



BROWARD COUNTY HISPANIC BAR ASSOCIATION

JUDICIAL CANDIDATE QUESTIONNAIRE

1. Full Name:

Florence Taylor Barner

2. Current County of residence.

Broward

3. Date and place of birth.

7/1981 Miami, Florida

4. Does your campaign have a website or Facebook page? If so, please list it.

www.florencebarner4judge.com

5. List the colleges and law schools you have attended, including your dates of attendance and degrees awarded.

University of Florida, Frederic G. Levin College of Law, Gainesville, FL

Juris Doctor, May 2006, Final GPA: 3.19

Honors: University of Florida, Levin College of Law Pro Bono Certificate (Spring 2006)

Dean's List (Fall 2003 & Fall 2004)

Legal Research and Writing Honors (Fall 2003); Trial Practice Honors (Fall 2004)

Chester H. Ferguson Scholarship (Fall 2003 & Spring 2004)

Levin College of Law Tuition Scholarship (Spring 2004 & Summer 2005)

Book Award: Advanced Litigation Skills (Spring 2005)

Barry University, Miami Shores, FL



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Bachelor of Science in Psychology, Summa Cum Laude, May 2003, Final GPA:
3.93

Honors: Barry University Academic Scholarship (2001-2003)

National Institutes of Health Honors Research Training Scholarship (2001-2002)

President's Dean List (2001-2003)

President's Academic Honor's List (2003)

Awards: Florida Academy of Sciences, Outstanding Undergraduate Student
Research Presentation (2002)

Psychology Outstanding Senior Award (May 2003)

University of California, Berkeley, Berkeley, CA

SROP Research Scholar, Summer 2002, Final GPA: 3.0

6. Have you ever served in the military?

No

7. List where you have been employed since graduation from law school, including dates employed, your position and the nature of your employment responsibilities.

Weitz & Schwartz, P.A. April 2010- Present

I review and analyze heavily contested and uncontested mortgage foreclosure actions and title claims litigation matters. I devise and execute focused litigation plans aimed at quickly resolving disputes (whether by trial, entry of final judgment, by other court action, or by settlement). I advise clients as to implications of threatened and pending litigation, advisable courses of action and likely range of possible outcomes. I regularly draft pleadings including motions for summary judgment and memoranda of law, and represent clients at depositions, hearings, settlement and dispute resolution, and handle all aspects of trial.

Office of the State Attorney, 17th Judicial Circuit Broward County September 2006-Oct. 2009

I prosecuted adults facing second and third degree felonies. I also prosecuted juveniles facing second and third degree felonies including sexual battery felonies and all misdemeanors. Commanded over 1000 active adult criminal misdemeanor files. Further responsibilities included: jury trials, juvenile detention hearings, predisposition hearings, felony and misdemeanor non-jury trials, case filing, daily motion practice, arraignments, fatality trials, magistrate hearings, suppression hearings, restitution hearings and sentencing hearings. I will bring all of the aforementioned experience to the bench along



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with my excellent research skills, organizational skills, and calm demeanor and temperament which is essential to being an effective and compassionate jurist.

Ben-Ezra & Katz, P.A. Oct. 2009- April 2010

I worked in the pre-litigation department where I reviewed and analyzed newly contested mortgage foreclosure actions, constructed and executed focused litigation plans aimed at quickly resolving disputes, advised clients as to implications of threatened and pending litigation, advisable courses of action and likely range of possible outcomes and regularly drafted pleadings, motions, and briefs and represented client at contested hearings only. I read every new appellate court opinion released weekly to stay abreast of the changes in the law and this is a practice I have maintained since I was an intern in law school. I also traveled statewide to attend contested hearings and was able to see how various judges handle their courtrooms all over the state of Florida.

8. Have you ever been arrested? Explain.

Never.

9. Have you ever been convicted of a crime? Explain.

Never.

10. What is the general nature of your practice? Indicate areas of practice in which you concentrate or concentrated?

Currently, I review and analyze heavily contested and uncontested mortgage foreclosure actions and title claims litigation matters. I devise and execute focused litigation plans aimed at quickly resolving disputes (whether by trial, entry of final judgment, by other court action, or by settlement). I advise clients as to implications of threatened and pending litigation, advisable courses of action and likely range of possible outcomes. I regularly draft pleadings including motions for summary judgment and memoranda of law, and represent clients at depositions, hearings, settlement and dispute resolution, and handle all aspects of trial. Prior to my civil career I was an Assistant State Attorney for Broward County in the county court, case filing, juvenile and felony trial units.

11. If you are currently a judge, what type of cases do you typically preside over in your court?

Not applicable.



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12. If you are currently a judge, have any of your decisions ever been appealed and overturned? How many times in the last two (2) years? When and what case?

Not applicable.

13. What percentage of your litigation or trial experience was related to:

- a. Civil? 7 years Civil trial experience and litigation experience.
- b. Criminal? Over 3 years criminal prosecution trial experience.

14. How many cases have you tried to verdict?

Over 300.

15. Describe three of the most significant litigated matters, which you personally handled and give the citations thereto, if the cases were reported.

State v. Tyra Williams: Judge John Murphy: Murder in the First Degree: Guilty as Charged

State v. Emilius Zamour: Judge Matthew Destry: Armed Robbery: Guilty as Charged

State v. A.W: Judge Elijah H. Williams: Sexual Battery on a Child Under 12 Years of Age: Guilty as Charged

Due to privacy concerns for my civil clients I will not be listing my civil cases.

16. Why do you want to be a judge (circuit or county)?

I want to be a judge to create the first ever truancy and juvenile traffic court. I also want to lead by example and show those coming behind me that no matter where you start out in life it doesn't dictate where you will end up. I also want to improve the diversity of the judiciary of Broward County.

17. What qualities do you believe are most important in a judge? Explain how you have demonstrated that you possess those qualities.

See response to # 37 below.

18. Why do you believe that you are the best candidate for the seat you are running for?

See response to # 37 below.

19. Describe your civic activities and community involvement for the past five (5) years, listing what years you participated in each activity or were involved.



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I have participated in Restoration of Rights Workshops (2006-2007) Broward Humane Society, Share-a-Pet Pet Therapy (2007-2009), and her local Parent Teacher Association (PTA) (2015-2016). My family and I have also delivered turkeys to the community at Thanksgiving who could not otherwise afford them and have continued to do this for over 15 years (since 1999). In high school, I was a member of the Key Club and completed over 75 hours of service work at a local food pantry (1997-99). In 2010 my family lost over a dozen family members and close friends in Haiti during the horrific earthquake. I called on my community to donate hundreds of pounds of food, water, medical supplies, clothing and toys which were delivered informally to the people of Haiti in the area where my father grew up. I also volunteer as a mentor to law students through the Florida Bar Young Lawyer's Law Student Division Mentoring Program and formally mentor other attorneys through the Broward County Bar Association for the past several years. I am also a member of several local organizations including the T.J. Reddick Bar Association, Haitian Lawyers Association, NAACP, Stephen R. Booher American Inn of Court, American Birders Association and Florida Association of Women Lawyers, the Broward County Women Lawyers Association. I am very active in my child's PTA and was part of the nominating committee to select the newest members of the PTA in order to get more parent involvement in the students' lives, raise money for a new playground, and I volunteer my time as an approved Broward County Public School Volunteer.

20. Please list noteworthy professional or personal accomplishments.

Becoming a wife and a mother are my greatest personal accomplishments. Professionally, I am Rated AV Preeminent by *Martindale-Hubbell*, Top 40 Under 40: *The National Black Lawyers Top 40 Under 40*, Top Rated Lawyers: *South Florida Legal Leaders*, Top 20 Under 40: *Haitian-American Chamber of Commerce*.

21. Please list the federal and state courts where you are admitted to practice.

State Bar: Florida State Courts.

Federal Bar: Southern District of Florida and Middle District of Florida

22. How many times did you take the Florida Bar Exam?

Only one time and passed.

23. Have you ever failed Bar exams in any state? If so, when and where?

No.

24. Have you ever been investigated by a State Bar grievance committee or by the State Commission on Judicial Conduct?



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No.

25. Have you ever been disciplined or reprimanded for your conduct as a lawyer or judge? If the answer is yes, please explain?

No.

26. Have you or your law firm ever been sued by a client? If so, please explain.

No.

27. Please discuss your view/opinion of proper judicial temperament.

The judge sets the tone for the rest of the courtroom. It is therefore of the utmost importance that a judge be even tempered, courteous, receptive, and respectful to all litigants, staff and the public at large.

28. If you are seeking election or re-election to a criminal court, discuss your view of plea bargains and when they should and should not be accepted.

As a former prosecutor here in Broward I am intimately familiar with plea bargaining. Pleas should not be accepted where there are victims who have not been consulted with as they have a constitutional right to be heard and to be present in court.

29. Tell us about any plans you have to improve the administration of the court or make it more efficient.

The greatest obstacles to justice are inefficiency, inconsistency and a lack of diversity within the judiciary. Our courtrooms in Broward are packed with litigants on any given day who often have to wait for months to obtain a hearing date and hours to be heard on their cases once they have hearing dates. It is incredibly inefficient to conduct court like this. I believe that judges must control their calendars/dockets in order to effectively and efficiently deliver justice to all those who appear before the judge. To that end efficiency requires judges to have read all motions that are to be argued on a given date prior to being heard which will make court run that much more smoothly and quickly. Further, quite a few non-evidentiary motions can be ruled upon in chambers without the necessity of a hearing which should be done in order to limit the number of litigants who have to come to the courthouse. Further, using court call and similar programs that allow for telephonic appearances are tools that can and should be implemented in order to increase efficiency, limit the number of people who have to physically attend court in person which results in clogged courtrooms, and which will also alleviate the problem of waiting for months for a hearing. A top complaint that I hear from other attorneys is that



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there are judges who don't have both civil and criminal trial experience on the county bench. A lack of civil experience makes our county courtrooms less efficient which only compounds the current issues that we have with long dockets and high case counts. If elected, I will use my criminal and civil trial experience and familiarity with the Civil, Criminal and Evidence rules on the county bench to make it more efficient and effective.

30. Have you ever taught any law school courses or any continuing legal education courses? If so, describe the extent and nature of those teaching experiences.

Broward County Bar Association: Florida Bar Approved Continuing Legal Education Intermediate Appellate Certification Course, May 19, 2016. When to Appeal: Finality of Orders in Civil Appeals from the Circuit Courts to the District Courts of Appeals.

31. List any significant pro bono work completed since graduating from law school.

I was a prosecutor for the first 3+ years of my career wherein my entire job was dedicated to public service. Since graduating I have been a volunteer mentor with the Broward County Bar Association and Florida Bar. I have volunteered my time with restoration of rights workshops, speaking at various elementary schools and alternative education programs.

32. List any leadership positions, or participation in any committees in voluntary bar associations and/or professional societies, which you believe to be of particular significance (e.g. judicial selection committees, disciplinary committees, grievance committees, etc.).

N/A

33. List all organizations and associations, or professional societies, other than bar associations, of which you are or have been a member, including civic, charitable, religious, educational, social, and fraternal organizations.

Broward County Humane Society Share-a-Pet Pet Assisted Therapy Volunteer Program
Stephen R. Booher American Inn of Court
Broward Attorneys Real Estate Council
NAACP
American Birders Association
Broward County Public Schools Parent Teacher Association (PTA)
Broward County Public Schools Approved Volunteer
Key Club

34. What is your judicial philosophy?



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I believe that we must be fair, impartial, follow the law and be a part of the communities in which we serve.

35. Describe what contributions you have made to the Hispanic community in the past five (5) years.

I offer free mentoring to law school students and young lawyers. I have also volunteered my time visiting nursing homes and hospices with my dog Tyson who is a licensed and insured pet therapy dog with the Broward Humane Society. I have also participated in restoration of rights workshops and am active with my local PTA. All of the aforementioned activities have benefitted the Hispanic community.

36. Are you a Member of the Broward County Hispanic Bar Association?

No.

37. As a prospective judge, or as a current Judge, what do you consider your greatest strengths and weaknesses?

My greatest strengths are my trial experience, perspective and temperament. My experience of being a successful criminal and civil trial attorney for nearly ten years practicing in nearly every county in the State of Florida allows me to stand out from the rest of my opponents in this election. I have extensive trial experience that is unmatched in this election. I have tried nearly 50 first chair jury trials and I have tried in excess of 250+ non-jury cases stemming from misdemeanors such as theft cases, DUI's and drug cases to serious cases such as traffic fatalities, drug trafficking, armed robbery, burglary, grand theft auto, sexual battery, violations of probation (felony and misdemeanor; adult and juvenile; county court and circuit criminal), multi-million dollar civil actions and first degree murder. Further, staying abreast of all of the new cases that are announced, staying on top of all of the statutory amendments that occur several times yearly and staying on top of all of the new research studies as they pertain to sentencing and sentencing outcomes are important things that a good judge must do and these are things that I already currently do in my own practice. As a trial attorney for nearly ten years, I read every single new opinion that is released in this state every week so I am always apprised of the changes in the law. A good judge knows the law, but a great judge knows the history of the law, the legislative intent behind the law, and how the subtle nuances of the law work as applied to a specific set of facts. I also know how to try a case, criminal and civil, jury and non-jury, and how the changes in the rules of evidence affect how a case is tried and how evidence is presented so that a just and fair outcome is achieved. A judge's job is to call balls and strikes and how can you do that effectively if you lack trial experience and lack familiarity of how the law has developed? That is why I make it my priority stay abreast of all of the developments in the law so that lawful decisions are rendered. As far as efficiency are consistency are concerned, because I make it my practice to keep abreast of all of the new developments in the law, it will be easier to render quick decisions in order to move cases along to resolution either by way of plea or trial; this



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improves efficiency and consistency because all decisions are based on the ebb and flow of the changes in the law.

Next, my perspective comes from my experiences both in and out of the courtroom. I am uniquely positioned to understand the inner-workings of a court room and the judicial decision making process because I clerked/interned for several judges. I understand what goes through a judge's mind when trying to fashion a sentence that is both just and rehabilitative. I have also worked closely with police officers, victim advocates, social workers, case managers, public defenders, private attorneys and prosecutors over the course of my criminal litigation career and I know how to work well with others in order to achieve a common goal: restorative justice. Further, I am a first generation American. I am the first in my family to attend and graduate from college and the first to go on to obtain a graduate degree. I come from a hard working class background and am keenly aware of the obstacles that similarly situated persons face. County court is often referred to as the people's court. This is because most of the litigants that appear before a county court judge are pro se, meaning that they are not represented by an attorney. Because of my experience growing up in South Florida, I understand the unique demographics of our community and will bring that perspective to the bench.

Lastly, I am a mother of 2 and understand the importance of keeping our children healthy, educated and providing good role models for them to observe so that they too will make good decisions and stay away from the justice system. Having the right temperament for a county court judge is key to bridging the gap of public mistrust with the judiciary and justice system as a whole. A day in court for the average person is quite stressful and it is incumbent upon the judge to make the litigants understand the legal process and make it less stressful and all of this starts with the right temperament.

38. Why are you the best candidate for the position you are seeking?

My temperament, experience and perspective set me apart in Group 3. My experiences as both a criminal and civil trial attorney place me in a unique position. There are judges who don't have both civil and criminal trial experience on the county bench. A lack of civil AND criminal experience makes our courtrooms less efficient which only compounds the current issues that we have with long dockets and high case counts. If elected, I will use my criminal and civil trial experience and familiarity with the Civil, Criminal and Evidence rules on the bench to make it more efficient and effective. For the past 7 years I have handled a large volume of civil cases all over the state on behalf of my clients and I did the same as a prosecutor. I am confident that I will be able to bring my knowledge and experience to the county bench to render quick and lawful decisions and move cases along to clear the backlog in the court system civil or criminal. My perspective comes from experiences in and out of the courtroom as a mother, wife and first generation American which give me a unique perspective of our community. Further, growing up as a working class African American woman in South Florida enables me to understand the needs of our diverse community who demand a more diverse judiciary that reflects the actual makeup of the community in which it serves.



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Lastly, my calm demeanor and optimism also aid me in being the best candidate for judge in Group 3 because it is the judge that sets the tone for the rest of the courtroom and therefore it is up to the judge to assist those who appear before her since most are unrepresented and may not be familiar with the legal system. County court is the “People’s Court” and I greet everyone with a smile and will work hard to ensure fairness and equal justice for all.