

ABC Update

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ABC-Certified Attorney Appointed as a Circuit Judge in Florida



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Darren D. Farfante was appointed to the Circuit Court for the Thirteenth Judicial Circuit in Tampa, Fla., by Gov. Rick Scott on June 5, 2017. He was born the youngest of three siblings to parents whose rich roots dated back in Tampa history to the early 1900s. His great-grandparents emigrated from Spain to Tampa more than 100 years ago and raised their families in Ybor City and West Tampa. His family worked in labor positions in cigar factories or businesses that supported that industry.

Judge Farfante's upbringing and education have instilled in him a deep sense of achieving a meaningful life of leadership and service. He attended Sacred Heart Academy through eighth grade and then attended Jesuit High School, a well-known all-boys Catholic high school. It was at Jesuit that Judge Farfante met his high school sweetheart, now wife, Evelyn, and asked her to Jesuit's homecoming his senior year as their first date.

Always a Gator fan growing up, Judge Farfante followed in the footsteps of his father, older brother and sister and attended the University of Florida for undergraduate studies, obtaining his B.S. in accounting in 1993. He then pursued a dual post-graduate degree, obtaining his Masters in accounting and J.D. from the University of Florida Levin College of Law in 1996. Not satisfied with this achievement, Judge Farfante pursued an LL.M. in taxation, also from the University of Florida Levin College of Law, and graduated in 1997.

Judge Farfante and his wife then embarked upon a new adventure, moving to Washington D.C., where he began his legal career as a trial attorney for the U.S. Department of Justice (DOJ) Tax Division in the Civil Trial Section. He was selected through the Attorney General's Honor Program, which hires recent law school graduates completing judicial clerkships or graduate law programs who have demonstrated a commitment to government service, academic achievement, leadership, clinical experience, past employment and extracurricular activities.

The Tax Division is one of the busiest litigation divisions in the DOJ and has exclusive nationwide jurisdiction for all federal tax litigation. As a DOJ civil trial attorney, he carried a significant caseload



Hon. Darren D. Farfante

at any given time and handled a broad spectrum of litigation in the U.S. district, bankruptcy and state courts. For example, he handled affirmative and defensive civil litigation arising under the Internal Revenue Code in federal, bankruptcy and state courts. In addition, he defended the U.S. in tax refund and civil damages suits, represented

Internal Revenue Service (IRS) employees in lawsuits for damages allegedly caused in the performance of their duties, and defended numerous challenges to federal tax regulations and rulings. He also prosecuted suits to collect unpaid federal tax assessments, foreclose federal tax liens and determine the priority of such liens, obtain judgments against delinquent taxpayers, enforce IRS administrative summonses, and establish tax claims in bankruptcy, receivership and probate proceedings. As a result, he litigated and assisted with the litigation of numerous jury and non-jury trials in federal court during his tenure with the DOJ Tax Division.

While in Washington, D.C., Judge Farfante and his wife grew their family with the births of Maxwell (now a senior in high school) and Spencer (now a sophomore in high school). Missing their families and wanting to return home, they moved back to Tampa in 2002. In 2003, Silvia arrived (now in eighth grade). Fond childhood memories were re-established during Fourth of July weeks at the beach with all of his cousins and extended family members. This tradition remains strong among his brother, sister and cousins and is one of Judge Farfante's favorite family times.

When he and his family moved back to Tampa, he joined the Commercial Litigation Practice Group of Fowler White Boggs PA. In 2013, Fowler White Boggs PA merged with Buchanan Ingersoll & Rooney, PC. During his 15-year tenure with the firm, Judge Farfante practiced in several litigation areas. He had an active chapter 11 practice, primarily representing secured lenders, commercial landlords and other parties-in-interest. He also represented a number of official creditors' committees, including the committees in the *Warrelmann Inc.* and *Fultonville Metal Products Co.* cases. He also periodically filed chapter 11 cases on behalf

¹ Mr. Emmanuel and Ms. Fernandez are certified in business bankruptcy law. Mr. Furr is dual-certified in business and consumer bankruptcy law. Ms. Fernandez and Mr. Furr also serve on the ABC's Board of Directors.

of debtors, including a Florida home builder and restaurant franchisee.

In addition, Judge Farfante handled litigation cases in state circuit court, which primarily involved creditors' rights matters. Notably, he successfully completed the largest commercial foreclosure case ever filed in Pinellas County (Clearwater Beach) in 2015. Judge Farfante also had a very active tax controversy practice, which primarily consisted of representing taxpayers in various disputes pending before the U.S. Tax Court or U.S. District Court. Several of these cases pitted Judge Farfante against his former colleagues at the DOJ.

He has been very active in many bar organizations, including the Tampa Bay Bankruptcy Bar Association and ABI. Judge Farfante served as co-chair of ABI's Bankruptcy Taxation Committee and has been an ABI member since 2004. He has been a frequent lecturer on both chapter 11 and tax-controversy issues, and is very adept at explaining the intersection of those two areas of the law.

Judge Farfante continued to hone his very capable trial skills and tried many cases while in private practice. These trials included a large trial against the Securities and Exchange Commission, several large nondischargeability actions, and a significant federal foreclosure case brought by the IRS in order to enforce a tax lien. Judge Farfante has also been very involved in several civic and community organizations. He served as president of Seniors In Service of Tampa Bay Inc., as well as other senior positions with the Boy Scouts.

When not working and spending time with his family, Judge Farfante is an avid runner and cyclist. He has competed

in several marathons, Ironman competitions and other similar races. During one recent race through the Florida Everglades, he had to avoid alligators sunning on the race trail.

Judge Farfante took the bench on July 31, 2017, and will serve in the family law division in Tampa. His investiture is scheduled for Oct. 5, 2017, at the Hillsborough County Courthouse.

Judge Farfante became board certified in creditor's rights law by the American Board of Certification (ABC) in 2007 and has maintained that certification. He has served on ABC's Standards Committee since 2012.

Judge Farfante took the bench on July 31, 2017, and will serve in the family law division in Tampa. His investiture is scheduled for Oct. 5, 2017, at the Hillsborough County Courthouse. He is looking forward to his first assignment and hopes to make a difference in families' lives. He intends to keep his ABC certification and feels that the broad knowledge one must have to be a certified attorney is similar to the broad knowledge that a judge needs to be effective on the bench. He joins many certified attorneys on the bench, and his ABC family wishes him great success in this new role. **abi**

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