

**IN THE SUPREME COURT
STATE OF FLORIDA**

INQUIRY CONCERNING A JUDGE, SC25-
THE HONORABLE DIANA TENNIS
JQC NOS. 2024-714, 2024-767

FINDINGS AND RECOMMENDATIONS OF DISCIPLINE

Procedural History

In February 2025, the Florida Judicial Qualifications Commission (the “JQC”) served a Notice of Investigation on Ninth Circuit Judge Diana Tennis, pursuant to Rule 6(b) of the Florida Judicial Qualification Commission Rules (“FJQC Rules”). On May 1, 2025, Judge Tennis appeared before the Investigative Panel of the Commission, with counsel, and provided testimony under oath in response to the Notice of Investigation. During that hearing, Judge Tennis admitted that her conduct as described in the Notice of Formal Charges violated the Code of Judicial Conduct and at the conclusion of the hearing, the Investigative Panel voted to find probable cause and proceed with the institution of formal charges, pursuant to FJQC Rule 6(f).

The Canons

The charges for which the Investigative Panel found probable cause relate to contributions made by Judge Tennis to political organizations and

candidates, in violation of Canons 1, 2A, and 7A(1)(e) of the Code of Judicial Conduct.

Canon 1 of the Code of Judicial Conduct provides that “[a] Judge Shall Uphold the Integrity and Independence of the Judiciary.” Canon 2 requires that “[a] Judge Shall Avoid Impropriety and the Appearance of Impropriety in all of the Judge’s Activities.”

Canon 7A(1)(e) provide, in pertinent part:

(1) Except as authorized in Sections 7B(2), 7C(2) and 7C(3), a judge or candidate for election or appointment to judicial office shall not:

...

(e) solicit funds for, pay an assessment to or make a contribution to a political organization or candidate, or purchase tickets for political party dinners or other functions.

The Code further defines “political organization” as “denot[ing] a political party or other group, the principal purpose of which is to further the election or appointment of candidates to political office.

Factual Findings

Since 2016 FEC records show Judge Tennis made more than 900 contributions to political organizations or candidates totaling approximately \$29,154.76. The entities include:

Democratic Congressional Campaign Committee
ACTBLUE (nonprofit Democratic Party PAC)
Jon Ossoff for Congress
Beto for Texas (Beto O'Rourke gubernatorial campaign)
National Democratic Training Committee PAC
Emily's List (pro-choice PAC)
End Citizens United (Democrat aligned PAC)
MoveOn.Org Political Action
Bill Nelson for US Senate
Doug Jones for Senate Committee
Randy Bryce for Congress
Stephanie Murphy For Congress
Warnock for Georgia (Raphael Warnock US senatorial campaign)
Let America Vote PAC
The Democratic Coalition
Biden for President
Ditch Fund (Anti-Mitch McConnell PAC)

Judge Tennis consistently identified herself as a State of Florida
"JUDGE" in connection with these contributions.

By her written response to the Notice of Investigation, her sworn oral
testimony before the Investigative Panel, and by the execution of a
Stipulation filed concurrently with these Findings and Recommendations,
Judge Tennis has agreed to and admitted the facts and circumstances

described in the Notice of Formal Charges, and in these Findings, and she has agreed that her actions constitute violations of Canons 1, 2A and 7A(1)(e) of the Code of Judicial Conduct. Finally, she has agreed that these charges are supported by clear and convincing evidence, and that she should receive the recommended discipline.

Therefore, in light of Judge Tennis' admissions, and the Commission's investigation, the Commission finds that Judge Tennis violated Canons 1, 2A and 7A(1)(e) through the course of conduct outlined above, and that these findings are supported by clear and convincing evidence.

Mitigation

Judge Tennis admitted to her misconduct and has cooperated with the Commission in all respects during this inquiry. She has expressed deep regret that her conduct could have eroded the public's perception of the integrity of the judiciary and judicial elections. She hopes to rectify this, in part, by taking responsibility for her misconduct, and accepting the sanction. The Commission credits Judge Tennis' decade of service on the bench, including her current service as an administrative judge in the Ninth Circuit. Admitted to The Florida Bar in 1992, Judge Tennis has not been previously disciplined as a lawyer.

While not mitigating, the Commission notes Judge Tennis' stated explanation that she thought the prohibition only applied to state candidates/races and that federal candidates or races weren't covered. She acknowledges, now, however, that no such carve out or exception exists in the very clear language of Canon 7A(1)(e).

Judge Tennis also provided helpful insight to how such a large number of contributions accumulated. While she admitted and acknowledged making numerous contributions, she did not realize that she had authorized some of them to be recurring contributions. The amounts of the subsequent recurring contributions she explained were small enough to not be immediately noticeable until reviewed collectively.

While this explanation is a helpful cautionary tale, the Commission does not believe, nor does Judge Tennis argue, that this absolves her of her absolute responsibility to govern herself according to the Code of Judicial Conduct.

This provision of the Code is not unique to Florida, and a recent example from the State of New York highlights the importance of such provisions in maintaining the impartiality and independence of the judiciary and protecting the public's confidence in the impartiality of the judiciary. In

that case, a New York state judge, Juan Merchan, presided over a state proceeding in which President Trump was a litigant. During the pendency of the matter, it was revealed that Judge Merchan had made several very small contributions to the presidential campaign of Joseph Biden (a candidate for federal office), and two other political organizations in 2020.¹ The revelation generated extensive media coverage and a letter of caution from the New York Commission on Judicial Conduct.

While it is an unusual case, it is certainly not outside the realm of possibility that such a circumstance could occur here. Such circumstances make clear why adherence to the proscription of Canon 7A(1)(e) is an important bulwark in protecting the integrity and impartiality of the judiciary and the judicial branch as a whole. Indeed, similar proscriptions have been found constitutional in other jurisdictions. *Winter v. Wolnitzek*, 834 F.3d 681 (6th Cir. 2016); *In re Raab*, 793 N.E.2d 305 (N.Y. 2003); *In re Dunleavy*, 888 A.2d 338 (Me. 2003).

¹ News reports indicate Judge Merchan made a total of three contributions, totaling approximately \$35 (\$15 to the Biden for President campaign, and \$10 each to groups called “Progressive Turnout Project” and “Stop Republicans”. <https://www.cnn.com/2023/04/06/politics/judge-merchan-trump-biden-contribution/index.html>

Recommendation as to Discipline


Judge Tennis and the Commission have entered into a Stipulation, recommending that this Court issue a public reprimand. The Commission believes that the sanction recommended will be sufficient to deter such behavior by Judge Tennis in the future and will remind the judiciary at large of the Code's strict requirements regarding political contributions. Indeed, the Commission is aware of other judges who have made personal contributions to candidates and political organizations representing all sides of the political spectrum and is reviewing those matters on a case-by-case basis. The identity of the candidate or political organization receiving the contribution is of no moment and does not factor into the review of alleged violations of Canon 7A(1)(e). Rather, the factors considered by the Panel include the dollar amount, the number of contributions (or stated another way, the number of violations of the Code), and the remoteness of the breach. Here, the Commission emphasizes that Judge Tennis is far and away the most prolific offender both in terms of total dollars and number of contributions. Thus, the Commission believes her misconduct is deserving of a public reprimand. Given that this Canon is not frequently raised in disciplinary proceedings, the Commission believes that this case will serve as a caution to other judges who may be contemplating similar political

contributions. As a final factor, the Commission might also consider in the future whether such violations occurred after this public disposition.

Accordingly, the Commission finds and recommends that the interests of justice, the public welfare, and sound judicial administration will be well served by a public reprimand of Judge Tennis.

Dated this 15TH day of September 2025.

**THE FLORIDA JUDICIAL
QUALIFICATIONS COMMISSION**

By: 
Hon. Gary Flower
Vice Chair of the FJQC
PO Box 14106
Tallahassee, FL 32317

**IN THE SUPREME COURT
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INQUIRY CONCERNING A JUDGE, SC25-
THE HONORABLE DIANA TENNIS
JQC NOS. 2024-714, 2024-767

FINDINGS AND RECOMMENDATIONS OF DISCIPLINE

Procedural History

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The Canons

The charges for which the Investigative Panel found probable cause relate to contributions made by Judge Tennis to political organizations and

candidates, in violation of Canons 1, 2A, and 7A(1)(e) of the Code of Judicial Conduct.

Canon 1 of the Code of Judicial Conduct provides that “[a] Judge Shall Uphold the Integrity and Independence of the Judiciary.” Canon 2 requires that “[a] Judge Shall Avoid Impropriety and the Appearance of Impropriety in all of the Judge’s Activities.”

Canon 7A(1)(e) provide, in pertinent part:

(1) Except as authorized in Sections 7B(2), 7C(2) and 7C(3), a judge or candidate for election or appointment to judicial office shall not:

...

(e) solicit funds for, pay an assessment to or make a contribution to a political organization or candidate, or purchase tickets for political party dinners or other functions.

The Code further defines “political organization” as “denot[ing] a political party or other group, the principal purpose of which is to further the election or appointment of candidates to political office.

Factual Findings

Since 2016 FEC records show Judge Tennis made more than 900 contributions to political organizations or candidates totaling approximately \$29,154.76. The entities include:

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Bill Nelson for US Senate
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Judge Tennis consistently identified herself as a State of Florida
"JUDGE" in connection with these contributions.

By her written response to the Notice of Investigation, her sworn oral
testimony before the Investigative Panel, and by the execution of a
Stipulation filed concurrently with these Findings and Recommendations,
Judge Tennis has agreed to and admitted the facts and circumstances

described in the Notice of Formal Charges, and in these Findings, and she has agreed that her actions constitute violations of Canons 1, 2A and 7A(1)(e) of the Code of Judicial Conduct. Finally, she has agreed that these charges are supported by clear and convincing evidence, and that she should receive the recommended discipline.

Therefore, in light of Judge Tennis' admissions, and the Commission's investigation, the Commission finds that Judge Tennis violated Canons 1, 2A and 7A(1)(e) through the course of conduct outlined above, and that these findings are supported by clear and convincing evidence.

Mitigation

Judge Tennis admitted to her misconduct and has cooperated with the Commission in all respects during this inquiry. She has expressed deep regret that her conduct could have eroded the public's perception of the integrity of the judiciary and judicial elections. She hopes to rectify this, in part, by taking responsibility for her misconduct, and accepting the sanction. The Commission credits Judge Tennis' decade of service on the bench, including her current service as an administrative judge in the Ninth Circuit. Admitted to The Florida Bar in 1992, Judge Tennis has not been previously disciplined as a lawyer.

While not mitigating, the Commission notes Judge Tennis' stated explanation that she thought the prohibition only applied to state candidates/races and that federal candidates or races weren't covered. She acknowledges, now, however, that no such carve out or exception exists in the very clear language of Canon 7A(1)(e).

Judge Tennis also provided helpful insight to how such a large number of contributions accumulated. While she admitted and acknowledged making numerous contributions, she did not realize that she had authorized some of them to be recurring contributions. The amounts of the subsequent recurring contributions she explained were small enough to not be immediately noticeable until reviewed collectively.

While this explanation is a helpful cautionary tale, the Commission does not believe, nor does Judge Tennis argue, that this absolves her of her absolute responsibility to govern herself according to the Code of Judicial Conduct.

This provision of the Code is not unique to Florida, and a recent example from the State of New York highlights the importance of such provisions in maintaining the impartiality and independence of the judiciary and protecting the public's confidence in the impartiality of the judiciary. In

that case, a New York state judge, Juan Merchan, presided over a state proceeding in which President Trump was a litigant. During the pendency of the matter, it was revealed that Judge Merchan had made several very small contributions to the presidential campaign of Joseph Biden (a candidate for federal office), and two other political organizations in 2020.¹ The revelation generated extensive media coverage and a letter of caution from the New York Commission on Judicial Conduct.

While it is an unusual case, it is certainly not outside the realm of possibility that such a circumstance could occur here. Such circumstances make clear why adherence to the proscription of Canon 7A(1)(e) is an important bulwark in protecting the integrity and impartiality of the judiciary and the judicial branch as a whole. Indeed, similar proscriptions have been found constitutional in other jurisdictions. *Winter v. Wolnitzek*, 834 F.3d 681 (6th Cir. 2016); *In re Raab*, 793 N.E.2d 305 (N.Y. 2003); *In re Dunleavy*, 888 A.2d 338 (Me. 2003).

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Recommendation as to Discipline

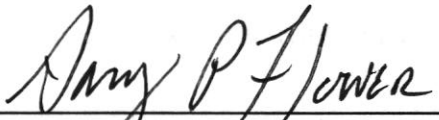
Judge Tennis and the Commission have entered into a Stipulation, recommending that this Court issue a public reprimand. The Commission believes that the sanction recommended will be sufficient to deter such behavior by Judge Tennis in the future and will remind the judiciary at large of the Code's strict requirements regarding political contributions. Indeed, the Commission is aware of other judges who have made personal contributions to candidates and political organizations representing all sides of the political spectrum and is reviewing those matters on a case-by-case basis. The identity of the candidate or political organization receiving the contribution is of no moment and does not factor into the review of alleged violations of Canon 7A(1)(e). Rather, the factors considered by the Panel include the dollar amount, the number of contributions (or stated another way, the number of violations of the Code), and the remoteness of the breach. Here, the Commission emphasizes that Judge Tennis is far and away the most prolific offender both in terms of total dollars and number of contributions. Thus, the Commission believes her misconduct is deserving of a public reprimand. Given that this Canon is not frequently raised in disciplinary proceedings, the Commission believes that this case will serve as a caution to other judges who may be contemplating similar political

contributions. As a final factor, the Commission might also consider in the future whether such violations occurred after this public disposition.

Accordingly, the Commission finds and recommends that the interests of justice, the public welfare, and sound judicial administration will be well served by a public reprimand of Judge Tennis.

Dated this 15TH day of September 2025.

**THE FLORIDA JUDICIAL
QUALIFICATIONS COMMISSION**

By: 
Hon. Gary Flower
Vice Chair of the FJQC
PO Box 14106
Tallahassee, FL 32317

**BEFORE THE FLORIDA
JUDICIAL QUALIFICATIONS COMMISSION**

INQUIRY CONCERNING A JUDGE,
THE HONORABLE
JQC NOS. 2024-714, 2024-767

SC25-_____

NOTICE OF FORMAL CHARGES

TO: Hon. Diana Tennis
Orange County Courthouse
425 N Orange Ave Ste 1100
Orlando, FL 32801-1515

The Investigative Panel of the Florida Judicial Qualifications Commission, at its meeting on May 1, 2024, by a vote of the majority of its members, pursuant to Rule 6(f) of the Rules of the Florida Judicial Qualifications Commission and Article V, Section 12(b) of the Constitution of the State of Florida, finds that probable cause exists for formal proceedings to be instituted against you. Probable cause exists on the following formal charges:

1. Beginning in 2016 and ending in 2021, you made more than 900 contributions to various political organizations¹, totaling approximately \$29,000.

¹ "[A] political party or other group, the principal purpose of which is to further the election or appointment of candidates to political office." Fla. Code Jud. Conduct, Definitions.

2. These organizations include, inter alia:

- a. Democratic Congressional Campaign Committee
- b. ACTBLUE (nonprofit Democratic Party PAC)
- c. Jon Ossoff for Congress
- d. Beto for Texas (Beto O'Rourke gubernatorial campaign)
- e. National Democratic Training Committee PAC
- f. Emily's List (pro-choice PAC)
- g. End Citizens United (Democrat aligned PAC)
- h. MoveOn.Org (PAC)
- i. Bill Nelson for US Senate
- j. Doug Jones for Senate Committee
- k. Randy Bryce for Congress
- l. Stephanie Murphy For Congress
- m. Warnock for Georgia (Raphael Warnock US senatorial campaign)
- n. Let America Vote PAC
- o. The Democratic Coalition
- p. Biden for President
- q. Ditch Fund (PAC opposing Mitch McConnell)

3. For each of these contributions and others, you listed your occupation as "judge" with the Federal Elections Commission.

4. Contributions to political organizations violate Canon 7A, which is directed to "All judges..." and states in pertinent part:

(1) Except as authorized in Sections 7B(2), 7C(2) and 7C(3), a judge or a candidate for election or appointment to judicial office shall not:

(e) solicit funds for, pay an assessment to or make a contribution to a political organization or candidate, or purchase tickets for political party dinners or other functions.

5. The contributions listed above do not qualify for the exceptions set forth in Sections 7B(2), 7C(2) and 7C(3) of the Code of Judicial Conduct.

Your actions constitute inappropriate conduct in violation of Canons 1, 2A and 7A(1)(e) of the Florida Code of Judicial Conduct.

You are hereby notified of your right to file a written answer to these charges within twenty (20) days of service of this notice upon you. The original of your response and all subsequent pleadings must be filed with the Clerk of the Florida Supreme Court, in accordance with the Court's requirements. Copies of your response should be served on the undersigned General Counsel for the Judicial Qualifications Commission, and the Executive Director of the Commission.

Dated: this 15th day of September 2025.

**THE INVESTIGATIVE PANEL OF THE
JUDICIAL QUALIFICATIONS
COMMISSION**

Hugh R. Brown
Assistant General Counsel
Florida Bar No. 99225
P.O. Box 14106
Tallahassee, Florida 32317
(850) 488-1581
hbrown@floridajqc.com

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Notice of Formal Charges has been furnished by electronic service, on this the 15th day of September 2025, to the following:

Hon. Diana Tennis
Orange County Courthouse
425 N Orange Ave Ste 1100
Orlando, FL 32801-1515

c/o

Warren W. Lindsey, Esq.
Counsel for Judge Tennis
341 North Maitland Avenue, Suite 130
Maitland, FL 32751
warren@warrenlindseylaw.com



Hugh R. Brown
Assistant General Counsel

**BEFORE THE FLORIDA
JUDICIAL QUALIFICATIONS COMMISSION**

INQUIRY CONCERNING A JUDGE,
THE HONORABLE DIANA TENNIS
JQC NOS. 2024-714, 2024-767

SC25-

_____/

STIPULATION

In this disciplinary proceeding, the Investigative Panel of the Florida Judicial Qualifications Commission and the Honorable Diana Tennis, Ninth Circuit Judge, present the following Stipulation to this Court pursuant to Article V, Section 12 of the Florida Constitution and Rule 6(k) of the Florida Judicial Qualification Commission's Rules.

1. Under Rule 6(k), the Commission may reach agreement with a judge on discipline or disability, and such stipulation shall be transmitted directly to the Supreme Court.
2. A Notice of Investigation dated February 11, 2025, was served on Judge Tennis. A hearing before the Investigative Panel was held in Orlando, Florida on May 1, 2025, at which Judge Tennis appeared with counsel, and testified under oath. At the conclusion of that hearing, the Investigative Panel determined that probable cause existed for the filing of Formal Charges. This

Stipulation is being filed concurrently with a Notice of Formal Charges and a Findings and Recommendation of Discipline.

3. Upon being presented with the Notice of Investigation, and during her sworn testimony before the Commission, Judge Tennis took immediate responsibility for her conduct. Judge Tennis admitted that her conduct was inappropriate and violated Canons 1, 2A and 7A(1)(e) of the Code of Judicial Conduct.
4. Judge Tennis has expressed remorse and regrets that her actions have reflected poorly on judicial independence.
5. In light of the facts, the Judge's responses to the Panel's inquiries, and Judge Tennis's lack of any prior disciplinary history, the Investigative Panel and Judge Tennis respectfully submit that the interest of justice and sound judicial administration is best served by entering into this Stipulation regarding the matters at issue and by the Findings and Recommendations which accompany this Stipulation.
6. Judge Tennis does not contest the Findings, and accepts the discipline recommended therein. She further waives a hearing before the Hearing Panel of the Florida Judicial Qualifications

Commission, if the Court accepts the Findings and Recommendations.¹

7. The parties acknowledge and understand that this Stipulation and attached Findings and Recommendations of Discipline are subject to the review and approval of this Court. The parties acknowledge and understand that this Stipulation and Findings and Recommendations of Discipline may be rejected by the Court, and in that event this matter may be returned to the Hearing Panel for a final plenary hearing. In such an event, the parties agree that none of the negotiations related to this Stipulation (or the attached Findings and Recommendations of Discipline) are admissible for any purpose.
8. The parties agree that oral argument before this Court is not necessary in light of the record, the nature of the charges, the contents of this Stipulation, and the attached Findings and

¹ Although 900 donations are listed, in fact, Judge Tennis says she actually intended to make fewer total contributions than that, but some of the entities, on their own, split up single contributions into multiple donations to various entities and candidates, often resulting in multiple line items for one contribution.

Recommendations of Discipline. As previously noted, Judge
Tennis waives her right to further hearings if they are accepted.

Dated this 4 day of September 2025.

**INVESTIGATIVE PANEL OF
THE FLORIDA JUDICIAL
QUALIFICATIONS
COMMISSION**

Diana M. Tennis

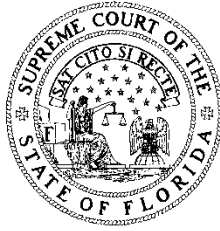
Hon. Diana Tennis
ORANGE COUNTY JUDGE



Hugh R. Brown
Florida Bar No. 0003484
ASSISTANT GENERAL
COUNSEL TO THE JQC
P.O. Box 14106
Tallahassee, FL 32317
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Supreme Court of Florida

Office of the Clerk
500 South Duval Street
Tallahassee, Florida 32399-1927

JOHN A. TOMASINO
CLERK
MARK CLAYTON
CHIEF DEPUTY CLERK
JULIA BREEDING
STAFF ATTORNEY

PHONE NUMBER: (850) 488-0125
www.floridasupremecourt.org

ACKNOWLEDGMENT OF NEW CASE

Tuesday, September 16, 2025

RE: Inquiry Concerning a Judge JQC Nos. 2024-714, 2024-767 re: Diana M. Tennis

Case Number: SC2025-1438

Case Type: Original Proceedings - Judicial Qualifications
Commission (JQC) - Notice of Formal Charges With Stipulation

The Florida Supreme Court has received the following documents reflecting a filing date of September 16, 2025:

Notice of Formal Charges
Stipulation
Findings and Recommendations of Discipline

Please be sure to register for your Appellate Case Information System (ACIS) account. For more information on registering please visit <https://www.flcourts.gov/ACIS>.

TW

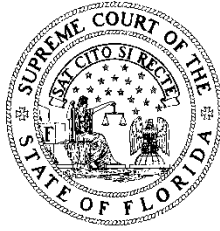
cc:

HUGH RICHARD BROWN
GREGORY WILLIAM COLEMAN
WARREN WILLIAM LINDSEY
HON. LISA T. MUNYON

CASE NO.: SC2025-1438

Page Two

BLAN LEVASSEUR TEAGLE
ALEXANDER JOHN WILLIAMS



Supreme Court of Florida

Office of the Clerk
500 South Duval Street
Tallahassee, Florida 32399-1927

JOHN A. TOMASINO
CLERK
MARK CLAYTON
CHIEF DEPUTY CLERK
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PHONE NUMBER: (850) 488-0125
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Page Two

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