

**BEFORE THE FLORIDA
JUDICIAL QUALIFICATIONS COMMISSION**

**INQUIRY CONCERNING A JUDGE,
THE HONORABLE JACQUELINE SCHWARTZ
Nos. 14-299 and 14-415**

SC15-_____

NOTICE OF FORMAL CHARGES

**TO: The Honorable Jacqueline Schwartz
Hialeah Courthouse
11 East 6th Street
Hialeah FL, 33010**

The Investigative Panel of the Florida Judicial Qualifications Commission, at its meeting on January 30, 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. On or about June 2, 2014 you entered at KWIK Stop convenience store in Coconut Grove, Florida and asked to speak with the owner regarding a campaign sign for your opponent that was on the property of the store. You were told that the owner was not there and might be back later that day or the next day.
2. Later that night you returned to the KWIK Stop and, again, asked to speak to the owner. During your discussion with the owner, Firas Hussain, you lost control of your temper and told Mr. Hussain to "GO F--K YOURSELF" when he stated that he could not display your campaign sign. You also told Mr. Hussain that you were going to sue him. You then left the store.

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3. In the case of Vidal, et al, v. Cattoira Montessori, Inc., (2011SC4792), you wrote notes and made notations on several pages of original documents that were a part of the official court file. One of the parties photocopied the court's file. Later, when a request was made for a certified copy of the entire court file, including your notes and notations, you instructed your bailiff to remove your notes from the court file. This prevented further copying or inspection of those original documents and notes. However, after receiving and reviewing the uncertified copies of your notes and notations, the party decided to file a motion to disqualify you. You then denied the motion.
4. You testified that your bailiff, at your instruction, removed the pages from the court's file and placed them into an envelope. That envelope has since disappeared, and as of January 30, 2015, you are unsure what happened to the missing pages.
5. Removing those documents from the court's file made them unavailable for further inspection and copying, and inhibited the litigant's ability to make an appropriate record for appeal of any rulings you made based those documents.

The foregoing conduct constitutes inappropriate conduct that violates Canons 1, 2, 3B(8), 4A(2), 4A(3) and 7A(3)(b) and of the Code of Judicial Conduct.

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 Counsel for the Judicial Qualifications Commission, and the General Counsel of the Commission.

JUDICIAL QUALIFICATIONS COMMISSION


By: _____


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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Notice of Formal Charges has been furnished by E-Mail on this the 18th day of January, 2015, to the following:

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