUNTING  
AND HAVE PARTIES FOR YOU AND  
ORDERING MEALS JUST CANNOT  
BE DONE.

CALLING A JUDICIAL OFFICER  
HERE YOU, SIR THIS MORNING  
AND WE HAVEN'T MET BEFORE.  
I REGRET THAT WE HAVE NOT  
MET.

BUT IT IS A DUTY THAT WE AS  
A COURT MUST FULLFILL TO ALL  
THE CITIZENS AND TO ALL OF  
THE OTHER JUDGES.

IT'S ONE OF THE MOST  
IMPORTANT RESPONSIBILITIES  
BECAUSE THE TRUST AND  
CONFIDENT.

OF OUR PEOPLE DEPEND ON HOW  
WE DEAL WITH THESE MATTERS.  
YOU HAVE THREATENED THE VERY  
ESSENCE OF THE JUDICIARY BY  
TARNISHING THE DIGNITY,  
INTEGRITY AND IMPARTIALALITY  
AND I HOPE THIS IS A MESSAGE  
THAT SUCH BEHAVIOR BY  
JUDICIAL OFFICERS SIMPLY  
WILL NOT BE TOLERATED.

AND, AGAIN, WE ALL HOPE THAT  
THIS CONDUCTS A MISTAKE AND  
AN STENT.

WE ALSO HOPE THAT THIS  
APPEARANCE WILL BE  
SUFFICIENT TO CAUSE YOU TO  
BE MORE THOUGHTFUL AND CAUSE  
YOU TO THINK BEFORE YOU ACT  
IN ANY CIRCUMSTANCE.

IF NOT, IF NOT, YOU WILL BE  
BEFORE MEMBERS OF THIS COURT

EITHER PRESENT OR FUTURE  
AGAIN.

THE RESULT WILL NOT BE SO  
MILD IF LESSONS HAVE NOT  
BEEN LEARNED BY THIS  
EPISODE.

WE HOPE THAT YOU WILL TAKE  
THESE TO HEART.

WE HOPE YOU WILL BE A FINE,  
FINE REPRESENTATIVE FOR THE  
JUDICIARY AS YOU WALK AWAY  
FROM THIS COURT AND PLEASE  
UNDERSTAND THE THOUGHTS THAT  
GO INTO THIS.

BECAUSE WE WANT YOU TO BE A  
BETTER JUDGE.

WE EXPECT YOU TO BE A BETTER  
JUDGE AND WE KNOW YOU CAN BE  
A BETTER JUDGE.

THIS CONCLUDES THE  
REPRIMAND.

YOU MAY BE EXCUSED