

To the Editor:

I would like to respond to a letter to this publication from Mr. Upchurch regarding me. I have never to my knowledge met Mr. Upchurch. I now know he is a supporter of one of the other candidates in my race for circuit court judge, group 20.

Ten years ago, while serving as a Volusia County Judge, I made a mistake. My grandfather died. My father-in-law got a speeding ticket on the way to the funeral. He was running late because of my mother-in-law, who was battling breast cancer that eventually killed her. She had recently undergone chemo therapy and was so nauseous that my father-in-law had to repeatedly stop so she could be ill. The ticket was small, \$35.00, and in the perfect clarity of hindsight, I should have left it to another judge to handle. I am humble enough to admit that I am human and I do make mistakes. Knowing the facts and being acquainted with the circumstances around the ticket, I dismissed it. The state trooper who issued the ticket agreed it should have never been issued due to the circumstances, but I should not have done it, another judge should have. This error in judgment, lead to intense scrutiny of my previous judicial service. Despite presiding over 36,000 cases as a judge, and never having been overturned, I was accused of other actions. Accusations are not proof of guilt. I am told that Mr. Upchurch was once a judge, a long time ago. A judge must believe that a person is innocent until proven guilty; otherwise the position could simply be reduced to executioner. I was investigated by the Judicial Qualifications Committee in great depth for almost 2 years, during which I continued to serve the citizens of Volusia County on the bench. They examined my whole judicial career with a microscope and there were many depositions and hearings. After almost 2 years, the stress and pressure of constantly defending myself, caused me to have a heart attack. I woke up in an ambulance with my 5 year old daughter hysterical, thinking I was dead. I was hospitalized. A second incident followed a month later. My wife and I decided that the best thing for my health and the wellbeing of our family would be to resign my judgeship. Mr. Upchurch and my opposition have said that I resigned to avoid prosecution by the JQC. This is their attempt to further smear my reputation. When I resigned, although the JQC no longer had jurisdiction since they had no reason to continue the investigation, the Florida Bar gained jurisdiction and began their investigation. The case in its entirety was thoroughly investigated, I again had to defend myself, and I again admitted that dismissing my father-in-law's ticket was the wrong thing to do. The Florida Bar found no wrong doing, and I was cleared of all charges. None of this has been addressed by Mr. Upchurch or my opposition. It was never published in the media. Falsely it was stated that if elected, I would not be allowed to serve. It was verified by an independent reporter at Southern Stone Communications Inc., that I would not have been allowed to qualify to run if that were true.

If you have never made a mistake and asked for forgiveness, I can understand why you would not want to vote for me. If however, you have ever made a mistake and asked for forgiveness, knowing you would do better, and never make the mistake again, I ask that you consider voting for me. I stand on my record, and although there is a group of people represented by Mr. Upchurch who fail to realize it, judges are just people. They are not perfect and they have all have made mistakes. All people make mistakes, sometimes even when trying to do the right thing. I did, and I learned from it, and paid a heavy price for it. That does not make me a worse candidate for Circuit Judge; I think it makes me a better one. For not only do I have a reputation for fairness, efficiency, and compassion during my previous service as a county court judge, I know firsthand that being accused of a thing, is not the same as being guilty, and every person in court deserves respect and the chance to be heard. That is what I would want in a judge, and what the 7<sup>th</sup> Circuit should demand.

Steven N. Delaroche, Candidate for Circuit Judge, 7<sup>th</sup> Judicial Circuit, Group 20.