



SAO ALUMNI PROFILE – CHIEF JUDGE IVAN F. FERNANDEZ

When one thinks of Florida’s Third District Court of Appeal, one thinks of knowledgeable, experienced judges who deal with keeping the delicate balance of the letter and the spirit of the law. They are the guardians of statute, precedent, and case law. Some may consider them solely intellectual academics who spend the day reading and writing legal documents, but Chief Judge Ivan F. Fernandez brings to the bench his life experiences as an army veteran, police officer, and a prosecutor.

Judge Fernandez was born in Cuba and came to the United States at age nine with his brother and mother in 1962, where they were reunited with their father. He was an active child and a bit rambunctious. “I was always getting into things and I needed to focus,” says Judge Fernandez.

After graduating from Miami Senior High, his life took a very unexpected yet auspicious turn. “I was out walking, and I passed by an Army recruiting office. I walked in and enlisted before I walked out.”

It was a bit of a shock to his family, and he admits that his mother shed many a tear that day and for the next four years while he was serving in the Army.

“Enlisting in the Army was a catalyst that changed the course of my life,” he asserts. “When you go in, they test you and tell you what you would be best suited for. They said that I would be a good Military Police Officer, so I went that route and never regretted it. Over my military career, they also saw that I had very good supervisory skills.”

“When I got out of the service, I came back to Miami and was looking for a career in law enforcement. I applied to the City of Miami Police Department but there was a hiring freeze at the time.”

He worked a variety of jobs in security until finally he was offered a position as a City of Miami PD officer.

Judge Fernandez’s first assignment as a MPD Officer was working street patrol in Liberty City. With his experience as an Army MP and his innate skills, he quickly moved up the ranks, serving in various units like S.W.A.T. and K-9.

He was a Sergeant in the Homicide Unit before serving as a Lieutenant in Special Investigations and Narcotics. He was promoted to Major and took command of property management. In 1989, he was tasked with opening and taking command of the South District Substation at the City of Miami Police Department. Judge Fernandez was Commander there until his retirement in 1995.

During his tenure at the City of Miami PD, he continued his education at Miami Dade Community College and Barry University, and in 1989, he entered the University of Miami School of Law.

“I took the Florida Bar Exam in 1993 and passed. My last position at MPD was in risk management and I worked in a lawyer capacity.”

Judge Fernandez retired from the police department in 1995 and opened his own law firm. He mainly dealt with real estate work, but also handled personal injury, wrongful death and business matters. “I did that until 1999, but I was bored working by myself.”

His desire to practice law and protect the public led him to apply at the SAO and become a prosecutor. “I took a huge pay cut, but I could afford it because I had my pension from the police department.”

“I remember when I interviewed for the position with Kathy, and it was wonderful. We had a very frank conversation about the law and the criminal justice system. I had had contact with her previously when I was a police officer since I worked with prosecutors on cases and had been called as a witness a few times to the Grand Jury.”

“Few new Assistant State Attorneys join our ranks with the broad range of law enforcement experiences and perspectives, supplemented by a wide spectrum of community interactions as possessed by Judge Ivan Fernandez,” said State Attorney Katherine Fernandez Rundle. “While losing him to the Circuit Court bench was a tremendous loss to the SAO, it was a gift for the people of Miami-Dade County which has only expanded in its value with his ascension to the Third District Court of Appeals.”

As a prosecutor, Judge Fernandez honed his prosecutorial skills in County Domestic Violence, Juvenile, Felony Division, and the Public Corruption Unit.

“Since I had worked with many prosecutors on cases I had as an officer, I had an understanding of what was needed to be able to file cases and take them to trial.”

There are two cases that stand out most to Judge Fernandez from his time at the SAO. One involved a City of Miami Police Officer who was robbing drug dealers while driving around in his police car. The second case was the prosecution of former City of Miami Commissioner Miriam Alonso. “It was a complicated case that took years to prosecute, but I was the one who filed the first information.”

Though he loved being a prosecutor, he had other ambitions to fulfill. In 2002, he decided to run for judge. “What I knew I brought to the table was a lifetime of experience in different capacities. As a judge, I could broaden my horizons and tackle a broad spectrum of legal issues.”

Judge Fernandez was elected in 2002 to the 11th Judicial Circuit Court where he served in the Dependency, Criminal, Civil, and Family Divisions of the Circuit Court. He was re-elected without opposition in 2008.

In 2011, Judge Fernandez was appointed to the Third District Court of Appeal by Governor Rick Scott where he still serves today.

“We hear every appeal from Miami-Dade and Monroe Counties. To go through a case, it could take from a few days to a few weeks depending on its complexity. By the time it comes to the Third DCA, the trial has already occurred. Our duty is to review the case file and the petition filed with us to understand what happened in the actual trial to determine if everything went as it should by law and according to judicial cannon.”

Because of his previous positions and experience, Judge Fernandez better understands the lawyers who are before him in court.

He is so well-regarded that he was elected Chief Judge at the Third District Court of Appeal by his peers. This is a prestigious honor that comes with added responsibilities. “Every day I handle from 10-30 separate motions besides the regular caseload. I also manage the budget and administrative issues.”

Chief Judge Fernandez looks back fondly of his time at the SAO and offers advice to current ASAs: “Be diligent and thorough. Always do your work because preparation is key. Forget the theatrics and cover the bases.”

We congratulate and thank Chief Judge Ivan F. Fernandez on his decades of exemplary public service to our community.