

FRONT PAGE OF THE *PALM BEACH POST***PalmBeachPost.com****Florida Bar asks court to suspend license of circuit judge's challenger**

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The challenger in a still undecided judicial race that has thrown the Palm Beach County elections system into turmoil could be suspended from the practice of law, which could make him technically unqualified to serve as a circuit judge.

In an unusual move, the Florida Bar is asking the state Supreme Court to ignore a referee's recommendation that attorney William Abramson be publicly reprimanded. Instead, Bar attorneys want the high court to suspend Abramson's license for 91 days.

The time period - 91 rather than 90 days - would force Abramson to take the added step of applying for reinstatement, proving that he has been rehabilitated, said attorney Kenneth Marvin, who is representing the Bar in its action against the 41-year-old who specializes in traffic cases.

If Abramson does not adequately prove that he has learned from his mistakes, another hearing would be held, delaying his reinstatement for another six to nine months, Marvin said.

"It's tough. It's tough," Marvin said of the process for reinstatement.

Still, he said, he does not know exactly what would happen if Abramson ultimately wins the election.

"We've never really had a situation like this," Marvin said.

EXHIBIT A

While Florida law requires judges to be members in good standing of the Florida Bar, the issue is complicated by timing and the competing interests of voters rights and Bar rules.

If Abramson wins election to the bench while his license is suspended, it's unclear what would happen.

But if the Supreme Court does not rule and Abramson takes office in mid-January, no action could immediately be taken against him.

"We can't prosecute someone who's a sitting judge," Marvin said. "I think we could prosecute him after he leaves the bench."

Abramson, who attended a county elections canvassing board meeting Monday to hear the latest in the search for roughly 3,500 missing ballots needed to decide the Aug. 26 election between him and Circuit Judge Richard Wennet, dismissed the Bar's action as both heavy-handed and political.

"They're blowing it way out of proportion," he said of the complaint, which was filed Sept. 2, a week after the election, according to the Supreme Court's Web site. "This is basically revenge."

Abramson said Bar leaders are upset because he has not been shy about criticizing the judiciary.

"It's payback," he said, adding that he is confident he will persuade the high court to uphold the referee's recommendation.

The case against Abramson started with a complaint filed by Wennet.

Upset by the way Abramson treated him during a December 2005 hearing, the judge filed a complaint with the Florida Bar. Abramson filed unsuccessful complaints against Wennet. The feud boiled over this year when Abramson announced he would challenge his nemesis, who was up for reelection.

Thomas Lynch, a referee assigned to hear Wennet's complaint, agreed Abramson had behaved badly at the hearing in a felony traffic case.

Abramson thought he had come up with a way to avoid trial. When Wennet refused to hear his motions and instead started interviewing jurors, Abramson did not obey the judge and continued to interrupt, according to Lynch's report.

After listening to nearly five days of testimony, Lynch agreed that Abramson had violated four Bar rules by ignoring Wennet's instructions to sit down and be quiet, making disparaging remarks about the judge to jurors and generally being disruptive, Lynch's report said.

Lynch also faulted Wennet.

"I find that both the judge and respondent became frustrated and that both fueled the fire," he wrote.

Even though Abramson has been disciplined twice for essentially bad behavior toward judges, Lynch said he believed a public reprimand was sufficient. He said Abramson expressed remorse and his actions were spurred by a desire to help his client, not pad his wallet.

Abramson's client, however, dismissed him after the contentious hearing.

Abramson has said he advised his client to dismiss him because the attorney believed Wennet would not treat the client fairly if Abramson remained as the attorney.

In their brief to the Supreme Court, Bar attorneys argue that Abramson's prior violations should have been given more weight. They argue that a more severe penalty - license suspension - is needed.

"He engaged in angry, disrespectful and obstreperous behavior, and in doing so, he directly challenged the legitimate authority of the judge in the courtroom, which at its very core, is a challenge to the judicial system itself," they wrote.

Abramson noted that attorneys who contributed to Wennet's campaign sit on the Bar's Board of Governors, which made the decision to challenge Lynch's recommendation. Further, Bar President John White is a law partner of Gerald Richman's, who is representing Wennet in the election brouhaha.

Marvin said all four Palm Beach County attorneys who are members of the board abstained from voting. Three of them are members of Wennet's campaign steering committee, and the fourth, Lisa Small, unsuccessfully sought to unseat another circuit judge.

White, as Bar president, does not vote on such matters.

Abramson has 20 days to respond to the Bar's complaint. He plans to ask for an extension because he has been busy responding to the election fiasco.