

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

INQUIRY CONCERNING A JUDGE NO. 06-249
RE: JUDGE MICHAEL E. ALLEN

**NOTICE OF SUPPLEMENTAL AUTHORITY AS TO ARTICLE V, SECTION 12,
FLORIDA CONSTITUTION**

The Florida Judicial Qualifications Commission, by its undersigned counsel, files this notice of supplemental authority to bring to the Hearing Panel's attention the following decisions relating to the construction of Article V, Section 12 of the Florida Constitution:

Attached is a schedule identifying 17 Supreme Court opinions decided after the constitutional amendment to Article V, Section 12, which defines "discipline" to include suspension, fine, reprimand, and other disciplines that do not involve a finding that a judge is "unfit" to hold office. In each of the cases identified, there was no finding that the judge was "unfit." Instead, the Court imposed upon the judges public reprimands, admonishments, suspensions and fines.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing JQC's Response to Motion to Dismiss has been furnished by regular U.S. mail to Richard C. McFarlain, Esq., Carr Allison, 305 South Gadsden Street, Tallahassee, FL 32301; Bruce S. Rogow, Esq., Bruce S. Rogow, P.A., 500 East Broward Blvd., Suite

1930, Ft. Lauderdale, FL 33394; Hon. Paul Backman, Chairman, Hearing Panel, Broward County Courthouse, 201 S.E. 6th Street, Suite 5790, Ft. Lauderdale, FL 33301; John Beranek, Esq., Ausley & McMullen, 227 South Calhoun Street, Tallahassee, FL 32301; and Brooke S. Kennerly, Executive Director, Judicial Qualifications Commission, 1110 Thomasville Road, Tallahassee, FL 32303 the this _____ day of July, 2007.

Respectfully submitted,

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