

SUPREME COURT OF FLORIDA

Inquiry Concerning a Judge JQC Nos. 2022-429, 2022-461 & 2022-502 Re: Hon. Mardi Levey Cohen

No. SC2024-0992 · No. SC2024-0992 · Decided May 8, 2025

SUMMARY

The Florida Supreme Court approved an amended stipulation and findings concerning Broward County Judge Mardi Levey Cohen's misconduct during her 2022 reelection campaign. The court found that she disseminated unverified accusations against her opponent and retaliated against a church by submitting an IRS complaint and falsely suggesting it came from the IRS. The court imposed a 10-day unpaid suspension and ordered a public reprimand.

CASE DETAILS

COURT	Supreme Court of Florida
WRITING FOR THE COURT	Per Curiam; Carlos G. Muñoz, C.J.; Charles T. Canady, J.; Jorge Labarga, J.; Renatha Francis, J.; John D. Couriel, J.; Jamie R. Grosshans, J.; Sasso, J.
JURISDICTION	Supreme Court of Florida
DECIDED	May 8, 2025
DOCKET	SC2024-0992
DISPOSITION	approved
PROCEDURAL POSTURE	Original judicial-discipline proceeding before the Supreme Court of Florida based on charges brought by the Judicial Qualifications Commission. The parties filed an amended stipulation and amended findings and recommendations of discipline.
STANDARD OF REVIEW	The Court independently determined that the record supported the Commission's factual findings and legal conclusions and exercised its constitutional authority to accept, reject, or modify the Commission's recommendations.
PRECEDENTIAL VALUE	Published opinion of the Supreme Court of Florida; precedential value may be limited by its fact-specific judicial-discipline disposition.
PARTIES	Florida Judicial Qualifications Commission v. Judge Mardi Levey Cohen

TOPICS

election law

administrative law

PRACTICE AREAS

judicial discipline

judicial ethics

election law

constitutional law

QUESTIONS PRESENTED

1. Whether the record supported the Judicial Qualifications Commission's factual findings and legal conclusions that Judge Cohen violated Canons 1, 2A, 7A(3)(b), and 7A(3)(e)(ii) of the Florida Code of Judicial Conduct.
2. Whether the Court should accept the amended stipulation and the Commission's recommended discipline of a 10-day unpaid suspension and public reprimand.

HOLDINGS

1. The Court held that the record supported the Commission's factual findings and legal conclusions that Judge Cohen's campaign conduct violated Canons 1, 2A, 7A(3)(b), and 7A(3)(e)(ii) of the Florida Code of Judicial Conduct.
2. The Court approved the amended stipulation and amended findings and recommendations, suspended Judge Cohen from judicial duties for 10 days without pay, and ordered her to appear before the Court for a public reprimand.

KEY QUOTATIONS

“Canon 7A(3)(e)(ii) in particular prohibits judicial candidates from knowingly misrepresenting facts about themselves or an opponent.” (-1-)

“Judge Levey Cohen is hereby suspended from her judicial duties for 10 days, without pay, effective on a date within 30 days of the issuance of this opinion and as determined by the Chief Judge of the Seventeenth Judicial Circuit.” (-2-)

FACTUAL BACKGROUND

During her 2022 reelection campaign, Judge Mardi Levey Cohen disseminated unverified information accusing her opponent of fraud after receiving an email from a person claiming to be the opponent's relative. She also filed an Internal Revenue Service complaint challenging the tax-exempt status of a church where her opponent had campaigned, then sent the church a copy bearing the false return address "IRS EO Classification," suggesting that the correspondence came from the IRS. Judge Cohen admitted the misconduct, accepted responsibility, and cooperated with the Judicial Qualifications Commission.

PROCEDURAL HISTORY

The Judicial Qualifications Commission charged Broward County Judge Mardi Levey Cohen with misconduct arising from her 2022 reelection campaign. Judge Cohen admitted the charged conduct, and the Commission and

Judge Cohen jointly recommended a 10-day unpaid suspension and public reprimand. The Supreme Court accepted the amended stipulation and findings and imposed the recommended discipline.

DISPOSITION

approved

OPINION

PER CURIAM.

Supreme Court of Florida _____ No. SC2024-0992 _____ INQUIRY CONCERNING A JUDGE JQC NOS. 2022-429, 2022-461 & 2022-502 RE: HON. MARDI LEVEY COHEN. May 8, 2025 PER CURIAM. In response to charges by the Judicial Qualifications Commission, Broward County Judge Mardi Levey Cohen has admitted that she engaged in conduct that violated the Code of Judicial Conduct during her 2022 reelection campaign.

The Commission and Judge Levey Cohen agree that, as discipline, she should be suspended for 10 days without pay and publicly reprimanded. To that end, the parties have filed with our Court an Amended Stipulation and Amended Findings and Recommendations of Discipline.

We accept the amended stipulation and findings and will impose the recommended discipline. See art. V, § 12(c)(1), Fla. Const. (authorizing the Court to accept, reject, or modify the Commission's findings and recommendations).

The charges involve two distinct acts of misconduct. First, after receiving an email from a person claiming to be a relative of Judge Levey Cohen's opponent in the 2022 campaign, the judge disseminated unverified information that accused the opponent of fraud.

Second, to retaliate against a church where her opponent had campaigned, Judge Levey Cohen filed an Internal Revenue Service complaint challenging the church's tax-exempt status. She then sent the church a copy of the complaint with a false return address of "IRS EO Classification," suggesting that the correspondence was from the IRS itself.

The Commission and Judge Levey Cohen agree that these actions violated Canons 1, 2A, 7A(3)(b), and 7A(3)(e)(ii) of the Code of Judicial Conduct. Those canons require judges always to conduct themselves in a manner that upholds the integrity of the judiciary, including when acting as a candidate for judicial office. Canon 7A(3)(e)(ii) in particular prohibits judicial candidates from knowingly misrepresenting facts about themselves or an opponent.

We agree that the record supports the Commission's factual findings and legal conclusions. -2- That leaves the issue of discipline. Without minimizing the seriousness of Judge Levey Cohen's

misconduct, the Commission found as mitigating circumstances that the judge admitted her misconduct, accepted responsibility, and cooperated with the Commission in all respects.

We accept the Commission's evaluation of Judge Levey Cohen's responsiveness and contrition. For all these reasons, we approve the Amended Stipulation and Amended Findings and Recommendations of Discipline in this matter. Judge Levey Cohen is hereby suspended from her judicial duties for 10 days, without pay, effective on a date within 30 days of the issuance of this opinion and as determined by the Chief Judge of the Seventeenth Judicial Circuit.

We further order Judge Levey Cohen to appear before this Court for the administration of a public reprimand at a time to be established by the Clerk of this Court. It is so ordered. MUÑIZ, C.J., and CANADY, LABARGA, COURIEL, GROSSHANS, FRANCIS, and SASSO, JJ., concur. NOT FINAL UNTIL TIME EXPIRES TO FILE REHEARING MOTION AND, IF FILED, DETERMINED. Original Proceeding – Judicial Qualifications Commission -3- Gregory W. Coleman, Chair, Hon. Gary Flower, Vice-Chair, Michelle Morley, Past Vice-Chair, Alexander J. Williams, General Counsel, and Hugh Brown, Assistant General Counsel, Judicial Qualifications Commission, Tallahassee, Florida, for Florida Judicial Qualifications Commission, Petitioner Michael A. Catalano, Miami, Florida, for Judge Mardi Levey Cohen, Respondent -4-