

IN THE SUPREME COURT OF FLORIDA

THE FLORIDA BAR,

Complainant,

v.

VEGINA TRIMETRICE HAWKINS,

Respondent.

Supreme Court Case
No. SC21-1684

The Florida Bar File
No. 2021-50,291 (9B)

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COMPLAINT

The Florida Bar, complainant, files this Complaint against Vegina Trimetrice Hawkins, respondent, pursuant to the Rules Regulating The Florida Bar and alleges:

1. Respondent is and was at all times mentioned herein a member of The Florida Bar admitted on October 4, 2004 and is subject to the jurisdiction of the Supreme Court of Florida.
2. Respondent practiced law in Broward County, Florida, at all times material.
3. The Ninth Judicial Circuit Grievance Committee "B" found probable cause to file this complaint pursuant to Rule 3-7.4, of the Rules Regulating The Florida Bar, and this complaint has been approved by the presiding member of that committee.

RECEIVED, 04/28/2022 11:17:22 AM, Clerk, Supreme Court

4. In June 2019, respondent served as a circuit court judge in the Seventeenth Judicial Circuit of the State of Florida.

5. On the morning of June 11, 2019, respondent interrupted a court employee's work in another courtroom and summoned him into a secure hallway.

6. As the employee walked into the hallway, respondent placed her hands on or near his neck and shook him.

7. Respondent's actions were captured on a courthouse security camera.

8. The incident occurred because respondent was displeased by the employee's failure to have provided respondent with the documentation needed to prepare for her afternoon docket.

9. The employee reported the matter later that same day.

10. The employee stated that respondent was angry with him, put both hands around his neck and shook him, and the incident ended when another employee entered the hallway area. The employee stated that he was upset by the incident with respondent.

11. After reviewing the camera footage of the incident with the Chief Judge of the Seventeenth Judicial Circuit, respondent was advised to self-report her conduct to the Judicial Qualifications Commission (JQC).

12. Respondent and her attorney provided a statement to the JQC, dated June 26, 2019, in which respondent apologized, but maintained her "contention" that she never touched the employee, but merely, "invaded his personal space." In her statement, respondent explained her belief that she and the employee were "fairly friendly," and described her actions as engaging in "jest." Respondent insisted the employee was not upset or distraught afterwards when they parted ways.

13. Respondent's version of the events was contradicted by the video footage and the employee's statement.

14. Respondent was suspended without pay pursuant to a Judicial Qualifications Commission (JQC) proceeding.

15. After losing a primary election, respondent resigned from the bench and the JQC proceedings were dismissed prior to a hearing taking place.

16. By reason of the foregoing, respondent has violated the following Rules Regulating The Florida Bar:

(a) 3-4.3 The standards of professional conduct required of members of the bar are not limited to the observance of rules and avoidance of prohibited acts, and the enumeration of certain categories of misconduct as constituting grounds for discipline are not all-inclusive nor is

the failure to specify any particular act of misconduct be construed as tolerance of the act of misconduct. The commission by a lawyer of any act that is unlawful or contrary to honesty and justice may constitute a cause for discipline whether the act is committed in the course of the lawyer's relations as a lawyer or otherwise, whether committed within Florida or outside the state of Florida, and whether the act is a felony or a misdemeanor.

(b) 4-8.4(b) A lawyer shall not commit a criminal act that reflects adversely on the lawyer's honesty, trustworthiness, or fitness as a lawyer in other respects.

(c) 4-8.4(c) A lawyer shall not engage in conduct involving dishonesty, fraud, deceit, or misrepresentation, except that it shall not be professional misconduct for a lawyer for a criminal law enforcement agency or regulatory agency to advise others about or to supervise another in an undercover investigation, unless prohibited by law or rule, and it shall not be professional misconduct for a lawyer employed in a capacity other than as a lawyer by a criminal law enforcement agency or regulatory agency to participate in an undercover investigation, unless prohibited by law or rule.

(d) 4-8.4(d) A lawyer shall not engage in conduct in connection with the practice of law that is prejudicial to the administration of

justice, including to knowingly, or through callous indifference, disparage, humiliate, or discriminate against litigants, jurors, witnesses, court personnel, or other lawyers on any basis, including, but not limited to, on account of race, ethnicity, gender, religion, national origin, disability, marital status, sexual orientation, age, socioeconomic status, employment, or physical characteristic

(e) Oath of Admission to The Florida Bar: “I do solemnly swear: I will support the Constitution of the United States and the Constitution of the State of Florida; I will maintain the respect due to courts of justice and judicial officers; I will not counsel or maintain any suit or proceedings which shall appear to me to be unjust, nor any defense except such as I believe to be honestly debatable under the law of the land; I will employ for the purpose of maintaining the causes confided to me such means only as are consistent with truth and honor, and will never seek to mislead the judge or jury by any artifice or false statement of fact or law; I will maintain the confidence and preserve inviolate the secrets of my clients, and will accept no compensation in connection with their business except from them or with their knowledge and approval; To opposing parties and their counsel, I pledge fairness, integrity, and civility, not only in court, but also in all written and oral communications; I will abstain from all

offensive personality and advance no fact prejudicial to the honor or reputation of a party or witness, unless required by the justice of the cause with which I am charged; I will never reject, from any consideration personal to myself, the cause of the defenseless or oppressed, or delay anyone's cause for lucre or malice. So help me God.”

WHEREFORE, The Florida Bar prays respondent will be appropriately disciplined in accordance with the provisions of the Rules Regulating The Florida Bar as amended.



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CERTIFICATE OF SERVICE

I certify that this Formal Complaint has been efiled with The Honorable John A. Tomasino, Clerk of the Supreme Court of Florida, with a copy provided via email to Brian Lee Tannebaum, Counsel for Respondent, at btannebaum@tannebaum.com; and that a copy has been furnished by United States Mail via certified mail No. 7020 1810 0000 0813 3471, return receipt requested to Brian Lee Tannebaum, Counsel for Respondent, whose record bar address is 1 SE 3rd Avenue, Suite 1400, Miami, Florida 33131-1708 and via email to Jan K. Wichrowski, Bar Counsel, jwichrow@floridabar.org, orlandooffice@floridabar.org, ndejesus@floridabar.org, on this 28th day of April, 2022.



Patricia Ann Toro Savitz
Staff Counsel

NOTICE OF TRIAL COUNSEL AND DESIGNATION OF PRIMARY EMAIL ADDRESS

PLEASE TAKE NOTICE that the trial counsel in this matter is Jan K. Wichrowski, Bar Counsel, whose address, telephone number and primary email address are The Florida Bar, Orlando Branch Office, The Gateway Center, 1000 Legion Place, Suite 1625, Orlando, Florida 32801-1050, (407) 425-5424 and jwichrow@floridabar.org, orlandooffice@floridabar.org, ndejesus@floridabar.org. Respondent need not address pleadings, correspondence, etc. in this matter to anyone other than trial counsel and to Staff Counsel, The Florida Bar, 651 East Jefferson Street, Tallahassee, Florida 32399-2300, psavitz@floridabar.org.

MANDATORY ANSWER NOTICE

RULE 3-7.6(h)(2), RULES REGULATING THE FLORIDA BAR,
PROVIDES THAT A RESPONDENT SHALL ANSWER A COMPLAINT.