

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

SC07-1985

**SECOND AMENDED 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, you engaged in improper conduct in that to wit:

1. During your successful 2006 campaign for County Judge in Broward County, in violation of Canon 7A(3)(a) and Canon 7A(3)(d)(ii), you exhibited campaign signs in which you described yourself as **Judge** Terri-Ann Miller. The signs you employed to advertise your candidacy misrepresented your status as an incumbent judge. These signs were reused from your September 5, 2000 primary election when you ran as an incumbent Judge in Dade County. The signs are depicted in attached Exhibits "A" and

“F”. You recognized that the signs would violate Canon 7, if used in the 2006 campaign, since you were no longer an incumbent judge. To remedy this infirmity, you affixed small stickers to the signs imprinted with the word “former” and placed them above and adjacent to the word “JUDGE” as is illustrated in the sign depicted in Exhibit “B”. The word “former”, applied next to the word “JUDGE”, however, is so disproportionately small that it could hardly be said to be a meaningful disclaimer. Canon 7A(3d)(ii) provides that “a candidate for judicial office ... shall not knowingly misrepresent the identity, qualifications, present position or other fact concerning the candidate or opponent.”

2. During your successful 2006 campaign for County Judge in Broward County, 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 signs and materials that were calculated to obtain the admitted advantage that adheres to the status of an incumbent, when in fact you were not. Your materials as depicted in Exhibits “A”, “C”, “D”, “E”, “G”, “H”, and “I”, consistently claim: “8 YEARS AS A COUNTY JUDGE”; “8 YEARS JUDICIAL EXPERIENCE”; and “ACTING CIRCUIT JUDGE”. You buttressed these statements by appearing in a photograph wearing judicial robes. (Exhibit “I”). However, in none of your signs or materials did you disclose your true status as an attorney in private practice since 2001 who had formerly been a Dade County Judge. This omission constitutes a misrepresentation of the qualifications, present position, or other fact concerning you as a candidate in violation of Canon 7.

3. 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



Commission

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY a true and correct copy of the **Second Amended Notice of Formal Charges** has been furnished by U.S mail to **Honorable Terri-Ann Miller**, through her attorney, **Michael A. Catalano, Esquire**, 1531 N.W. 13<sup>th</sup> Court, Miami, FL 33125, this 7<sup>th</sup> day of April, 2008.

/s/ \_\_\_\_\_  
Michael L. Schneider