

IN THE SUPREME COURT OF FLORIDA

IN RE: PROPOSED AMENDMENTS  
TO THE CODE OF JUDICIAL CONDUCT

Lase No. 81.685

RESPONSE OF BEVERLEY COMSTOCK

COMES NOW, BEVERLEY COMSTOCK, AS A PRO SE LITIGANT, AND AS A FRIEND OF OUR JUDICIAL SYSTEM AND HEREBY RESPONDS to the proposed amendments to the code of judicial conduct as filed herein and shows this Honorable Court the Following:

1. The undersigned fully supports all the said proposed amendments to THE CODE OF JUDICIAL CONDUCT as drafted, except CANON 3(D) (2) AND CANON 3(E) (1).

2. As proposed, CANON 3(D) (2) WOULD BE AMENDED TO READ AS FOLLOWS:

" A judge who receives information or has actual knowledge that substantial likelihood exists that a lawyer has committed a violation of the Rules Regulating The Florida Bar ( "MUST" ) take appropriate action."

The use of the word SHOULD leaves the decision to the Judge to decide whether or not to report an unethical conduct or criminal violation. Judges have been known to compromise their own integrity to protect unscrupulous lawyers. During the thirteen (13) years that the undersigned has either represented herself, or been represented by a lawyer, she has personally witnessed many instances of unethical and criminal violations by lawyers and Judges. It is not enough to adjudge a lawyer or Judge guilty, but the punishment must fit the crime and be mandatory. It is well known that those in the judicial system adjudged guilty receive minor reprimands or the punishments so trivial that this president promotes and encourages repeated criminal behavior.

Pursuant to 18 U.S.C. 4 it constitutes a felony on part of a judge who has knowledge of the violation of federal law if the judge does not report the violation. To protect the people from the corruption of the court these changes should be mandated:

CANON 3 (D) (2) OF THE CODE OF JUDICIAL CONDUCT should be amended to read as follows:

A judge who receives information or has actual knowledge that substantial likelihood exists that a lawyer has committed a violation of the Rules Regulating the Florida Bar ( MUST ) take appropriate action which action i must ) include reporting the

violation to the Florida Bar, to the state Attorney or the U.S. Attorney as appropriate.'

CANON 3(E)(1)

3. As proposed, CANON 3(E)(1) would be amended to read as follows:

A judge ( MUST ) disqualify himself or herself in a proceeding in which the judge's impartiality might reasonably be questioned, including but not limited to instances where; it must be mandatory that a judge be disqualified in any cases where the judge is prejudiced concerning the lawyer or his clients. Or in instances where the lawyer that is appearing in the case before the judge has an overriding influence with the judge.

4. The undersigned recommends that punishments for violations of the code of Judicial Conduct be amended to add:

mandatory punishment that fits the crime for violators, who shall be judged by an impartial jury free of peer or political influence.

This will set an example to the public that corruption will not be tolerated at any level and Crime would be reduced.

The Proposed amendments are essential in an effort to bring back justice to our justice system.

Respectfully submitted this 29 day of June, 1993.

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# Two Miami judges guilty of racketeering, extortion

## Associated Press

MIAMI — A massive corruption probe that targeted Miami judges accused of selling judicial favors ended Monday with two judges found guilty of three counts of racketeering-conspiracy and extortion.

Two other judges were found innocent or jurors were undecided on the remaining 38 counts of money laundering, extortion, mail fraud and racketeering.

Suspended Dade County Judge Harvey Shenberg, 49, was found guilty of racketeering-conspiracy and one count of extortion.

Former Circuit Judge David Goodhart, 63, was found guilty of racketeering-conspiracy.

Each count carries a maximum 20 years.

U.S. District Judge Jose Gonzalez set sentencing for July 1.

Lawyers for Goodhart and Shenberg said they would appeal.

The other two defendants, suspended Circuit Court Judge Phillip Davis and former Circuit Judge Alfonso Sepe were either found innocent or the jurors were undecided on the counts against them.

*Shenberg & Harvey  
April 27, 1993*