

**IN THE SUPREME COURT OF THE
STATE OF FLORIDA**

**INQUIRY CONCERNING A JUDGE,
THE HONORABLE DEBRA L. KRAUSE
No. 12-551, 14-454**

SC13-2263

STIPULATION

In this disciplinary proceeding, the Investigative Panel of the Florida Judicial Qualifications Commission and Judge Debra L. Krause, Seminole County Judge, present the following stipulation to this Court pursuant to Article V, Section 12 of the Florida Constitution and Rule 6(j) of the Florida Judicial Qualifications Commission's Rules.

1. Under Rule 6(j), the Investigative Panel "may reach agreement with a judge on discipline or disability, and such stipulation shall be transmitted directly to the Supreme Court, to accept, reject or modify in whole or in part."

2. A Notice of Investigation dated January 24, 2013 was served on Judge Krause. A hearing before the Investigative Panel was held in Tampa, Florida on April 11, 2013 at which Judge Krause appeared and testified. The Investigative Panel requested additional materials, which Judge Krause timely provided. Finally the Investigative Panel concluded that probable cause existed for the filing of Formal Charges.

3. In light of Judge Krause' responses to the Panel's inquiries, the Investigative Panel respectfully submits that the interest of justice and sound judicial administration

are best served by entering into this Stipulation regarding the matters at issue and by the Findings and Recommendations which accompany this Stipulation.

4. The allegations of violations of the Judicial Canons arise as a result of her campaign for judicial office. During the course of that campaign several violations arose.

5. In the campaign Judge Krause donated \$250.00 from her campaign account to purchase an event table which entitled the candidate to speak for three minutes. This event was described in a letter from the Chairman of the Seminole County Republican Party, as "an important political event because it enables the Party to raise money to be used for campaign activities."

6. During the campaign Judge Krause failed to include the word "for" between the candidate's name and the office being sought contrary to Section 106.143(6), which she was required to do since she was not an incumbent. This is illustrated in the attached Exhibits A, B, and C. Judge Krause admits that some of her early campaign materials were improper and when brought to her attention she took immediate affirmative steps to remedy this error.

7. All candidates for office are required to file accurate reports of campaign contributions and campaign expenditures. Candidates when qualifying must also file a "Form 6, Full and Public Disclosure of Financial Interest."

8. Judge Krause reported over \$82,000 in "loans" to her campaign that were identified as from "Candidate to Themselves." In fact, a substantial portion of the funds were monies earned by her husband during the Campaign and were maintained in

independent accounts solely titled in her husband's name. Although Judge Krause may be correct in considering these monies to be part of the marital estate, because her husband solely held the accounts, this contravened the statutory prohibition from family members making contributions to a campaign in excess of \$500.

9. A subsequent Notice of Investigation dated August 15, 2014 was served on Judge Krause, and she voluntarily appeared in front of the Investigative Panel. The JQC filed a Notice of Formal Charges on September 17, 2014. Judge Krause and the JQC agree that she created the appearance that she was publically supporting a judicial candidate, her husband, through a post on her personal Facebook profile that asked her friends to write about the definition of ethics on the Facebook page of her husband's judicial opponent.

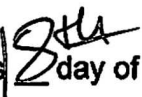
10. Judge Krause accepts full responsibility for the conduct set forth above, admits that it should not have occurred and regrets and apologizes for such conduct. Judge Krause denies that she intended to violate the applicable campaign laws and associated Canons, and contends that at the time she acted in the good faith belief that such conduct was appropriate. Judge Krause now acknowledges that her understanding of the effect of the foregoing actions in light of the judicial canons was erroneous.

11. Guided by the circumstances set forth above and the decisions in *In re Rodriguez*, 829 So.2d 857 (Fla. 2002), *In re Pando*, 903 So.2d 902 (Fla. 2005), and *In re Colodny*, 51 So.3d 430 (Fla. 2010), the Investigative Panel and Judge Krause have

reached an agreement . Consequently, the Investigative Panel has filed Findings and Recommendations of Discipline with the Court concurrently with this Stipulation. Judge Krause does not contest the Findings and Recommendations and waives a plenary hearing before the Hearing Panel of the Florida Judicial Qualifications Commission, if the Recommendations are accepted by the Court.

12. 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 event, the parties agree that none of the statements in the Stipulation or the Investigative Panel's Findings and Recommendations of Discipline are admissible in that hearing for any purpose. The parties further agree that none of the negotiations related to this Stipulation are admissible for any purpose.

13. 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 Recommendation of Discipline. As previously noted, Judge Krause waives her right to further hearings if they are accepted.

Dated this  day of November, 2014.

THE FLORIDA JUDICIAL
QUALIFICATIONS COMMISSION

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