

OPEN LETTER FROM FLORIDA LAWYERS
IN DEFENSE OF JUDICIAL INDEPENDENCE

July 2, 2026

Addressed to: Florida House Speaker Daniel Perez | The Florida Supreme Court |
The Florida Judicial Qualifications Commission | and the Florida Legal Community

Dear Speaker Perez, Chief Justice Couriel, Members of the Legal Community, and Fellow Floridians:

We, the undersigned members of the Florida Bar, write to express our profound concern over the renewed calls by the Attorney General of Florida and the Governor to impeach Circuit Court Judge Miguel M. de la O of the Eleventh Judicial Circuit. We do so not to endorse or criticize the outcome of any particular case, but to defend a principle upon which our entire system of justice depends: the independence of the judiciary.

Judge de la O recently presided over a bench trial in which he found the defendant not guilty by reason of insanity. The verdict followed two days of testimony, including expert testimony, and careful judicial deliberation. Whatever one's views of the outcome, the proceeding was what our system contemplates: an impartial finder of fact, applying the law of Florida to the evidence before him, and the rendering of a judgment free from political pressure.

The Attorney General's immediate public call for impeachment is an attack not on Judge de la O alone, but on every Florida judge who has sworn to follow the law despite the fact that doing so may result in an unpopular decision. It sends a message to the entire judiciary that politically disfavored rulings will be met not with the appropriate remedy of appeal, but with the threat of removal from office.

As Chief Justice of the United States John Roberts recently stated: "For more than two centuries, it has been established that impeachment is not an appropriate response to disagreement concerning a judicial decision. The normal appellate review process exists for that purpose." If the State believes a ruling is legally infirm, the avenue to address it is the Third District Court of Appeal—not the Florida Legislature. The very existence of appellate review reflects the foundational understanding that error correction belongs to courts, not politicians.

Florida's Constitution reserves impeachment for "misdemeanor in office"; it does not contemplate impeachment for judicial decisions with which the executive branch disagrees. Attempting to use impeachment as a tool to punish legal rulings inverts the constitutional design and transforms removal proceedings into a political veto over judicial outcomes. To the extent our system permits the ousting of a judge for unpopular rulings, that is entrusted to the citizenry who can make those decisions at the ballot box.

The Attorney General has now publicly called for the impeachment of at least three Florida judges within a single year, each time seemingly in direct response to rulings, as opposed to corruption, bribery, or criminal conduct. This pattern is deeply concerning, and we hope it does not represent a campaign to subordinate judicial decision-making to executive preference, as judicial independence protects everyone.

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An independent judiciary is not a shield for wrongdoing. It is instead a guarantee that every Floridian, regardless of politics, popularity, or power, receives a fair hearing before a neutral arbiter. The beneficiaries of that neutrality are not abstractions but real people. They are the next criminal defendant, the next civil litigant, the next family in a contested estate, the next business in a commercial dispute, or the next person who may fall out of favor with the executive branch.

We acknowledge that the case prompting these calls involves a tragic and painful loss of life. We extend our deepest sympathies to the family of the child who died and to all those affected. The grief of families who feel that justice has not been served is real and deserving of genuine compassion.

But compassion for victims and respect for judicial independence are not in conflict. They are both essential to a functioning rule of law. Dismantling judicial independence in the name of any particular outcome, however emotionally compelling that outcome may be, does lasting harm to the system that protects all of us.

We therefore call upon Speaker Perez to continue to resist the use of impeachment proceedings as a political instrument against the judiciary, as he has done previously, and to make clear that the Florida House will not allow the impeachment power to be weaponized.

We further call upon the Florida Supreme Court and the Florida Judicial Qualifications Commission to reaffirm that the proper mechanisms for judicial accountability are those established by the Florida Constitution.

Florida has long been home to a distinguished and principled legal community. We call on that community, and our fellow Floridians, to stand together, across party lines and practice areas, in defense of an independent judiciary. Without it, none of our clients, our fellow citizens, or ourselves can be truly protected.

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