Inquiry Concerning a Judge: Matthew E. McMillan

MR. CHIEF JUSTICE: GOOD MORNING AND WELCOME TO THE ORAL ARGUMENT CALENDAR FOR TUESDAY, MAY 1, WHICH IS LAW DAY, WHICH WE ALL TAKE COMING VANCE OF AS -- COGNIZANCE OF AS THE RULE OF LAW HAVING SUCH A GREAT IMPACT ON OUR LIVES AND THE QUALITY OF OUR LIVES IN THIS COUNTRY. FIRST CASE ON THE COURT'S DOCKET IS THE INQUIRY CONCERNING A JUDGE. MR. LEVIN.

MAY IT PLEASE THE COURT. ARNOLD LEVINE FOR JUDGE McMILLAN McMILLAN. JUDGE McMILLAN IS HERE. I HAVE TO RESERVE FIVE MINUTES, SO HE COULD MAKE THE REBUTTAL ARGUMENT. MR. TOSEY WAS CO-COUNSEL DURING ONE OF THE PROCEEDINGS. HE IS HERE BUT HE IS NOT GOING TO ARGUE. HE ONLY HANDLED ONE ASPECT AND THAT WAS IN THE CONVICTION OF THE CORE A MADAM. NOT ONLY WAS I EMPLOYED BY JUDGE McMILLAN TO HANDLE THE TRIAL AND PARTICIPATE AT THIS POINT IN TIME, BUT I PERSONALLY WAS GRATIFIED TO BE SO CHOSEN. JUDGE McMILLAN HAS DONE AN INCREDIBLE, INCREDIBLE JOB AS A JUDGE, DURING THE COURSE OF HIS LIMITED TENURE. THE QUESTION IS WAS THERE REALLY A SUFFICIENT EVIDENTIARY BASIS, A SUFFICIENT EVIDENTIARY BASIS, FOR THE FINDINGS AND, IN PARTICULAR, THE RECOMMENDATION OF SANCTIONS IN THIS CASE? THEN I SUBMIT THAT THERE WAS NOT. ONE OF THE OBVIOUS EXAMPLES IS A DETERMINATION OF LACK OF CANDOR, WHICH WAS NEVER EVEN CHARGED, AND THAT FLOWS FROM THE OCUR MATTER, BUT I THINK THE BEST EXAMPLE OF THE OVERSTATEMENT OF DETERMINATION BY THE PANEL, AND IT IS OBVIOUSLY DIFFICULT TO DEAL WITH AN ISSUE OF SUPPOSEDLY CONFLICTING EVIDENCE, AND THE OVERSTATEMENT, BY THE JQC, IN THEIR BRIEF, HAS TO DO WITH THE CHARGES 3 AND 4, OBVIOUSLY I DON'T HAVE ENOUGH TIME TO ARGUE ALL OF THEM, BUT IN CHARGE THREE IN THIS PARTICULAR MATTER, IT WAS CLAIMED THAT JUDGE McMILLAN FALSELY CLAIMED THAT HIS OPPONENT JUDGE BROWN, HAD PUT PRESSURE ON SHERIFF CHARLES WELLS NOT TO SUPPORT HIM, AND THE SECOND HALF OF THAT HAD TO DO WITH THAT HE FALLSLY ACCUSED JUDGE BROWN OF HAVING PRESSURE PRESSUREURED LAW ENFORCEMENT OFFICERS FOR PREFERENTIAL TREATMENT FOR JUDGE BROWN'S CHILDREN. THE PANEL FOUND, IN CREDIBLY SO, THAT THERE WAS NO REASONABLE BASIS, NO REASONABLE BASIS, FOR JUDGE McMILLAN TO HAVE MADE THE STATEMENT, AS IT RELATES TO THE PRESSURE OF CHARLIE WELLS, SHERIFF WELLS, BY JUDGE BROWN. BUT WHAT WAS THE EVIDENCE IN THAT REGARD THAT WOULD LEAD ANY REASONABLE PANEL TO CONCLUDE IN THAT FASHION? WHAT WE PRESENTED WAS THE FOLLOW FOLLOWING. WE PRESENTED THE EVIDENCE THAT THE FOP NORMALLY CALLS INDIVIDUALS WHO ARE GOING TO RUN FOR JUDICIAL OFFICE AND OTHER OFFICE, TO APPEAR BEFORE THEM, AND THAT WAS NOT DONE IN THIS CASE. WE PRESENTED EVIDENCE OF A CONVERSATION BETWEEN MARC MacMILLAN AND HIS -- BETWEEN MACK MacMILLAN AND HIS WIFE AND SHERIFF WELLS, THAT SHERIFF WELLS WAS GOING TO BE SUPPORTIVE OF HIM, NOT OPENLY BUT OPENLY NEUTRAL, AND AT THE LAST MINUTE, SHERIFF WELLS SUPPORTED JUDGE BROWN. THE MERE FACT THAT THAT MAY BE A VIOLATION ON JUDGE BROWN'S PART DOESN'T EXONERATE MY CLIENT OR PERMIT HIM TO DO SOMETHING THAT MAY BE INAPPROPRIATE, BUT MAYBE MORE IMPORTANTLY IN THAT REGARD, WAS THE LONG TIME POLITICAL FRIEND OF SHERIFF WELLS, WHO CAME TO MY CLIENT, MR. CARR, AND WAS SHOCKED TO HEAR THAT SHERIFF WELLS WAS ENDORSING BROWN. WE HAVE MR. SHARF, WHO CAME TO MY CLIENT AND TOLD HIM OF THE PRESSURE ARE BEING APPLIED -- PRESSURE BEING APPLIED ON SHERIFF WELLS BY JUDGE BROWN AND A HOST OF OTHER --

HOW DID THIS PERSON KNOW OF THAT?

SIR?

HOW DID THIS PERSON KNOW THAT? THIS IS SORT OF LIKE HEARSAY, IT SEEMS TO ME, THAT THIS PERSON SAYS THAT, YOU KNOW, PRESSURE IS BEING PUT ON THE SHERIFF. HOW DID THIS PERSON KNOW THAT PRESSURE WAS BEING --

THERE IS NO SPECIFIC EVIDENCE IN THAT REGARD. HE WAS A MUCKY MUCK IN THE REPUBLICAN PARTY OF MANATEE COUNTY. HE HAD A LONG-TERM PROFESSIONAL RELATIONSHIP WITH SHERIFF WELLS. HE SPOKE WITH AN ACQUAINTANCE, WHOSE NAME I DON'T RECALL AT THIS PARTICULAR POINT, AND THE LIEUTENANT, SHERIFF WELLS'S RIGHT HAND, TOLD HIM THAT. HE, IN TURN, TOLD MY CLIENT THAT AND THEN WE HAVE THE POLITICAL GADFLY, MR. SHARF, WHOSE WIFE HAD BEEN IN BUSINESS AND WAS IN BUSINESS WITH SHERIFF WELLS, WHO CAME AND TOLD MY CLIENT EXACTLY THAT, THAT SHERIFF WELLS WAS BEING PRESSUREURED BY JUDGE BROWN AND OTHERS IN HIS BEHALF, TO SUPPORT JUDGE BROWN. NOW, THAT IS THE TESTIMONY IN THAT REGARD. NOW, SCHARF HAD BEEN DEPOSED BY PRIOR COUNSEL IN THE MATTER. WHEN THE QUESTIONS WERE ASKED HIM OF HIM REGARDING THAT SUBJECT MATTER, HE TOOK THE FIFTH AMENDMENT AS RELATES TO ALL OF THOSE PERTINENT QUESTIONS. NOW, THE ISSUE, THEN, BEFORE YOU IS WAS THERE A REASONABLE BASIS FOR MY CLIENT TO MAKE THESE STATEMENTS? LOOK AT ALL OF THE SOURCES FROM WHICH IT CAME. DID HE HAVE A REASONABLE BASIS TO ACT AND RESPOND, TO MAKE THE STATEMENTS THAT HE DID? WELL, ANYONE WOULD, GIVEN WHO THE PEOPLE WERE WHO WERE PROVIDING HIM THE INFORMATION ABOUT WHAT OCCURRED. THE OTHER ASPECT OF THIS CHARGE HAS TO DO WITH THE TESTIMONY OF DEPUTY ATKINSON, I BELIEVE I PRONOUNCED THE NAME CORRECTLY, WHO CAME TO MY CLIENT AND ADVISED MY CLIENT AS TO WHAT HAPPENED IN CONNECTION WITH HER CRIMINAL INVESTIGATION OF AN ADULT CHILD, AN ADULT PERSON IN THE BROWN HOUSEHOLD. THE PANEL, IN ITS FINDINGS, PASSES OFF THE SERIOUSNESS OF THE OFFENSE. A COUPLE OF YOUNG KIDS PLAYING TOGETHER OR WORDS TO THAT EFFECT. WELL, AN ADULT BROWN WAS PUTTING A MINOR'S HEAD IN THE TOILET BOWL, AND THERE WAS A COMPLAINT, AND SHE CAME TO MY CLIENT AND TOLD MY CLIENT OF WHAT SHE PERCEIVED OF AS THE PRESSURE THAT HAD BEEN APPLIED TO HER BY JUDGE BROWN. HE CALLED! HE CALLED, AND HE DIDN'T SAY, MR MR. BROWN, I AM THE PARENT OF YOUNG BROWN. I AM JUDGE BROWN. AND LET ME TELL YOU, IF YOU FILE THIS REPORT AND DON'T INTERVIEW MY SON, HE IS ABOUT TO GO INTO THE NAVY. IT IS GOING TO RUIN IT FOR HIM. MY CLIENT DIDN'T SOLICIT THE INQUIRY FROM HER. WHAT HAPPENED IN THAT PARTICULAR INSTANCE IS SHE CAME TO MY CLIENT. DID HE HAVE A REASONABLE BASIS FOR MAKING THOSE STATEMENTS? I SUBMIT HE ABSOLUTELY DID, GIVEN THE CREDIBILITY AND THE SOURCE OF THE INFORMATION IN THAT REGARD. THE PANEL MAKES A DETERMINATION THAT CHARLIE WELLS SAYS THAT HE ENDORSED JUDGE BROWN, BECAUSE, IN EFFECT, HE WAS THE BETTER CANDIDATE. THEY MAKE THAT FINDING. THERE IS NO SUCH RECORD EVIDENCE IN THAT REGARD, AND WE POINT THAT OUT IN OUR REPLY BRIEF. YOU JUST LOOK AT THE REPLY BRIEF AND YOU SEE THE MISSTATEMENTS BY THE JQC, AND THE MISSTATEMENTS BY THE PANEL, ITSELF, YOU KNOW, IN THAT REGARD.

WOULD YOU TAKE A MINUTE TO OUTLINE, FOR US, YOU HAVE BEEN CANDID IN YOUR FILINGS HERE, THAT THERE HAVE BEEN SOME VIOLATIONS ESTABLISHED, AND WOULD YOU OUTLINE TO US, NOW, WHAT YOU BELIEVE TO BE THOSE VIOLATIONS THAT YOU WOULD AGREE THAT THERE IS EVIDENCE OR EITHER CONCESSIONS, AS TO THOSE VIOLATIONS, AND WHAT YOU BELIEVE THE APPROPRIATE SANCTIONS SHOULD BE.

JUSTICE ANSTEAD, I THINK THAT THE BRIEF DOES. THAT I WILL BE HAPPY TO REVIEW YOU, IN A LIMITED PERIOD OF TIME BUT WE DON'T TAKE ISSUE WITH THE FACT THAT THERE WERE SOME MISSTATEMENTS, THAT THERE WERE SOME OVER STATEMENTS IN THAT REGARD, BUT YOU KNOW, IN THE CONTEXT, IN THAT CONTEXT, YOU TAKE THE LETTER TO THE STATE ATTORNEY. THE LETTER TO THE STATE ATTORNEY I WILL ALWAYS BE A PROSECUTOR AT HEART. YOU HAVE TO TAKE IT IN THE CONTEXT OF WHICH IT WAS WRITTEN, AND WE LAID THAT OUT FOR YOU. WAS THERE -- WERE THERE SOME MISTAKES? WERE THERE SOME ERRORS? WERE THERE SOME OVER

STATEMENTS? YES, THERE WERE. WHAT ARE THE SANCTIONS THAT THEY SEEK TO IMPOSE IN THIS REGARD? THAT IS A TERMINATION OF THIS JUDGE, WHO HAS DONE AN INCREDIBLE JOB IN THIS COMMUNITY THAT NOBODY ELSE, NOBODY ELSE IN THAT ENTIRE COMMUNITY HAS EVER MANAGED. NOW, WHEN YOU LOOK AT THE DAVIS CASE, AND YOU LOOK AT THE CIRCUMSTANCES IN THE CONTEXT OF MITIGATION, AND YOU LOOK AT WHAT HE WAS SUBJECTED TO, TRYING FOR ANSWER YOUR -- TRYING TO ANSWER YOUR QUESTION AS IT RELATES TO THE SANCTIONS, IN THIS PARTICULAR REGARD. WHAT WAS IT THAT HE WAS BEING SUBJECTED TO? A BRICK THROUGH HIS WIFE'S BUSINESS. TELEPHONE CALLS AT NIGHT. THREATS THAT WERE FORTHCOMING. THE LAST-MINUTE REVERSAL BY THE SHERIFF, AS TO WHAT WAS HAPPENING. HE REMOVED HIS CHILDREN FROM MANATEE COUNTY, ONE, BECAUSE OF THE FACT THAT HE CAN CONCENTRATE ON THE CAMPAIGN AND, TWO, BECAUSE HE WAS IN FEAR OF THEIR SAFETY. THE LITANY OF ALL OF THE PRESSURES THAT DON'T EXCUSE -- DOESN'T EXCUSE A FAILURE TO COMPLY WITH THE CANONS, BUT IN THE CONTEXT OF THIS CASE, TO SUGGEST TERMINATION, I SUBMIT, IS A GROSS OVERSTATEMENT, AND THE PANEL NEVER ADDRESSED THE ISSUE, NEVER ADDRESSED THE ISSUE OF MITIGATION AND THE MITIGATING CIRCUMSTANCES. IN THAT REGARD.

DOES YOUR CLIENT AGREE WITH THE CHARGE CONCERNING THE CASE THAT HE REPORTED TO THE POLICE, OF THE DRUNK DRIVER, AND HIS SUBSEQUENT SITTING ON, AT LEAST A PART OF THAT CASE?

IN THE OCUR SITUATION, AND THAT IS THE MATTER THAT YOU SPOKE ABOUT AND A MATTER HANDLE HANDLED BY MR. -- HANDLED BY MR. TOZIAN, IN THAT PARTICULAR INSTANCE, MY CLIENT SAT ON THE MATTER. HE WAS THE WITNESS AS TO WHAT OCURA HAD DONE, AND HE SAID THAT AT THE OUTSET. THERE IS A DISPUTE BETWEEN HIMSELF AND JUDGE FERRIN, AS TO THE CIRCUMSTANCES UPON WHICH HE CAME TO THE BENCH, BUT WHEN HE CAME THERE AND OCURA APPEARED BEFORE HIM, HE SAID I AM THE GUY THAT WAS THERE. I WAS THE GUY THAT DESERVED IT. I SHOULDN'T BE SITTING HERE. AND WHAT HAPPENS THEN? WHAT HAPPENS THEN? THE PROSECUTOR, THEN, SAYS LOOK AT THE BREATHALYZER OF THIS MAN. IN EFFECT HE IS A DANGER TO THE COMMUNITY. WHAT DID HE DO? HE SET A VERY, VERY, VERY HIGH BOND, $100,000, AND SAID ANOTHER JUDGE SHOULD TAKE YOUR CASE AND HANDLE IT, AND THAT WILL BE DONE TOMORROW. NOW, FIRST APPEARANCES WITHIN 72 HOURS, THAT CERTAINLY WOULD HAVE TAKEN PLACE, AND AS A MATTER OF FACT DID TAKE PLACE, AND ON THE NEXT DAY, HIS BOND WAS REDUCED: AM I SAYING TO YOU THAT HE SHOULD HAVE SAT THERE? ABSOLUTELY NOT. BUT WHAT I AM SAYING TO YOU IS THAT HE WAS CANDID WITH OCURA. HE WAS CANDID WITH THE PROSECUTOR, AND BUT FOR THE FACT THAT THE PROSECUTOR INTERSECRETARYED HIMSELF AT A -- INTERJECTED HIMSELF AT A POINT IN TIME.

HOW DID HE ACTUALLY COME TO SIT ON THE OCURA CASE?

THAT IS IN DISPUTE. MY CLIENT SAID THAT JUDGE FERANCE WAS A NEW JUDGE. HE HAD PREVIOUSLY ASKED PEOPLE, HE WOULD COVER THEIR CALENDARS FOR THEM. THE GOOD OLD BOY NETWORK THERE, HE WAS OSTRACIZED FROM JUDGE GALLIN AND THE REST OF THE PEOPLE THERE. THIS WAS SOMETHING THAT HE TRIED TO BE FRIEND AND DEVELOP A FRIENDSHIP AND HE SAID, HEY, I UNDERSTAND THAT YOU HAVE GOT SOME CONFLICTS. I WILL BE HAPPY TO HANDLE YOUR CALENDAR. JUDGE FERRANCE TELLS IT SOMEWHAT DIFFERENTLY. INTERESTINGLY ENOUGH, THE JQC IN THEIR BRIEF, ADDRESSES ROSA AND SUTSS, AS I RECALL THEIR BRIEF -- AND SUGGESTS, AS I RECALL THEIR BRIEF, THAT HER TESTIMONY WAS CONSISTENT WITH JUDGE FERRANCE. I WOULD SUBMIT, UPON THE RECORD, THAT SHE SAID "I DON'T KNOW WHO ASKED WHO." BUT THERE IS NO QUESTION IT WAS VIEWED IN THE LIGHT MOST UNFAVORABLE TO MY CLIENT. HE INJECTED HIMSELF INTO THE OCURA MATTER, ALTHOUGH HE WAS A WITNESS, AND HE SHOULDN'T HAVE DONE THAT THE. DID HE KEEP THAT FROM OCURA? DID HE KEEP THAT FROM THE PEOPLE WHO WERE THERE? THE PUBLIC DEFENDER WHO WAS REPRESENTING OCUR A OR THE PROSECUTOR? NO. HE SAID I SHOULDN'T BE SITTING HERE.

MAYBE I AM GETTING THE WRONG IMPRESSION, THEN, FROM WHAT I HAVE READ OF YOUR FILINGS BEFORE BECAUSE MY IMPRESSION, NOW, IF I UNDERSTAND YOUR ARGUMENT CORRECTLY, IS THAT YOU ARE NOT CONCEDING ANY MISCONDUCT, ON THE PART OF YOUR CLIENT.

OH, THAT IS ABSOLUTELY NOT SO JUSTICE ANSTEAD.

WHAT MISCONDUCT ARE YOU -- THAT WAS MY QUESTION TO YOU BEFORE. COULD YOU TELL US WHAT MISCONDUCT ARE YOU CONCEDING, ON THE PART OF YOUR CLIENT, AND WHAT APPROPRIATE SANCTIONS DO YOU BELIEVE THIS COURT SHOULD IMPOSE?

NUMBER ONE, HE SHOULD NOT HAVE WRITTEN THE POLICE LETTER. HE SHOULD NOT HAVE WRITTEN THE POLICE LETTER AND BASICALLY SAY, IN EFFECT, I AM GOING TO STAND HINDU, AND HE SAID THAT WAS THE WORST MISTAKE THAT I HAVE EVER MADE IN MY LIFE, AND I SHOULD NOT HAVE DONE IT. INTERESTINGLY ENOUGH, JUST IN PASSING, AS IT RELATES TO THE JQC FINDING, THEY SUGGEST THAT THAT LETTER WENT OUT TWO TIMES. IT DID NOT. WE RELATE THE CIRCUMSTANCES. ILL ALWAYS HAVE THE HEART OF A PROSECUTOR. -- I WILL ALWAYS HAVE THE HEART OF A PROSECUTOR. HOW THAT CAN BE CONSTRUED AS BEING PRO PROSECUTION, IT CERTAINLY COULD BE. AT THE TIME THAT IT WAS WRITTEN, IT WAS WRITTEN UNDER CIRCUMSTANCES THAT INDICATED THAT WORD WAS GETTING TO THE STATE ATTORNEY THAT MY CLIENT WAS EITHER UNDERMINING THE STATE ATTORNEY, SAYING, BAD-MOUTHING THE STATE ATTORNEY, AND HE WROTE THE LETTER. HE ACKNOWLEDGED THAT THOSE WORDS SHOULD NOT HAVE BEEN THERE.

DOES THE PUBLIC HAVE FAITH THAT THE LEAST YOU CAN EXPECT IS AN IMPARTIAL JUDGE, AND UNDER JUST WHAT YOU HAVE TOLD US, CAN THE PUBLIC HAVE FAITH THAT THEY ARE GOING TO HAVE AN IMPARTIAL JUDGE NOW, OR DOES HE HAVE, HAS HE ALREADY REPRESENTED A BIAS IN FAVOR OF THE STATE?

THERE ARE TWO-WAYS OF LOOKING AT. THAT ONE WAY IS TO LOOK AT THE LETTER TO THE STATE ATTORNEY NOT TO THE PUBLIC AT LARGE, AND THEY COUPLED SOME COMMUNICATION TO THE HERALD, THAT IS THE JQC, WITH THE LETTER TO THE STATE ATTORNEY, WHICH COUPLING IS CLEARLY IMPROPER. SHOULD HE HAVE SAID THAT "I WILL ALWAYS HAVE THE HEART OF A PROSECUTOR?" NO. HE ACKNOWLEDGED HE NEVER SHOULD HAVE SAID IT IN THAT REGARD, BUT THE RESPONSE, I SUBMIT, TO YOUR QUESTION, IS --

CAN HE BE EFFECTIVE AS A JUDGE?

AND HE WAS! AND HE WAS! EVERYONE WHO TESTIFIED IN THE PROCEEDINGS SAID HE IS AN OUTSTANDING JUDGE. HE IS AN INNOVATIVE JUDGE. HE IS A JUDGE THAT HAS HELPED THIS COMMUNITY. EVEN JUDGE GALL I KNOW, EVEN JUDGE -- EVEN JUDGE GALLIN, IN HIS DEPOSITION, SAID THIS MAN IS WORTHY OF SITTING ON THE BENCH. WHAT HAPPENED AT THE TRIAL? JUDGE --

YOU ARE WELL INTO YOUR REBUTTAL TIME, IF YOU WANT --

I AM SORRY. I DIDN'T -- I GOT SO CARRIED AWAY, I DIDN'T PICK IT UP.

THANK YOU. MR. BARKLEY. -- MR. BARKIN.

MAY IT PLEASE THE COURT. MARVIN BARKIN AND LANCE SKRIF I KNOW OF -- SCRIVEN OF TAMPA, FOR THE JCQ. THE HEARING PANEL HAS RECOMMENDED REMOVAL OF JUDGE McMILLAN, AS A RESULT OF A FOUR-DAY TRIAL AND SOME SEVERAL HUNDRED PAGES OF SIGNIFICANT TESTIMONY AND WITNESSES THAT WE NOW KNOW TO HAVE CONCEDED TO BE WRONG IN THEIR PERCEPTION AND WRONG IN THEIR DELIVERY. THE PANEL CONCLUDED VIOLATIONS OF THE CANONS. PLEDGES OF PERFORMANCE IN OFFICE CLEARLY PROSCRIBED. MISREPRESENTATIONS WITH REGARD --

HOW DO WE EVALUATE THIS CASE, IN RESPECT TO THE ALLEY CASE? IN THE ALLY CASE, OBVIOUSLY THE JQC, IT AGREED, WAS A REPRIMAND CASE, AND HOW DO WE EVALUATE THESE ELECTION CASES?

WELL, THE ALLEY CASE, IF THE COURT -- THE ALLY CASE, IF THE COURT PLEASE, FIRST OF ALL GIVES WAS MESSAGE, AND THE MESSAGE, FIRST OF ALL, IS THAT THIS COURT IS DISPLEASED WITH THE CONCEPT OF ELECTION VIOLATIONS BEING THE ROAD TO OFFICE, AND WITH THE PROSPECT THAT VIOLATIONS OF CANON SEVEN AND THE OTHER APPLICABLE CANONS CAN GIVE ONE THE REWARDS OF OFFICE WITHOUT PUNISHMENT FOR IT. IN EFFECT, WHATEVER REPRIMANDS YOU RECEIVE IS SIMPLY A COST OF ATTAINING THE OFFICE. THAT IS ONE MESSAGE FROM THE ALLY CASE. THE SECOND THING IN THE ALLY CASE IS THAT ALLY IS NOT THIS CASE, IN TERMS OF THE POST -- ELECTION CONDUCT. THE OCURA MATTER IS SIMPLY UNEXECUTIONABLE. THE OCURA -- IS UNEXCUSEABLE. THE OCURA IS A MATTER THAT THE HIGHWAY PATROL WAS TOLD OF THE MAN WHO WAS ARRESTED WITH ALCOHOL. JUDGE McMILLAN WAS A WITNESS WITH THE CIRCUMSTANCES THAT HE OBSERVED. THE NEXT MORNING, WHEN FIRST APPEARANCES WERE RECEIVED AND JUDGE McMILLAN WAS ASSIGNED TO CIVIL AND NOT CRIMINAL, HE CAME BY AND TALKED TO THE CLERK, BEFORE THE ASSIGNED JUDGE, JUDGE FERRANCE GOT THERE, AND HE SAID TO THE CLERK, WHAT IS ON YOUR CALENDAR, AND HE LOOKED, SPECIFICALLY WITH REGARD TO THE MAN HE HAD SEEN THE DAY BEFORE, AND HE SPECIFICALLY ASKED ABOUT THE BLOOD ALCOHOL LEVEL AND WAS TOLD IT WAS A .30, AND THEN JUDGE McMILLAN SAID TO JUDGE FERRANCE, LOOK, YOU ARE A NEW JUDGE. YOU HAVE GOT JURY TRIALS. LET ME TAKE THESE FIRST APPEARANCES FOR YOU. JUDGE FERRANCE TURNED HIM DOWN AND THEN HE INSISTED AND HE SAID GO AHEAD AND DO IT. CAN THERE BE ANY DOUBT THAT THIS WAS A CASE WHEN PURPOSELY HE TOOK A CALENDAR WHEN A MAN THAT HE KNEW BEFORE, FROM THE PREVIOUS DAY, HAD COME BEFORE HIM, AND NOW HE DID A COUPLE OF THINGS. ONE WAS TO SAY I AM THE GUY WHO SAW YOU THE DAY BEFORE, AND THEN HE DELIBERATELY SET THE BOND SO HIGH THAT THE MAN COULD NOT GET OUT OF JAIL, AND HE DID SO BECAUSE HE FELT HE HAD A HIGHER CALLING THAN JUST ABIDING BY THE CANONS, AND THE HIGHER CALLING WAS TO MAKE SURE THAT THIS MAN WOULD NOT BE A MENACE TO SOCIETY DURING THE NEXT 24 HOURS OR WHATEVER. NOW, THAT IS ABSOLUTELY A HEAD-ON CONFLICT WITH THE CONCEPT OF A FAIR AND IMPARTIAL JUDICIARY, AND WITH THE CONCEPT OF JUDICIAL CANONS. HE DID SOMETHING DELIBERATELY AND PURPOSE USFULLY THAT CORRUPTED, ON THE BENCH, HIS JUDICIAL OFFICE, AND THAT IS A DIFFERENCE FROM ALLY, AND, OF COURSE, THE OTHER DIFFERENCE FROM ALLY IS THAT ALLY WAS A STIPULATED REPRIMAND, ONE THAT THIS COURT COULD NOT GO BEHIND, BECAUSE AT THAT TIME THIS COURT DID NOT HAVE THE CONSTITUTIONAL AUTHORITY TO INCREASE OR DECREASE OR WHATEVER, AND, OF COURSE, THIS CASE COMES TO YOU WITH SOME HISTORY. IT WAS HERE ON A REPRIMAND STIPULATED, AND THE REPRIMAND WAS REJECTED, A SUSPENSION WAS REJECTED. THIS COURT SET THE MATTER BACK FOR HEARING. AFTER A FOUR-DAY HEARING BEFORE THE HEARING PANEL, A SEPARATE BODY OF THE JQC, THE HEARING PANEL HAS RECOMMENDED TO YOU REMOVAL, PREDICATED UPON THE EVIDENCE AND RECORD THAT THEY SAW, AND WE BELIEVE WELL-JUSTIFIED. JUST TO GET TO THE BACK FIRST, THIS IS A REMOVAL SITUATION, WHERE THE RESPONDENT'S TOTALITY OF CONDUCT IN OFFICE AND IN HIS CAMPAIGN FOR THE OFFICE, DEMONSTRATES A PRESENT UNFITNESS TO HOLD OFFICE. HE FAILED TO PERSUADE THE PANEL, THE HEARING PANEL, THAT HE UNDERSTOOD THE NATURE AND EFFECT OF HIS MISCONDUCT. HE FAILED TO CONVINCE THEM THAT HIS PROBLEMS ARE BEHIND HIM. WOULD LESSER PUNISHMENT THAN REMOVAL BE APPROPRIATE? WE THINK NOT. YOU START WITH THIS EGREGIOUS CAMPAIGN MISCONDUCT, WHICH HE BASICALLY NOW CONCEDES, PLEDGES, KNOWINGLY FALSE ATTACKS ON THE INCUMBENT. WE HAVE NOT YET TALKED ABOUT THE WORK ETHIC ATTACK. I WILL GO BACK TO THAT, IF I MAY IN A MOMENT, BUT CERTAINLY PREFERENCES FOR CHILDREN, PRESSURE ON WELLS. THAT WAS CONSIDERED BY THE HEARING PANEL AND ON THE EVIDENCE BEFORE THEM, THEY ACCEPTED THE WITNESSES AND REJECTED THAT PARTICULAR EXPLANATION.

MR. LEVINE SEEMS TO ARGUE, HERE, THAT THERE WAS A REASONABLE BASIS FOR JUDGE McMILLAN TO HAVE, I SUPPOSE, USED THOSE KINDS OF PHRASES, IN HIS LITERATURE ABOUT THE PRESSURE PUT ON SHERIFF WELLS AND THE INFORMATION CONCERNING THE CHILDREN. IS THAT THE STANDARD THAT WE SHOULD BE LOOKING TO AND REVIEWING THIS --

WE BELIEVE THERE WAS NO REASONABLE BASIS, AND THE HEARING PANEL FOUND -- THE HEARING PANEL HEARD THE DEPUTY, MS. ATKINSON. SHE HAD RECEIVED A COMPLAINT. SHE INTERVIEWED A NEIGHBOR. SHE DID NOT INTERVIEW BROWN'S CHILD. BROWN HAD CALLED AND ASKED HER TO INTERVIEW THE CHILD. SHE WAS EXAMINED CLOSELY, NOT ONLY BY SPECIAL COUNSEL BUT BY THE HEARING PANEL, ITSELF, AS TO WHAT, IN FACT, THE EXACT CONTENT OF HER CONVERSATION HAD BEEN WITH JUDGE BROWN. THE HEARING PANEL WAS PERSUADED BY WHAT THEY THOUGHT WAS CLEAR AND CONVINCING EVIDENCE THAT SHE WAS NOT PRESSUREURED BY JUDGE BROWN. HE CERTAINLY DENIED BEING PRESSUREURED, AND HE WAS SUBJECT TO A SCATHING CROSS-EXAMINATION. THE RESPONDENT HAD NO PERSONAL KNOWLEDGE OF THE MATERIALS THAT HE CHARGED IN COUNT I. BASICALLY HE WAS DEALING WITH RUMOR, AND THAT IS WAY THE WAY HE IS JUSTIFYING IT TODAY. RUMOR. RUMOR JUSTIFIED BY CANONS, ARGUABLE OR NOT, AS TO THE OPPONENT. THIS IS NOT THE WAY THAT JUDICIAL CAMPAIGNS WILL BE RUN, BECAUSE IF YOU DO, YOU DIMINISH THE CURRENCY OF JUDICIARY. THE PUBLIC BELIEVES THAT BEING ELECTED TO A JUDGESHIP IS NO DIFFERENT THAN BEING ELECTED COUNTY COMMISSIONER. BASICALLY YOU CAN DO ANYTHING YOU CAN GET AWAY WITH. PLEDGE ANYTHING YOU CAN PLEDGE. THAT IS NOT SO. THAT IS NOT THE INTENT OF THE CANONS, AND THAT IS NOT CONSISTENT WITH THE CONCEPT OF THE FAIR, INDEPENDENT, IMPARTIAL JUDICIARY.

BUT HE HAS BEEN ELECTED NOW, SO WHY DO YOU FEEL THAT HE CANNOT FUNCTION EFFECTIVELY AS A JUDGE? MAYBE, PERHAPS, HE DID THINGS THAT HE SHOULD NOT HAVE DONE, IN GETTING TO BE A JUDGE. WHY DO YOU FEEL THAT HE IS UNABLE, AT THIS POINT?

WELL --

FOR A LESSER DISCIPLINE THAN REMOVAL?

YOUR HONORS, IN OTHER CASES, HAVE SAID, WHERE THERE HAS BEEN A PATTERN OF CONDUCT FUNDAMENTALLY INCONSISTENT WITH THE RESPONSIBILITY OF JUDICIAL OFFICE, REMOVAL IS APPROPRIATE. THAT WAS SHEA. THAT IS GRAZIANO. WHEN CONDUCT DIMINISHES THE PUBLIC'S CONFIDENCE IN THE INTEGRITY OF THE JUDICIAL SYSTEM AND UNDERMINES PUBLIC TRUST IN JUDICIAL OFFICE, AGAIN, SHEA AND FORD. THOSE ARE CASES WHERE YOU HAVE, IN FACT, REMOVED JUDGES. MEASURE THIS STANDARD. WE STARTED WITH CAMPAIGN MISCONDUCT. SHOULD HE BE PERMITTED TO RETAIN THE BENEFITS OF THAT MISCONDUCT. WE GO FROM THERE TO THE MISCONDUCT ON THE BENCH. IS THE OCURA MATTER NOT A GROSSLY OUTRAGEOUS INCIDENT OF THE MISUSE OF JUDICIAL POWER. WE GO FROM THAT TO FOUR DAYS OF JUDICIAL HEARINGS AND SEVEN HOURS OF TESTIMONY, IN WHICH THIS JUDGE BEFORE THE HEARING PANEL, UNDER DIRECT AND CROSS-EXAMINATION AND EXAMINATION BY THE PANEL, TRIED TO JUSTIFY HIS CONDUCT. THE HEARING PANEL SAW HIM. THEY HEARD HIM. THEY OBSERVED HIM. THEY LOOKED AT THE EVIDENCE. THEY HEARD, AS CHIEF JUDGE, JUDGE GALLA, WHO SAID IN HIS OPINION THIS MAN IS NOT FIT TO BE ON THE BENCH, AND THEIR CUMULATIVE RECOMMENDATION TO YOU IS THAT HE SHOULD BE REMOVED.

WHAT WAS JUDGE GALLIN'S OPINION THAT HE SHOULD BE REMOVED FROM THE BENCH, BASED UPON?

HE SAID A VARIETY OF CONDUCT, THINGS THAT CAME BACK TO HIM. THINGS UPON WHICH THE JUDGE CONDUCTED HIMSELF IN OFFICE.

NOW, THAT BECOMES SOMEWHAT IMPORTANT, IF WE ARE GOING TO DISTINGUISH, FOR EXAMPLE, SOMEBODY WHO DOES SOMETHING WRONG IN A CAMPAIGN AND THEN THEREAFTER, AS MR.

LEVINE HAS REPRESENTED, BECOMES AN EXEMPLARY JUDGE, VERSUS SOMEBODY WHO GETS ON THE BENCH AND THEN THERE ARE MATTERS THAT ARE INAPPROPRIATE. NOW, YOU HAVE CHARGED THE OCURA MATTER, AND AS FAR AS OTHER INCIDENTS WHERE JUDGE McMILLAN HAS NOT ACTED IN A MANNER NOT BEFITTING A JUDGE, WHAT EVIDENCE IS THERE, IN THE RECORD, ABOUT OTHER CIRCUMSTANCES WHERE WE SHOULD BE CONCERNED ABOUT HIS CONDUCT ON THE BENCH?

YOUR BASIC EVIDENCE, I SUBMIT YOUR HONOR, IS OCURA, AND JUDGE GALL I KNOW'S VIEW. -- JUDGE GALLIN'S VIEW. JUDGE GALLIN'S TESTIMONY IS INTERESTING, BECAUSE JUDGE GALLIN CHANGED HIS MIND DURING THE COURSE OF THIS CASE. IN DECEMBER OF 1999, JUDGE GALLIN WAS DEPOSED REGARDING THE CAMPAIGN CHARGE AND GUGE JUDGE G -- AND JUDGE GALLIN RECOMMENDED THAT HE STAY IN OFFICE. BUT THEN THERE WAS THE OCURA MATTER AND JUDGE GALLIN WAS PERSUADED THAT JUDGE McMILLAN WAS NOT FIT TO BE ON THE BENCH. THAT WAS UNDER SIGNIFICANT CROSS-EXAMINATION. YOU HAVE THE CHIEF JUDGE. YOU HAVE OCURA. YOU HAVE THE QUESTION OF WHAT SHOULD BE THE CONSEQUENCE OF OUTRAGEOUS JUDICIAL CAMPAIGN CONDUCT. ALL OF THAT, WE BELIEVE, AND THE FACT THAT WE ARE NOT DEALING WITH A STIPULATION AND A LIMITATION ON THIS COURT, DISTINGUISHED THIS MATTER FROM RALLY.

YOU CHARGED THE JUDGE WITH MISREPRESENTING THE TRUTH, OR LYING, AND A LACK OF REMORSE. WOULD YOU EMBELLISH THAT FACET?

YOUR HONOR, THANK YOU. I WOULD FOCUS YOU ON THE WORK ETHIC SITUATION. IN A VARIETY OF BROCHURES AND STATEMENTS, THE RESPONDENT SAID, AND I QUOTE, 16 YEARS JUDGE JOE BROWN TREATS CRIME LIKE A PART-TIME PROBLEM. IT IS TIME WE HAVE A FULL-TIME JUDGE. BROWN HAS AVERAGED 14 HOURS A WEEK ON THE BENCH. IN '97, HE TOOK 84. IN '96, 86 DAYS OFF FROM COURT. THE COURT SYSTEM IS OVERLOADED, AND IT IS NO WONDER, WITH WORKING HOURS LIKE THAT. WE PAY HIM OVER $98,000 TO DO THIS JOB. NOW, ALL OF THIS CLAIM, WHICH THE PUBLIC CLEARLY UNDERSTOOD TO BE A CLAIM THAT THE JUDGE WAS OUT OF THE COURTHOUSE, NOT DOING JUDICIAL WORK ON VACATION, WAS WRONG. IT SIMPLY WASN'T TRUE. AND IT WAS WRONG, EVEN AFFECTION CRUCIATEING INVESTIGATION AND -- AFTER EXCRUTIATING INVESTIGATION AND RESEARCH DONE BY THE JUDGE AND HIS FAMILY. NOW, IT WAS NOTHING LESS THAN PURPOSEFUL.

IN TERMS OF THE BASIS FOR THAT, I SAW SOME CHARTS THAT SHOWED, COMPARED TO OTHER ADMINISTRATIVE JUDGES, THAT THERE WAS A SUBSTANTIAL DIFFERENCE ON IN-COURT TIME, BETWEEN JUDGE BROWN AND THE OTHER JUDGES. THAT WOULD BE -- WOULD THAT BE AN APPROPRIATE COMPARISON TO MAKE?

YOUR HONOR, WE SUBMIT IT IS NOT. FIRST OF ALL, ADMINISTRATIVE TIME WASN'T COUNTED, WHEN THEY TOOK THESE 84 DAYS OFF. WHAT THEY WERE TALKING ABOUT, THEY TELL US NOW, IN THIS 80- 80-PLUS DAYS OFF, WAS DAYS NOT PHYSICALLY ON THE COUNTY COURT BENCH. ADMINISTRATIVE TIME, AS JUDICIAL ACTIVITY, DIDN'T COUNT. CHAMBERS TIME DIDN'T COUNT. TIME SITTING AS A DESIGNATED CIRCUIT JUDGE DIDN'T COUNT, AND TIME SITTING FOR FIRST APPEARANCES, ADVISORS, DIDN'T COUNT. ALL OF THIS WAS DONE, WE SUBMIT, IN DELIBERATE AND PURPOSEFUL EFFORT TO MISLEAD THE PUBLIC, AND IT IS STILL NOT APOLOGIZED FOR. THERE IS NOT REMORSE ON IT, BECAUSE THE JUDGE CANNOT HELP HIMSELF. HE NOW CALLS AND DEMEANS JUDGE BROWN, THE DEFEATED INCUMBENT, AS CASPER THE FRIENDLY GHOST. NOW, THAT IS AN INSTANCE, IN WHICH REMORSE IS SIMPLY NOT PRESENT, IF THERE IS --

THE JUDGE HARD HAD GONE A QUESTION.

HE ANSWERED MY QUESTION. I WAS GOING TO ASK HIM ABOUT THE WORK ETHIC.

I THINK THE WORK ETHIC IS SIMPLY THE MOST DECLARING INSTANCE OF MISSTATEMENTS, DELIBERATE MISSTATEMENTS. THE PANEL THOUGHT IT WAS THE CRUCIAL ISSUE, IN THE MISREPRESENTATION PATTERN, BUT THERE IS A PATTERN OF MISREPRESENTATION. THERE IS HALF A DOZEN CLEAR INSTANCES OF MISSTATEMENTS, DESPITE AN ALLEGED EFFORT TO BE EXCRUTIATINGLY CAVE IN THEIR RESEARCH. THEY COULD NOT HAVE BEEN AS CAREFUL AS THEY PURPORT TO HAVE BEEN.

MR. BARKIN, HOW FAR DO YOU, ON BEHALF OF THE JQC, TAKE THE LIMITATIONS ON A JUDICIAL CANDIDATE, IN RESPECT TO COMMENTING ON HIS, WHAT HIS POSITION IS, IN CRIMINAL MATTERS MATTERS? THAT SEEMS TO BE, REALLY, AT THE HEART OF THIS, AND SOMETHING THAT, IN WRITING AN OPINION, AS A WARNING TO JUDICIAL CANDIDATES THIS COURT NEEDS TO MAKE SOME TYPE OF CLEAR STATEMENT ABOUT.

WELL, THE CANON SPEAKS TO COMMITTING, WITH REGARD TO ISSUES LIKELY TO COME BEFORE THE COURT. CERTAINLY PREPARATORY LANGUAGE IS HARD TO GET AT. BUT WHEN YOU START SPECIFYING HOW YOU WILL RULE AS A JUDGE, AND YOU FAIL TO GIVE THE WARNING THAT THE COMMENTARY OF THE CANONS CALLS FOR, WHICH IS THAT YOU WILL RULE ON EACH CASE ACCORDING TO THE LAW, THEN YOU SET UP A PATTERN, I THINK, AS JUDGE SHAW MIGHT HAVE COMMENTED TO BEFORE, IN WHICH THE PUBLIC IS LED TO BELIEVE THAT YOU ARE RUNNING FOR OFFICE, BASED ON A PLATFORM OF HOW YOU WILL RULE AS A JUDGE. AND THAT COMES HEAD ON INTO CONFLICT WITH THE DUE PROCESS CLAUSE OF THE CONSTITUTION, AS WELL AS WITH THE CONCEPT OF PRESERVING THE INTEGRITY AND INDEPENDENCE OF THE JUDICIARY, SO TO THE EXTENT THAT THE CLAIMS THAT THE ATTACKS HAVE THE OBVIOUS EFFECT OF PLEDGING THE CANDIDATE TO A POSITION OF CONDUCT, TOPT THEY GO TOO FAR. THEY ARE NOT PROTECTED BY ANY FREE SPEECH PROTECTION, AND THEY OUGHT TO BE SANCTIONED. I HOPE I HAVE ANSWERED YOUR HONOR'S QUESTION. RESPECTFULLY, THIS IS A CASE THAT HAS DESERVED AND GOTTEN VERY CAREFUL ATTENTION. THE MATERIALS ARE BASICALLY ADMITTED. THE QUESTION OF SANCTIONS IS A DIFFICULT ONE, AND YET THE OVERRIDING PROBLEM WITH SANCTIONS IS WHAT LESS THAN REMOVAL WOULD BE APPROPRIATE? WHAT LESS THAN REMOVAL SENDS THE MESSAGE THAT THIS COURT MAY WISH TO SEND, WITH REGARD TO THE PROPOSE RIGHT OF THIS CONDUCT? CAN CAMPAIGN CONDUCT OF THIS SORT BE PUNISHED ONLY WITH A REPRIMAND, WITH THE CONCEPT THAT THE NEXT TIME AROUND, SOMEBODY ELSE WILL DO IT AND PUSH THE ENVELOPE A LITTLE FURTHER? IS THE CONDUCT, WITH REGARD TO OCURA SOMETHING THAT COULD BE SANCTIONED IN ANY WAY? IS THE TOTALITY OF CONDUCT OF THIS RESPONDENT SUCH THAT, WHEN EVERYTHING IS SAID AND DONE, IT IS TIME THAT HE SHOULD GO? WE RESPECTFULLY SUBMIT THAT IT SHOULD BE AND THAT THE RECOMMENDATION OF THE PANEL SHOULD BE THE RULING OF THIS COURT. THANK YOU.

GOOD MORNING. I DON'T KNOW WHAT TO SAY. MY LAWYERS ASKED ME TO SPEAK AT THE END. I SUPPOSE WHAT OFF ENDS ME THE MOST -- WHAT OFENDS ME THE MOST IS THAT I HAVE SHOWN NO REMORSE AND THAT I INTENTIONALLY DID THINGS THAT I SHOULDN'T DO. I HAVE WANTED TO BE A LAWYER SINCE I WAS SIX YEARS OLD. JUSTICE ANSTEAD, I KNOW THAT YOU KNOW HUGH LINDSEY, WHO HAS BEEN MY MENTOR JUDGE FOR 34 YEARS. I MET HIM WHEN HE WAS SIX, AND I HAVE ALWAYS WANTED TO BE A LAWYER. I LOVE THE LAW. I HAVE THE UTMOST RESPECT FOR IT. I SPENT MY ENTIRE LIFE WORKING TO BE A LAWYER. I NEVER THOUGHT I WOULD BE A JUDGE AND NEVER ASPIRED TO BE A JUDGE. I BEGAN TO NOTICE WHAT WAS OCCURRING IN MANATEE COUNTY, AND I MADE ATTEMPTS TO CHANGE THAT, FROM WITHIN THE SYSTEM, IS TO BRING TO THE ATTENTION OF THE JUDGES THINGS THAT WE COULD DO BETTER, AND THEY SEEMED TO IGNORE IT, EVEN TO BE CONTEMPTUOUS TOWARDS ME AND THE VICTIM RIGHTS PROGRAM THAT I WAS A MEMBER OF. AND I DECIDED TO RUN, AND I TOLD THE TRUTH, AS BESSIE KNEW HOW. WE DID -- AS BEST I KNEW HOW. IF YOU READ THE RECORD, WE DID AN EXTENSIVE AMOUNT OF RESEARCH TO SHOW THAT WE WERE TOLD THE TRUTH, AS BEST WE KNEW HOW. WE MADE SOME MISTAKES. NEVADARY CAMPAIGN, THERE IS GOING TO BE DIFFERENCES OF OPINION. IN EVERY ELECTION, THAT IS THE NATURE OF ELECTIONS IS THAT THERE ARE GOING TO BE DIFFERENCES OF

OPINION, AND TO SAY THAT I INTENTIONALLY MISLED ANYONE COULDN'T BE FURTHER FROM THE TRUTH. TO SAY THAT I AM NOT REMORSEFUL --

WHAT WOULD YOU SAY TO THE OTHER MEMBERS OF THE JUSTICE COMMUNITY OUT THERE AND CERTAINLY THE MEMBERS OF THE PUBLIC THAT HAVE SEEN YOUR CAMPAIGN LITERATURE DESCRIBED, AS BEING A PRO POLICE, PRO PROSECUTION POSITION THAT YOU WOULD TAKE, WHEN YOU WENT ON THE BENCH? WHAT WOULD YOU SAY TO THEM, ABOUT THEIR CONCERNS, NOW, THAT THIS FUNDAMENTAL OBLIGATION OF A JUDGE, TO PEANUTRAL AND TO BE IMPARTIAL, MAY BE THREATENED IN YOUR CASE, BECAUSE OF THESE PLEDGES OR PROMISES OR STATES IN YOUR CAMPAIGN LITERATURE? WHAT WOULD YOU SAY TO THOSE MEMBERS OF THE JUSTICE COMMUNITY AND THE PUBLIC, THAT WOULD BE CONCERNED ABOUT THAT.

I WOULD HAVE TO DIRECT YOU TO MY TIME ON THE BENCH, AND IN MY TRIAL, I HAD DEFENSE ATTORNEYS AND PROSECUTORS AND VICTIMS AND DEFENDANTS, FAMILIES, TESTIFY TO MY FITNESS AND TO MY IMPARTIALITY, AND THAT THE LETTER I SENT TO THE POLICE WAS INEXCUSABLE. I DIDN'T MEAN -- IT WAS ILL THOUGHT OUT, BUT THEY HAVE ARCKTIZED IT AS IF I WROTE THIS LETTER AND SENT IT OUT TWICE. I SENT IT ONCE. I MADE A CORRECTION TO IT. I SHOULDN'T HAVE DONE THAT. I HAVE BEEN AN EXTRAORDINARY JUDGE. I HAVE STARTED A RESTITUTION AND COMPLIANCE COURT, A COLLECTIONS COURT. I HAVE DONE ALL KINDS OF THINGS. BLOOD DONATIONS IN LIEU OF COMMUNITY SERVICE. EVERYTHING I HAVE WORKED FOR WAS TO TRY TO INCREASE THE PUBLIC'S CONFIDENCE IN THIS JUDICIARY, BECAUSE I LOVE THE JUDICIARY. I THINK WE HAVE THE GREATEST SYSTEM IN THE ENTIRE WORLD.

I AM SORRY, BUT YOUR TIME IS UP. THANK YOU VERY MUCH.

THANK YOU.