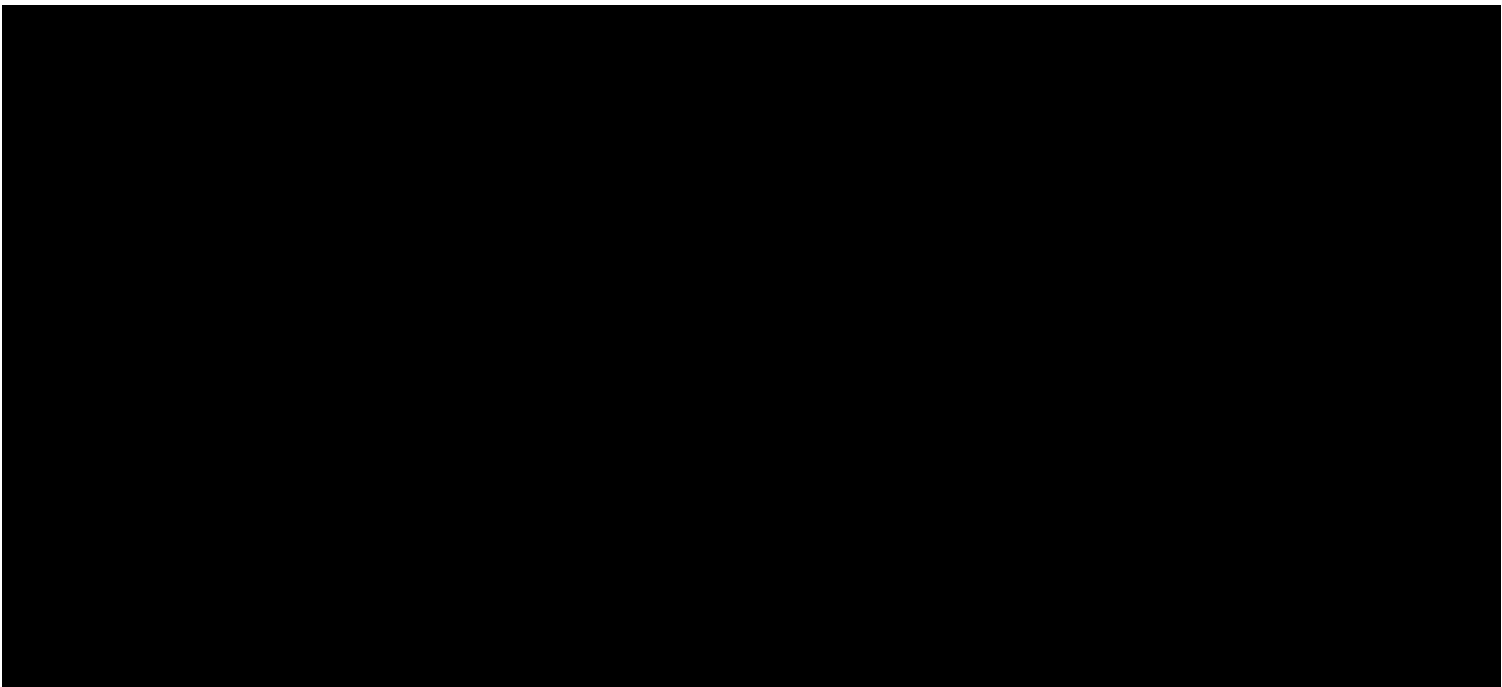


Local News / Palm Beach County News

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Defense attorney battling criminal contempt, professional misconduct cases



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Palm Beach County Assistant Public Defender Elizabeth Ramsey is battling against a contempt of court charge and professional misconduct claims, filed by Circuit Judge Jack Schramm Cox. (Jim Rassol / Sun Sentinel)



By **Marc Freeman . Contact Reporter**

Sun Sentinel

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Judge slams assistant public defender as unprofessional, and files contempt charge

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FEBRUARY 26, 2016, 5:12 PM

She's facing a jail sentence. She's facing the loss of her law license. And she's facing prosecutors who want her clients put to death.

But **Palm Beach County** Assistant Public Defender Elizabeth Ramsey fights on, determined to win on all three fronts.

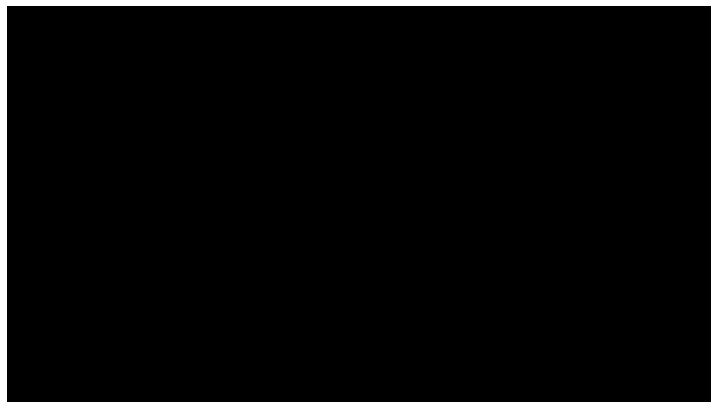
"I cannot imagine the pressure she's under," said Donnie Murrell, a longtime local criminal defense attorney who is representing Ramsey. "I admire her courage and her

ability to focus."

Ramsey, 51, said her immediate attention is on a March 7 trial start date for convicted sex offender Rodney Clark. Prosecutors have been seeking the death penalty since Clark's 2013 cold-case arrest in the 1987 murder of a 27-year-old Lake Worth woman.

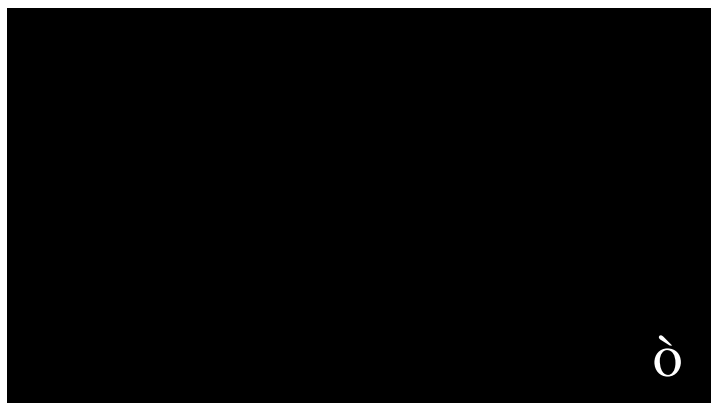
Ramsey referred questions on her legal battles to privately retained attorneys. One is defending her against a misdemeanor criminal contempt charge, while the other is helping her in an extremely rare civil court case concerning professional misconduct allegations.

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An appeals court later quashed Cox's confidentiality order on the transcripts, but the contempt charge continued.



Palm Beach County Circuit Judge Jack Schramm Cox stands at

Both actions against Ramsey were lodged in recent months by **Palm Beach County** Circuit Judge Jack Schramm Cox, over her representation in his courtroom of another first-degree murder defendant, Jamal Smith.

The judge charged Ramsey with contempt for allegedly violating a Nov. 30 order banning anyone from using transcripts of accused jailhouse snitch Frederick Cobia's phone calls; Cobia is expected to testify about Smith's alleged confession.

A final hearing hasn't been scheduled on the contempt case, because Ramsey is asking an appellate court to disqualify Cox and have another judge take over.

Murrell argues Ramsey fears she won't get fair treatment from the judge "because he had already decided that she was guilty of ethical violations."

the bench Dec. 17 after the start of jury selection in the trial of Jamal Smith, seated in between his attorneys. Cox has charged Smith's attorney, Elizabeth Ramsey (standing, right) with criminal contempt concerning an allegation she violated a court order in the case. (Marc Freeman/Sun Sentinel)

In the civil case, Cox accuses Ramsey of unprofessional behavior during a Dec. 30 hearing and says he has a video to prove it. The judge wrote Ramsey acted to "disparage, humiliate and attempt to

intimidate" witness Cobia. Cox alleged Ramsey laughed at Cobia and pretended to put her finger down her throat in a "gagging gesture."

"The actions of attorney Ramsey subvert the administration of justice and undermine the public's confidence in our system of justice," Cox wrote, adding that "substantial questions are raised as to her fitness as a lawyer."

Rather than file this misconduct allegation in the usual form of a Florida Bar complaint reviewed at the outset by other lawyers, Cox instead moved to have Ramsey disciplined by one of his fellow judges.

Using this approach, Cox filed a formal petition against Ramsey in civil court under a Florida Supreme Court rule that has not been used in any courthouse since 1991. The petition is now awaiting a response from Ramsey by April 11, after which a trial will be scheduled before Circuit Judge Catherine M. Brunson.

Murrell, a lawyer for 35 years, says he's never seen anything like it. He is a member of a local Bar association's attorney grievance committee, which decides whether lawyers should be disciplined over complaints.

The Florida Bar handled 3,481 discipline cases involving lawyers in the past five years, statistics show. There were about 101,000 members of the Bar last year.

On Monday, the State Attorney General's Office wrote that Cox did Ramsey "the courtesy" of filing the petition with the civil court "rather than making a complaint to the Florida Bar which would arguably be more serious."

But Murrell, in a reply three days later, challenged that description. He said it is more advantageous for lawyers to be reviewed by their peers, who make the decision about whether a judge should be brought in to serve as a referee. And Cox sent a copy of his petition to the Florida Bar anyway, Murrell said.

Special prosecutors have been appointed for Ramsey's criminal and civil cases.

Palm Beach County State Attorney Dave Aronberg bowed out, noting his office has conflicts of interest — specifically that it's improper for his assistants to prosecute both Ramsey and her clients at the same time.

On the criminal contempt charge, she faces a maximum sentence of five months and 29 days in jail if she's found guilty by Cox, or the judge who ultimately presides over the case.

The State Attorney's Office for Indian River, Martin, Okeechobee and St. Lucie counties has been appointed by the governor to handle the prosecution.

On the civil action, the outcome could be either a dismissal of the case, a reprimand, probation, suspension or disbarment.

Peg O'Connor, Ramsey's attorney, said her Gainesville-based firm is gathering information about the allegations in Judge Cox's petition and the procedures to be followed by the court.

"Liz is an excellent attorney with a reputation for professionally and zealously defending her clients' rights," O'Connor said. "We are honored to be assisting her in this matter."

Aronberg this month appointed Boca Raton attorney Todd Weicholz to prosecute Ramsey. He's a former local prosecutor and former statewide prosecutor now handling divorce and family law cases.

"I don't have a stake in it," said Weicholz, adding he had no knowledge of the controversy until he was tapped. "I'm going to look at the evidence and present it."

Ramsey has been practicing law for 25 years, the last six in the major crimes division of the public defender's office, overseeing many of the toughest homicide and death penalty cases. But she's never gotten on a judge's bad side like this.

In a sworn statement five days after Cox filed the petition, Ramsey wrote she has evidence that Judge Cox and a prosecutor "joked" about one of her case pleadings without her in the courtroom on Dec. 16.

She also reported her observations of the judge at the same Dec. 30 hearing where he accused her of behaving badly. Ramsey wrote that Cox "became visibly angry and upset with me," vowing to report her.

"At one point, he slammed his hand on the bench and told me that I knew 'damn well' what I had done wrong," Ramsey explained, adding that Cox later walked out of the courtroom when she asked to get some murder case evidence on the record.

mjfreeman@tribpub.com, 561-243-6642 or Twitter @MarcJFreeman

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