



**STATE OF FLORIDA
JUDICIAL QUALIFICATIONS
COMMISSION**

Post Office Box 14106
Tallahassee, Florida 32317
Tel: (850) 488-1581
www.floridajqc.com

FOR JQC USE ONLY

COMPLAINT AGAINST A JUDGE

INSTRUCTIONS: This form is designed to provide the Commission with the information required to make an initial evaluation of your complaint and to begin any necessary inquiry or investigation into your allegations.

Please print or type your information onto this form. Any materials or documents that you provide to the Commission will become part of the Commission's files, and will not be returned or copied to you. The Commission will contact you if additional information or materials are needed.

After you complete this form, please sign and date the certification page, and mail it, along with any attachments, to Post Office Box 14106, Tallahassee, Florida 32317. Please be aware that the Commission cannot accept complaints by fax, email, or telephone. You will receive an acknowledgement letter when the Commission has received your complaint. The Commission meets approximately every six weeks, and reviews complaints on a first-come-first-served basis. You will be notified in writing of the outcome of your complaint, subject to the limits of confidentiality.

IMPORTANT: The Judicial Qualifications Commission has no authority to review, reverse, or modify a judge's decision or order, and cannot intervene in any way in a court case. Similarly, the Commission does not have the authority to remove a judge from your case. Commission staff is not permitted to provide you with any legal advice or opinions.

The Commission has jurisdiction over Justices of the Florida Supreme Court, and Judges of the District Courts of Appeal, County Courts, and Circuit Courts. The Commission does not have jurisdiction over special masters, magistrates, hearing officers (including: traffic hearing officers, worker's compensation hearing officers), administrative law judges, or federal judges.

YOUR CONTACT INFORMATION (Please print legibly):

Name: Juan-Carlos Planas Phone Number: _____

Mailing Address: _____

City, State, Zip Code: _____

JUDGE'S INFORMATION:

Judge's Name: Renier Diaz de la Portilla - Candidate County: Miami-Dade

Address: _____

City, State, Zip Code: MI _____

CASE INFORMATION

If your complaint involves a court case, please provide the following information.

Case Name: _____

Case Number (include all letters and numbers): _____

County: _____

If you were represented by an attorney, please provide their contact information.

Attorney's Name: _____

Address: _____

City, State, Zip Code: _____

Phone: _____

WITNESS INFORMATION

In this section, provide the names and contact information for any other persons who may have witnessed the improper conduct. (Attach additional sheets if necessary).

1. Name: Marissa Altman Glatzer

Relationship to case: _____

Phone number: _____

2. Name: _____

Relationship to case: _____

Phone: _____

ADDITIONAL DOCUMENTS

Attach copies of any relevant documents which you believe support your claim that the judge has engaged in judicial misconduct or has a disability. Please do not staple or bind documents. **Retain the originals or copies of any documents submitted. All submitted materials become property of the Commission and will not be returned.**

STATEMENT OF FACTS

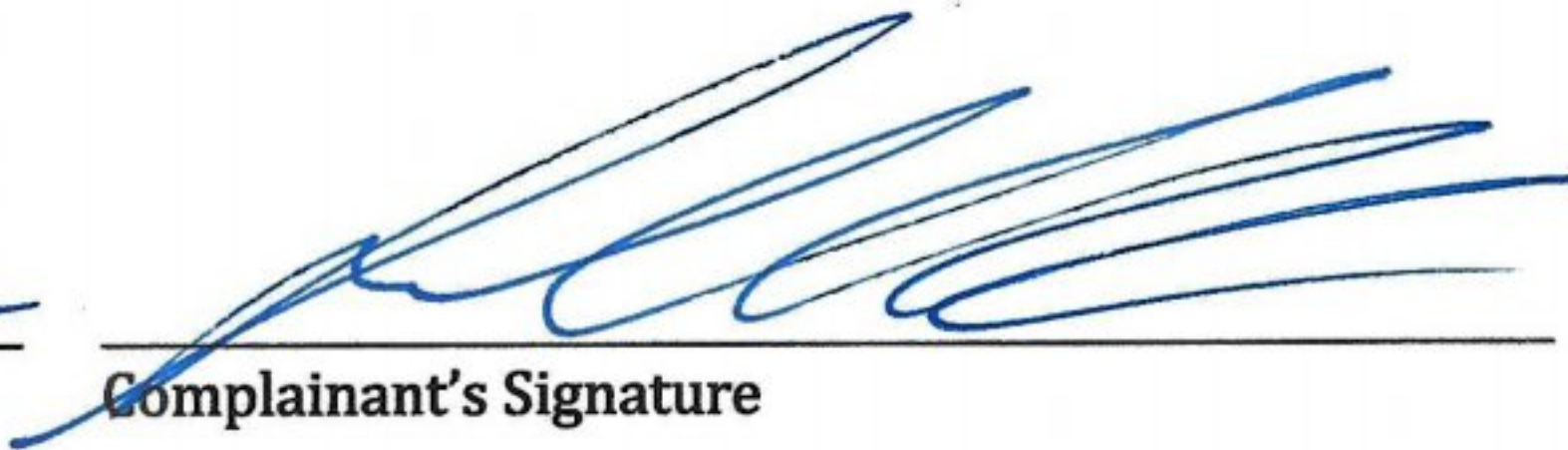
Please provide, in as much detail as possible, the information you believe constitutes judicial misconduct or disability. Include names, dates, places, addresses, and telephone numbers which may assist the Commission. Attach additional pages as necessary.

See attached narrative with exhibits.

IN FILING THIS COMPLAINT, I UNDERSTAND THAT FLORIDA LAW REQUIRES THAT COMPLAINTS FILED WITH THE COMMISSION MUST REMAIN CONFIDENTIAL, AND THAT ALL INQUIRIES BEFORE THE COMMISSION ARE CONFIDENTIAL, UNLESS AND UNTIL PROBABLE CAUSE IS DETERMINED AND FORMAL CHARGES ARE FILED.

UNDER THE PENALTY OF PERJURY, I declare that I have read and understand this complaint form, and the above information is true, correct, complete, and submitted of my own free will.

7/30/22
Date


Complainant's Signature

Please note that the Commission only has authority to investigate allegations of judicial misconduct or permanent disability by persons holding state judicial positions. The Commission has no jurisdiction over, and does not consider complaints against, Federal Judges, magistrates, law enforcement, clerks, court personnel, attorneys, etc.

The Commission does not act as an appellate court and cannot review, reverse or modify a decision or ruling made by a judge in the course of a court proceeding.

Please return the completed complaint form by regular US Mail, and direct all future communications, to:

Florida Judicial Qualifications Commission
Post Office Box 14106
Tallahassee, Florida 32317

COMPLAINT AGAINST RENIER DIAZ DE LA PORTILLA
WITH THE JQC and the FLORIDA BAR

Renier Diaz de la Portilla is a candidate for Miami-Dade County Court Judge. As part of his campaign against incumbent Judge Fred Seraphin, Diaz de la Portilla has specifically violated Canon 7 of the Code of Judicial Conduct and Florida Bar Rule 4-8-2 in his attacks against his opponent, Judge Fred Seraphin.

First, some context. Diaz de la Portilla belongs to an infamous Miami-Dade political family, and he has run for several political offices in the past several years. In 2020, during his failed bid for Miami-Dade County Commissioner, Renier Diaz de la Portilla used his political committee, Proven Leadership for Miami-Dade County, for his campaign. [See Expenditures of the PC- <https://dos.elections.myflorida.com/cgi-bin/TreFin.exe>.]. A review of the expenditures of that Committee, have names that are frequent members of the Diaz de la Portilla political circle like Jenny Nilo and Julio Guillen. Both of those individuals appear on both the expenditures of Diaz de la Portilla's 2020 County Commission race AND Proven Leadership. Additionally, both the 2020 Diaz de la Portilla campaign and the Committee have the same vendors as G&R Strategies and Sergio's Printing. [See 2020 County Commission expenditures - https://www.voterfocus.com/CampaignFinance/candidate_pr.php?op=rp_all&e=1&c=miamidade&ca=2353&cname=Renier%20Diaz%20de%20la%20Portilla&coffice=County%20Commission%20District%20005.] Diaz de la Portilla is

already under investigation for using his political committee and campaign for obviously personal expenses. Both the committee and his current campaign have numerous personal expenses to restaurants and various ride share companies. [See campaign expenses -

https://www.voterfocus.com/CampaignFinance/candidate_pr.php?op=rp_all&e=1&c=miamidade&ca=2526&cname=Renier%20Diaz%20de%20la%20Portilla&coffice=County%20Court%20Judge%20Group%2005.]

Recently, Diaz de la Portilla, through the political committee, issued his first mail piece against his opponent, Judge Fred Seraphin. [See Exhibit “A”, mail piece.] The mail piece uses information from an interview Seraphin gave in 2001 to the South Florida Business Journal where Judge Seraphin discusses a false racially tinged arrest in New York when he was in college and twists the words to make it seem as if Seraphin is a criminal. The mail piece is as racially charged as Seraphin’s false arrest is portrayed to voters as something nefarious, when, in reality, Seraphin was the obvious victim of racial profiling. [See Exhibit “B”, South Florida Business Journal Article.] To make matters worse, Diaz de la Portilla included Judge Seraphin’s phone number on the piece in a clear violation of the Judge’s privacy. Diaz de la Portilla’s blatant lies and actions are a clear violation of Rule 4-8-2 with this mail piece, but his violations continued.

A week after the first mail piece was sent, Diaz de la Portilla sent a second misleading piece attacking Seraphin. [See Exhibit “C”]. This piece described a

real incident in court, but quoted another attorney without her permission and mischaracterized her sentiments. Marissa Altman Glatzer is actually supporting Seraphin and is angry that her name was used. [See Exhibit “D”, Facebook post.]. Altman Glatzer has further memorialized her indignation with a statement. [See Exhibit “E”.] Besides the manner in which Diaz de la Portilla has maligned a sitting jurist, he has now also mischaracterized the position of a fellow member of the bar.

Diaz de la Portilla can try to say he had no knowledge of the mail piece, but he would be lying. The fact that his brother acknowledged the mail piece to a local media outlet shows Diaz de la Portilla had knowledge of the piece and can be held responsible. [See <https://www.local10.com/news/politics/2022/07/26/commissioner-stands-by-deceitful-flyer-attacking-miami-dades-1st-haitian-american-judge/?outputType=amp>.] Despite the press stating the political committee belongs to his brother, the fact that it has been used primarily for his campaigns, signifies that he has just as much ownership as anyone else with that committee. Additionally, because Diaz de la Portilla is a judicial candidate, Canon 7 governs his family members as well and accordingly, Renier Diaz de la Portilla has purposefully maligned a sitting judge and has purposely mischaracterized the position of a fellow member of the bar. He has not only violated the rules of professional conduct but has violated the Judicial Canons that he is bound by

when he decided to run for Judge. He is not worthy of a seat on the Judiciary and should be penalized for his conduct as a member of the Bar.

EXHIBIT “A”

WHAT IS FRED SERAPHIN HIDING?

He has refused to release his arrest record for the public to know the truth about his criminal past.

We want our judges to be honest, transparent and open about who they really are.

No one who was arrested for a **violent crime** is **FIT** to be a judge.

It's common sense.

We don't need **Fred Seraphin** on the bench.

CALL **Seraphin** at 305-788-7972 and tell him to come clean

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Should someone arrested for armed robbery be a judge?



Arrested in Kings County, New York City for ARMED ROBBERY*

Fred Seraphin refuses to release his arrest record.

What is Seraphin hiding?

• South Florida Business Journal Oct 8, 2001

EXHIBIT “B”

FOR THE EXCLUSIVE USE OF JCPLANAS@PLANASLAWFIRM.COM

From the South Florida Business Journal:

<https://www.bizjournals.com/southflorida/stories/2001/10/08/story5.html>

Victim of injustice takes 'tiny step' toward justice

Oct 8, 2001, 12:00am EDT

To understand justice, it helps to know injustice.

Ask Miami-Dade County public defender Fred Seraphin, 43.

Seraphin is one of six lawyers from a field of 47 applicants nominated Sept. 6 to fill a Miami-Dade county court seat vacated by Kevin Emas, who stepped up to circuit court.

If appointed to the bench by Gov. Jeb Bush, Seraphin would be county's first Haitian-American judge.

"It's a heartening sign of continued growth of Haitian involvement in calling the shots in South Florida, although it's only a tiny step,"

said Bryan Page, chair of the University of Miami's anthropology department.

"A Haitian-American judge would say volumes: Haitians can be incorporated into the system — all those messages are there," Page said. As board chair of the Center for Haitian Studies, Page said that in the past 10-13 years, Haitians in Miami-Dade have become more "economically marginalized."

Seraphin and a handful of others seek to serve as models and mentors to change this picture.

Never on the short-list

Seraphin sought a judgeship at least three times before, said Gonzalo R. Dorta, chair of the newly constituted, nine-member 11th Circuit Judicial Nominating Commission.

But the Democrat-dominated JNC never short-listed him to the governor.

"It's interesting that a Republican-controlled JNC would send this very fine practitioner out on the first shot," Dorta said. "But all six candidates are equally qualified and there is no priority sequence."

The other nominees are Christienne H. Sherouse, John Schlesinger, Shirlyon McWhorter, Madelyn S. Lozano and Susan S. Lerner.

For Seraphin, however, defending the indigent charged with crimes or delinquency since 1986 draws on painful injustice that is most personal.

Born in Port-au-Prince, Seraphin was only 1 when dictator Papa Doc Duvalier kidnapped and murdered his father, Frank.

"It left a lasting impression on me."

His father was a journalist, politician and businessman, who served in Haiti's lower house as a deputy.

"They [Papa Doc's regime] disappeared him," he added.

Then, Papa Doc's son, "Baby Doc" jailed Seraphin's older brother Andre for six years in Fort Dilmanche without a trial: "the dungeon of death where they sent you to die, not to live," Seraphin said.

Thanks to Amnesty International and U.S. government pressure, Andre and other political prisoners were released.

Immigration, injustice

At age 11, Seraphin, his mother, four sisters and two brothers immigrated, first living in New York.

And there, he faced the ugly specter of racial profiling and injustice.

Charged with armed robbery during his senior year at New York's City College, Seraphin, then a pre-law major, got help from a caring legal aid lawyer.

"I was falsely accused and was the only light-skinned man in a highly suggestive line up; everyone else was taller and darker than I was," he said. "I was the one who stood out."

A crime victim nominated him as the accused.

But thanks to a vigorous defense by a legal aid lawyer, a grand jury exonerated him. In 1986, Seraphin earned his law degree from Hofstra University on Long Island.

That, too, cut a deep imprint on the young lawyer.



Right out of the shoot, he started working as an assistant Dade County public defender. He joined his sister, Maryse Tavernier, who had moved to Miami.

He molded his mission: "People who don't have money deserve the best representation possible," Seraphin said. "We are much needed in the justice system to protect the U.S. Constitution."

Since 1989, he has defended accused felons at the public defender's office at 150 N.W. 12th St. (Jackson Towers).

"It's the one-on-one contact, helping individuals and seeing that justice is administered fairly," Seraphin said. Now, he added, he wants to take his public service career to a "higher level."

Support network

Others  besides his wife, Barbara; daughter, Tatiana, 17; and son, Andrew, 12  join in a chorus of support.

"He's an American dream come true," Ringo Cayard said about Seraphin. Cayard, executive director of the Miami-based Haitian-American Foundation, a non-profit social service agency, added: "He's the last guy you could accuse of being arrogant; Fred's a guy who is at peace with himself."

"He is a no-nonsense person who will go with the law," Cayard said. "The fact that he is qualified and a minority won't affect his judgment."

"Fred's very balanced in the analysis of any situation and a real advocate of tough love: compassionate and fair," said Leonie Hermantin, Cayard's predecessor for three years. Seraphin was the first one to urge a mentoring program for Haitian boys, she added. "And he's very respectful of women; he worships his wife."

Seraphin said he and Barbara are active in the Big Brothers and Big Sisters programs. Seraphin also leads 35 young people as head of the altar ministry at St. James Catholic Church in North Miami.

Fellow Haitian-American lawyer Yoli Robinson said Seraphin gives 100 percent to whatever he does. She knows him as a friend and one of Florida's 30 Haitian-American attorneys. Robinson, who plans to run against Miami-Dade Circuit Judge Celeste Muir in 2002, said Seraphin could make a big difference on the bench. She sees Seraphin as another critical mentor and model for Haitian youth.

He speaks Creole, cares about people and understands the Haitian culture, she said.

"He's a very dedicated person," she said.

EXHIBIT “C”

Judge Seraphin cold heartedly refused to allow assistant public defender Marissa Altman Glatzer to take a 15-minute break to breast feed her infant child. That's just plain wrong!

IT'S TIME TO TAKE

MISOGYNIST

JUDGE FRED SERAPHIN

OFF THE BENCH FOR GOOD!

"I felt like I was being treated like a second class citizen, all I wanted to do was get some milk for my daughter, it was a 15 minute process. There normally are trial breaks, and other judges have allowed me to pump in the past. It was just so frustrating and shocking that I wasn't even able to speak, and my request was denied."

-Marissa Altman Glatzer

Huffpost June 30, 2015

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JUDGE FRED SERAPHIN SAYS BREASTFEEDING MOMS ARE OUT OF ORDER

**"EXCLUSIVE: JUDGE DENIES
ATTORNEY BREAK TO PUMP
BREAST MILK FOR BABY"**

(CBS NEWS JUNE 25, 2015)

**FRED SERAPHIN: "NO. WELL I'M NOT GOING TO
TAKE A BREAK JUST BECAUSE YOU NEED TO
PUMP"**

(CBS NEWS JUNE 25, 2015)



EXHIBIT “D”



Search results for

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People



Marissa Altman Glatzer

62 mutual friends, including Todd Michaels



[See all](#)



Marissa Altman Glatzer

19 hrs ·



Miami friends- by now you may have received that awful flyer from a judicial candidate that included my name in a way that somehow implies that I endorse him. I was never consulted nor was I asked for permission to use my name. In fact, I have no issues with [Fred Seraphin](#) and encourage you to vote for him. Having worked with both men on multiple occasions, I can 100% guarantee you that Judge Seraphin is more qualified for the position and the best candidate by a long shot. Feel free to hit me up if you have questions. Only a true misogynist would send that flyer without consulting me first- and I don't care whether it was him or his brother. Also, please feel free to share this with your friends and family so they don't fall for this BS

You and 28 others

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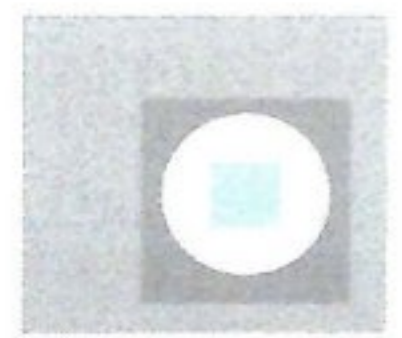


EXHIBIT “E”

STATEMENT OF MARISSA ALTMAN GLATZER

Earlier this week, I received a flyer in the mail from judicial candidate, Renier Diaz de la Portilla. The flyer included my name in a way that somehow implies that I endorse him. I was never consulted nor was I asked for permission to use my name. Mr. Diaz de la Portilla is running against incumbent Judge, Fred Seraphin. Although the flyer reports an incident that occurred with the Judge many years ago, as an Assistant Public Defender of many years, I have continued to work with Judge Seraphin and there is no animosity between us. Shortly after the incident, several local news outlets even reported that the Judge and I had ‘mended fences’ over the issue. I am even supporting him in his re-election.

Diaz de la Portilla has taken a singular incident from my lengthy career as an attorney and mischaracterized it to insinuate that I support his race against Judge Seraphin. As I have posted on social media, having worked with both men on multiple occasions, I can attest that Judge Seraphin is the better candidate. While the attack ad states that Judge Seraphin is a misogynist, only a true misogynist would use my quote without my permission.

After suffering the humiliation of seeing my name used in a vicious political attack, I was placed in contact with attorney Juan-Carlos Planas, who was preparing to file a bar complaint against Diaz de la Portilla for a separate attack against Judge Seraphin. I relayed my indignation to him, and I have given him permission to use my statement in his complaint against Diaz de la Portilla.

DocuSigned by:

2D446412FE8F4E4...
305-527-4473
phone
Marissa Altman Glatzer