

# BARBARA LAGOA AND JUDICIAL ETHICS

## Highlights:

- Barbara Lagoa broke ethics rules she imposed on herself while sitting on the federal bench.
  - Lagoa refused to recuse herself from a case in Florida determining whether felons were required to pay their fines and restitution before they could vote.
    - Lagoa heard oral arguments for the case while she was on the Florida Supreme Court.
      - During her confirmation to the 11<sup>th</sup> Circuit of Appeals, Lagoa had stated that she would recuse herself from any cases that she had heard while on the Florida Supreme Court.
      - Lagoa did not recuse herself and was accused by legal experts of violating legal ethics.

## Lagoa Broke Self-Imposed Ethic Rules On The Federal Judiciary

### LAGOA REFUSED TO RECUSE HERSELF FROM A FLORIDA VOTING CASE

**Lagoa Was Part Of The Majority Ruling From The 11<sup>th</sup> Circuit That Ruled That Florida Felons Could Not Vote Unless Their Fines, Restitution And Legal Fees Had Been Paid.** According to NBC News, “Lagoa took part in a controversial ruling that reversed a judge’s decision to strike down a Florida law that requires people with serious criminal convictions to pay all fines, restitution and legal fees before regaining the right to vote. Those who oppose the law, which is backed by Republicans, equate it to poll taxes imposed in the past to keep Black people from voting.” [NBC News, [9/21/20](#)]

**Lagoa Was In The Majority That Ruled That Florida Felons Could Not Vote Unless They Had Paid Their Fines And Fees.** According to the American Bar Association Journal, “Lagoa was no longer on the Florida Supreme Court when it issued its advisory opinion finding that the phrase meant felons had to pay fines, fees, costs and restitution before they could vote. But she was on the 11th Circuit when it issued a Sept. 11 en banc decision that upheld the constitutionality of the fees and fines requirement. Lagoa was in the majority.” [American Bar Association Journal, [9/25/20](#)]

### Media Outlets Reported That Those Who Opposed The Law Called It A “Poll Tax”

**NBC News Said That Those Who Opposed The Law Equated It To “Poll Taxes.”** According to NBC News, “Lagoa took part in a controversial ruling that reversed a judge’s decision to strike down a Florida law that requires people with serious criminal convictions to pay all fines, restitution and legal fees before regaining the right to vote. Those who oppose the law, which is backed by Republicans, equate it to poll taxes imposed in the past to keep Black people from voting.” [NBC News, [9/21/20](#)]

### Lagoa Had Heard Oral Arguments For The Case While A Member Of The Florida Supreme Court

**While On The Florida Supreme Court, Lagoa Heard Oral Arguments In A Case To Decide The Florida Ballot Measure To Restore Voting Rights For Felons.** According to the American Bar Association Journal, “Two weeks before her confirmation, Lagoa was among the Florida Supreme Court justices who heard oral arguments in a case asking the court to decide the meaning of a Florida ballot measure on the restoration of voting rights for many Florida felons.” [American Bar Association Journal, [9/25/20](#)]

### Lagoa Previously Said She Would Recuse Herself From Cases Involving The Florida Supreme Court

**Lagoa Said She Would Recuse Herself From Cases “Involving Either The Supreme Court Of Florida Or The Florida Third District Court Of Appeals While I Was A Member Of Either Court”.** According to the American Bar Association Journal, “A judge must recuse herself where her impartiality ‘might reasonably be questioned,’ she wrote. If she is confirmed, Lagoa said, she would recuse herself from ‘cases in which my husband or his law firm appeared, as well as cases involving either the Supreme Court of Florida or the Florida Third District Court of Appeals while I was a member of either court.’” [American Bar Association Journal, [9/25/20](#)]

### **Lagoa Rejected Calls That She Recuse Herself From The Case**

**Lagoa Rejected Calls For Her To Recuse Herself From The Case.** According to the American Bar Association Journal, “Lagoa and Robert Luck, another 11th Circuit judge who had been on the Florida Supreme Court, rejected calls for their recusal in a July 27 decision. They said the Code of Conduct for U.S. Judges didn’t require their recusal because the state and federal cases involved different persons, different issues and different courts.” [American Bar Association Journal, [9/25/20](#)]

### **May 2024: The Florida Statute Still Stood Requiring Felons To Pay All Of Their Court Fees And Fines Before They Could Vote**

**May 2024: Florida Felons Had To Pay All Of Their Fines, Fees, And Court Costs Before They Could Vote.** According to Politico, “Florida voters approved a state constitutional amendment to restore voting rights to felons in 2018 but the Republican-controlled Legislature undercut the measure with a complex set of requirements that convicted felons first pay all fines, fees and court costs.” [Politico, [5/31/24](#)]