

**BEFORE THE FLORIDA  
JUDICIAL QUALIFICATIONS COMMISSION**

INQUIRY CONCERNING A JUDGE,  
THE HONORABLE KIMBERLY SHEPARD,  
No. 14-488

SC15- \_\_\_\_\_

\_\_\_\_\_ /

**NOTICE OF FORMAL CHARGES**

TO: **The Honorable Kimberly Shepard**  
Circuit Judge, 9<sup>th</sup> Judicial Circuit  
Osceola County Courthouse  
2 Courthouse Square  
Courtroom 4-C  
Kissimmee, FL 34741

The Investigative Panel of the Florida Judicial Qualifications Commission, at its meeting of August 27, 2015, by a vote of the majority of its members, pursuant to Rule 6(f) of the Rules of the Florida Judicial Qualifications Commission and Article V, Section 12 (b) of the Constitution of the State of Florida, finds that probable cause exists for formal proceedings to be instituted against you. Probable cause exists on the following formal charges:

1. During your contested 2014 judicial campaign both you and your opponent sought the endorsement of the Orlando Sentinel newspaper. The Orlando Sentinel chose to endorse your opponent, Norberto Katz. In their endorsement they highlighted his experience. They also noted that

Mr. Katz had been suspended from the Florida Bar in 1995 for misconduct. They noted that he had diligently worked to rebuild his reputation and had become chair of the Bar's family law section and had been endorsed by 18 past Orange County Bar presidents, a clear indication that he had regained his good standing within the legal community.

2. Prior to the Orlando Sentinel formally selecting Mr. Katz, you circulated a campaign advertisement that stated:

*"Ms. Shepard has done well. She has kept her promises. She has worked hard. She has maintained her integrity."* –*The Orlando Sentinel*. [See Judge Shepard's campaign advertisement attached hereto as JQC Exhibit 1]

3. This quotation was deceptive because it was actually an endorsement you received during a 1994 campaign for re-election to the Florida House. Compounding the mendacity, your use of this quote on the advertisement did not include the date that the Sentinel had actually endorsed you.
4. In defending your undated use of this 20-year-old endorsement you stated that you were attempting to show that you had been in public service before, and had previously earned the public's trust. However, nowhere on this advertisement is there a reference to your prior public service as a

member of the Florida House. In fact, in quoting the prior endorsement, you purposefully excluded parts of the original endorsement that made reference to your legislative service. [Orlando Sentinel endorsement from 1994 included as JQC Exhibit 2].

Your use of misleading campaign materials was inappropriate, and unsuitable for a candidate seeking judicial office. Additionally, your actions constitute a breach of Canons 1, 2A, 7A(3)(b), 7A(3)(c), 7A(3)(d), and 7A(3)(e)(ii).

You are hereby notified of your right to file a written answer to these charges within twenty (20) days of service of this notice upon you. The original of your response and all subsequent pleadings must be filed with the Clerk of the Florida Supreme Court, in accordance with the Court's requirements. Copies of your response should be served on the undersigned Special Counsel for the Judicial Qualifications Commission, and the General Counsel of the Commission.

Dated this 24th day of September, 2015.

**JUDICIAL QUALIFICATIONS COMMISSION**



By: Alexander J. Williams  
Asst. General Counsel  
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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing Notice of Investigation has been furnished by e-mail to Luis Gonzalez, Esquire, L. A. Gonzalez Law Offices, P.A., 130 Pasadena Place, Orlando, FL 32803, at [laglaw@cfl.rr.com](mailto:laglaw@cfl.rr.com), and; Harold E. Morlan II, Esquire, Fisher-Rushmer, P. A., 390 North Orange Avenue, Suite 2200, Orlando, FL 32801, [hmorlan@fisherlawfirm.com](mailto:hmorlan@fisherlawfirm.com), counsel for Judge Kimberly Shepard, this 24th day of September, 2015.



Alexander J. Williams  
Asst. General Counsel



# KIM SHEPARD



For Circuit Judge  
Orange & Osceola Counties

**VOTE  
AUGUST 26th**

*Business Sense...*  
*For the Bench!*



Presort Standard  
U.S. Postage  
PAID  
Permit 1979  
Orlando, FL

2000



## KIM SHEPARD

"Ms. Shepard has done well.  
She has kept her promises.  
She has worked hard.  
She has maintained her  
integrity."

- The Orlando Sentinel

## HER OPPONENT

# FOUND GUILTY !!

1. "Conduct which is **UNLAWFUL** and contrary to honesty and justice"
2. "Making a **FALSE STATEMENT** of material fact or law to a third person"
3. "**KNOWINGLY** making a false statement of material fact in the course of a disciplinary hearing"
4. "Engaging in conduct involving **DISHONESTY, FRAUD, DECEIT, or MISREPRESENTATION**"

By The Florida Supreme Court :  
The Florida Bar v. Norberto Katz Case No. 83,857

**Proven  
Integrity**

A GREAT Judge Should Be...

## KIM SHEPARD

## HER OPPONENT

### Independent

- ☑ Running An Independent Campaign To Be YOUR Independent Judge
- ☑ Divested Potential Conflicts Well Before Qualifying To Run

- Campaign Backed By The SAME Lawyers That Would Practice In Front Of Him
- 16 Years: Career Government Employee

### Honest

#### 30 YEARS SPOTLESS PROFESSIONAL RECORD

- ☑ A Lifetime of Integrity and Service
- ☑ Provided Free Legal Services to : Veterans, Firefighters, First Responders, Police, Teachers, Trades People & The Elderly
- ☑ Florida Prosecuting Attorney's Association Award: Outstanding Leadership, Criminal Justice Issues

**SUSPENDED FROM THE PRACTICE OF LAW FOR 90 DAYS PLUS One Year Supervised Probation**

By The Florida Supreme Court :  
The Florida Bar v. Norberto Katz Case No. 83,857

Federal Tax Lien, 1995 ALSO Federal Tax Lien, 1997

### Experienced

- ☑ 22 Years Business Focused Law Practice
- ☑ Former Felony Prosecutor
- ☑ Director of Domestic Violence Division
- ☑ Executive Director, Battered Women's Shelter
- ☑ Former Child Abuse Investigator
- ☑ Emergency Medical Technician

- 16 Years Doing ONLY ONE Thing : Calculating Statutory Child Support Amounts
- Failed To Do What He Was Paid To Do Until His Client Grieved Him To The Florida Bar

The Florida Supreme Court :  
The Florida Bar v. Norberto Katz Case No. 83,857

*"Her 22 years of legal experience focused on the business community will bring a wealth of expertise to the bench. Kim Shepard is EXACTLY what we want our Circuit Court Judges to be . . . courageous, independent and above reproach."*



For More Personal Endorsements See  
Electshepard.com

*Lawson Lamar / Former State Attorney*

Paid for by Kim Shepard NONPARTISAN for Circuit Judge, GROUP 10

P.O. Box 608722  
Orlando, FL 32860

Like Us On

Facebook: Elect Shepard

# Shepard, with enthusiasm

**N**ot to re-elect Rep. Kim Shepard would come close to being an act of injustice. That's why the Sentinel endorses Ms. Shepard for re-election in Florida House of Representatives District 36, representing north-central Orange County.

Her [redacted] opponent, [redacted] a former mayor of Winter Park, has an admirable record of community service. If both candidates were running for an open seat, voters would have a tough choice, and so would we.

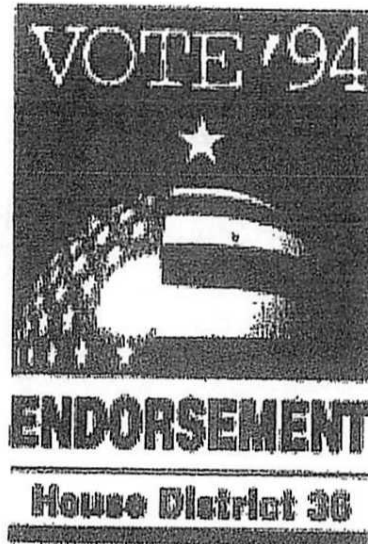
Ms. Shepard, however, has served one term and is asking for another. For that to be denied, there should be some failure on her part, some case to be made against her re-election.

There is none.

On the contrary, Ms. Shepard has done well. She has kept her promises. She has worked hard. She has legislated effec-

tively. She has maintained her integrity. She has served her constituents diligently.

Ms. Shepard is more than just a good legislator. She actually reads the bills. She turns down the gifts and the dinners. She isn't afraid to challenge the chairman of her own committee over legislation she regards as flawed — and she's smart enough to prevail.



A former child-abuse investigator and former emergency medical technician who worked her way through law school and became a felony prosecutor, Ms. Shepard knows government. She also knows the pain of people who need help, and she cares enough not to be deterred from doing the right thing.

The Sentinel enthusiastically endorses Kim Shepard for re-election to represent Florida House District 36.

