

BEFORE THE INVESTIGATIVE PANEL OF THE
FLORIDA JUDICIAL QUALIFICATIONS COMMISSION
STATE OF FLORIDA

INQUIRY CONCERNING A JUDGE NO. 06-432
RE: JUDGE TERRI-ANN MILLER

NOTICE OF FORMAL CHARGES

TO: Honorable Terri-Ann Miller
Broward County Courthouse
3550 Hollywood Blvd., Suite 216
Hollywood, FL 33021-6846

You are hereby notified that the Investigative Panel of the Florida Judicial Qualifications Commission, by a vote of the majority of its members determined pursuant to Rule 6(f) of the Rules of the Florida Judicial Qualifications Commission, as revised, and Article V, § 12(b) of the Constitution of the State of Florida, finds that probable cause exists for formal proceedings to be, and the same are hereby instituted against you to inquire into charges based upon allegations that during your 2006 election campaign for the judgeship you now occupy in Broward County (the campaign), you engaged in improper conduct in that to wit:

1. During your judicial campaign of 2006, in violation of Canon 7A(3)(a) and Canon 7A(3)(d)(ii), you knowingly and purposefully caused to be prepared and circulated or exhibited campaign materials that were calculated to imply that you occupied the status of an incumbent Broward County judge, when in fact you were not.

2. The campaign signs and literature you used to advertise your judicial candidacy in 2006 include the following type of knowing and purposeful statements that impermissibly imply incumbency:

- Describing yourself as "Judge"
- Claiming "eight years as a County Judge"
- Claiming "eight years of judicial experience"
- Claiming to be an "Acting Circuit Judge"
- Mailers including a photograph of yourself in a judicial robe with the caption "eight years experience as County Judge"

The exhibits that illustrate this allegation are attached hereto and marked as Exhibits A, B, C, D, E, F, G, H, and I.

3. You knowingly and purposefully failed to consistently disclaim incumbency and, when you purported to do so, used disclaimers or limiting words in type size and significance designed to mislead the voting public and obscure your lack of judicial incumbency in 2006.

4. During the campaign, in violation of Canon 7A(3)(a) and Canon 7A(3)(d)(ii), you made a continuing deliberate effort to misrepresent your qualifications for office as detailed in Charges 1, 2 and 3, *supra*, which cumulative misconduct constitutes a pattern and practice unbecoming a candidate for and lacking the dignity appropriate to judicial office, with the effect of bringing the judiciary into disrepute.

These acts, if they occurred as alleged, would also impair the confidence of the citizens of this state in the integrity of the judicial system and in you as a judge, would constitute a violation of the cited Canons of the Code of Judicial Conduct, would constitute conduct unbecoming a member of the judiciary, would demonstrate your unfitness to hold the office of judge, and would warrant discipline, including but not

limited to your removal from office and/or any other appropriate discipline recommended by the Florida Judicial Qualifications Commission.

You are hereby notified of your right to file a written answer to the above charges made against you within twenty (20) days of service of this notice upon you.

Respectfully submitted,

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And

/s/ _____
Michael L. Schneider
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Counsel for Florida Judicial Qualifications
Commission

CERTIFICATE OF SERVICE

I HEREBY CERTIFY a true and correct copy of the **Notice of Formal Charges** has been furnished by certified mail 7001 2510 0007 6248 6061 to **Honorable Terri-Ann Miller**, through her attorney, **Michael A. Catalano, Esquire**, 1531 N.W. 13th Court, Miami, FL 33125, this 23rd day of October, 2007.

Michael L. Schneider