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Florida Supreme Court suspends Judge Decker for six months

By Jamie Wachter jamie.wachter@gafnews.com
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A Florida Third Circuit judge will be suspended for six months the Florida Supreme Court ruled Thursday.

The court agreed with the Florida Judicial Qualifications Commission's determination that Circuit Judge Andrew J. Decker III violated the Florida Bar Rules of Professional Conduct prior to his judicial campaign and the Code of Judicial Conduct during his judgeship.

But while the JDC recommended a 90-day suspension, the Supreme Court stiffened the penalty to six months in addition to a public reprimand and payment of court proceeding costs.

"Judge Decker's misconduct unquestionably warrants the imposition of a serious sanction," wrote Chief Justice Jorge Labarga along with justices Peggy Quince, Charles Canady, Ricky Polston and Alan Lawson. Justices Barbara Parent and Fred Lewis concurred in a separate opinion.

The Supreme Court agreed with the judicial hearing panel's assessment from 2015 that Decker was guilty of knowingly making a false statement during a televised debate, which he did not timely

correct.

He claimed to have never been accused of failing to disclose a conflict of interest. However, a complaint had already been filed for exactly that, which he referenced in a letter before the day of the debate, according to court documents.

The panel also found that Decker breached ethical rules for neutrality on political matters. During an appearance at a Republican rally in Mayo, he announced his affiliation with the party, violating the code of conduct that prohibits judges and judicial candidates from publicly representing themselves as a member of any political party.

The judge's lawyers argued that Decker didn't "surrender his constitutional right to freedom of speech when he becomes a candidate for judicial office."

Decker was also found guilty of multiple cases of conflict of interest while an attorney.

"All the violations established by the evidence in this case demonstrate a pattern of poor judgment, and lack of concern for jointly represented clients and for other counsel and their clients," the Supreme Court wrote.

But in issuing the six-month suspension instead of removal from office, the court also found that Decker's misconduct didn't result in harm to his clients.

"Although the series of acts by Judge Decker involving misconduct requires the imposition of a significant sanction, we have concluded that it does not merit removal from office," the court ruled.

With Decker suspended, Greg Parker, the Chief Judge of the Third Circuit, said the circuit court will continue to do its job.

"As Chief Judge, I want to assure the citizens of the Third Judicial Circuit that the Supreme Court of Florida's disciplinary suspension of Circuit Court Judge Andy Decker for 6 months beginning March 2, 2017, will not result in any significant disruption of court services to the public," Parker said in a statement released Friday. "The judges of the Third Judicial Circuit of Florida are committed to the timely and efficient administration of justice and, along with our dedicated staff, will work diligently to cover Judge Decker's dockets during the suspension period."

Judge Decker took office in January 2013 as a judge in Florida's Third Judicial Circuit, consisting of Columbia, Dixie, Hamilton, Lafayette, Madison, Suwannee and Taylor counties.

He owned a Live Oak law firm, which his family still operates, before taking the bench.

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