

IN THE SUPREME COURT OF FLORIDA

LEAGUE OF WOMEN VOTERS OF
FLORIDA, INC., COMMON CAUSE,
PATRICIA M. BRIGHAM, JOANNE
LYNCH AYE, and ELIZA
McCLENAGHAN,

Petitioners,

v.

Case No.: SC18-___

HON. RICK SCOTT, in His Official
Capacity as Governor of Florida,
FLORIDA SUPREME COURT
JUDICIAL NOMINATING COMMISSION,
and JASON L. UNGER, in His Official
Capacity as Chair of the Florida Supreme
Court Judicial Nominating Commission,

Respondents.

**APPENDIX TO PETITIONERS' EMERGENCY
PETITION FOR WRIT OF QUO WARRANTO**

THE MILLS FIRM, P.A.

John S. Mills
Thomas D. Hall
Courtney Brewer
Jonathan Martin
325 North Calhoun Street
Tallahassee, Florida 32301

Counsel for Petitioners

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished to the following counsel for Respondents by hand delivery and by email on September 20, 2018:

Daniel Nordby, General Counsel
Executive Office of the Governor
The Capital, Suite 209
Tallahassee, Florida 32399-0001
daniel.nordby@eog.myflorida.com

Jason L. Unger, Chair
Florida Supreme Court Nominating
Commission
301 South Bronough Street,
Suite 600
Tallahassee, Florida 32301
Jason.unger@gray-robinson.com

/s/ John S. Mills

Attorney

EXECUTIVE DEPARTMENT
STATE OF FLORIDA



In the Name and by the Authority of the

STATE OF FLORIDA

I, Rick Scott, Governor of Florida, by virtue of the authority vested in me by the Constitution and Laws of this State, do hereby commission

Barbara J. Pariente

who was duly retained on the Sixth day of November, A.D., 2012, to be

Justice of the Supreme Court

for a term beginning on the Eighth day of January, A.D., 2013, until the Seventh day of January, A.D., 2019, according to the Constitution and Laws of the State and in the Name of the People of the State of Florida to have, hold and exercise the said office, and all the powers and responsibilities appertaining thereto, and to receive the privileges and emoluments thereof in accordance with the law.

In Testimony Whereof, I do hereunto set my hand and cause to be affixed the Great Seal of the State, at Tallahassee, the Capital, this the Thirteenth day of December, A.D., 2012, and of the Independence of the United States the Two Hundred and Thirty-Seventh year.

ATTEST:

Ken Detmold

Secretary of State

Rick Scott

Governor of Florida

EXECUTIVE DEPARTMENT
STATE OF FLORIDA



In the Name and by the Authority of the

STATE OF FLORIDA

I, Rick Scott, Governor of Florida, by virtue of the authority vested in me by the Constitution and Laws of this State, do hereby commission

R. Fred Lewis

who was duly retained on the Sixth day of November, A.D., 2012, to be


Justice of the Supreme Court

for a term beginning on the Eighth day of January, A.D., 2013, until the Seventh day of January, A.D., 2019, according to the Constitution and Laws of the State and in the Name of the People of the State of Florida to have, hold and exercise the said office, and all the powers and responsibilities appertaining thereto, and to receive the privileges and emoluments thereof in accordance with the law.

In Testimony Whereof, I do hereunto set my hand and cause to be affixed the Great Seal of the State, at Tallahassee, the Capital, this the Thirteenth day of December, A.D., 2012, and of the Independence of the United States the Two Hundred and Thirty-Seventh year.

ATTEST:


Secretary of State


Governor of Florida

EXECUTIVE DEPARTMENT
STATE OF FLORIDA



In the Name and by the Authority of the

STATE OF FLORIDA

I, Rick Scott, Governor of Florida, by virtue of the authority vested in me by the Constitution and Laws of this State, do hereby commission

Peggy A. Quince

who was duly retained on the Sixth day of November, A.D., 2012, to be

Justice of the Supreme Court

for a term beginning on the Eighth day of January, A.D., 2013, until the Seventh day of January, A.D., 2019, according to the Constitution and Laws of the State and in the Name of the People of the State of Florida to have, hold and exercise the said office, and all the powers and responsibilities appertaining thereto, and to receive the privileges and emoluments thereof in accordance with the law.

In Testimony Whereof, I do hereunto set my hand and cause to be affixed the Great Seal of the State, at Tallahassee, the Capital, this the Thirteenth day of December, A.D., 2012, and of the Independence of the United States the Two Hundred and Thirty-Seventh year.

ATTEST:

Ken Detmold
Secretary of State

Rick Scott
Governor of Florida

OATH OF OFFICE
(Art. II, § 5(b), Fla. Const.)

RECEIVED

STATE OF FLORIDA

10 DEC -1 AM 9: 34

County of Collier

DIVISION OF ELECTIONS
SECRETARY OF STATE

I do solemnly swear (or affirm) that I will support, protect, and defend the Constitution and Government of the United States and of the State of Florida; that I am duly qualified to hold office under the Constitution of the State, and that I will well and faithfully perform the duties of

Governor
(Title of Office)

on which I am now about to enter, so help me God.

[NOTE: If you affirm, you may omit the words "so help me God." See § 92.52, Fla. Stat.]

[Signature]
Signature

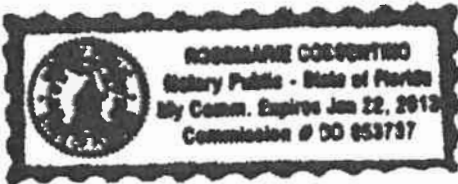
Sworn to and subscribed before me this 29th day of November, 2010.

[Signature]
Signature of Officer Administering Oath or of Notary Public

Rosemarie Cassentino
Print, Type, or Stamp Commissioned Name of Notary Public

Personally Known OR Produced Identification

Type of Identification Produced _____



ACCEPTANCE

I accept the office listed in the above Oath of Office.

Mailing Address: Home Office

1400 Gulf Shore Blvd Suite 418
Street or Post Office Box

Naples, FL 34102
City, State, Zip Code

Rick Scott
Print name as you desire commission issued

[Signature]
Signature

OATH OF OFFICE
STATE OF FLORIDA

5000-31-1-83
NOTARY PUBLIC
STATE OF FLORIDA

COUNTY OF LEON

I, DO SOLEMNLY SWEAR (OR AFFIRM) that I will support, protect and defend the Constitution and Government of the United States and of the State of Florida; that I am duly qualified to hold office under the Constitution of the State, and that I will well and faithfully perform the duties of

Governor

on which I am now about to enter, so help me God.

UNDER PENALTIES OF PERJURY, I DECLARE THAT I HAVE READ THE FOREGOING OATH AND THAT THE FACTS STATED IN IT ARE TRUE.

(1) Charlie Crist

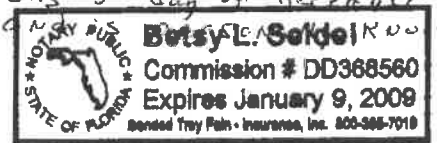
12.5.06

Signature

Date Signed

Sworn to and subscribed before me this 5th day of December 2006 by Charlie Crist who signed in my presence, by me.

Betsy L. Seidel
12-5-06 ACCEPTANCE



SECRETARY OF STATE
500 South Bronough Street, Room 316
TALLAHASSEE, FLORIDA 32399-0250

I accept the office of Governor

The above is the oath of office taken by me.

In addition to the above office I also hold the office of _____

My mailing address is: home office

(2) The Capitol
Street or Post Office Box

Tallahassee FL 32399-0001
City, State, Zip Code

(3) Charlie Crist
Sign as you desire commission issued

Charlie Crist
Print or type name as signed above

Person taking oath sign on line (1) above. Sign acceptance on line numbered (3) after giving address on line (2).

DS-DE 56 (rev.2/04)

Hand Delivered

OATH OF OFFICE
STATE OF FLORIDA

RECEIVED
DEPARTMENT OF STATE
02 DEC -4 PM 1:59
DIVISION OF ELECTIONS
TALLAHASSEE, FLORIDA

1322
6492

COUNTY OF Leon

I DO SOLEMNLY SWEAR (OR AFFIRM) that I will support, protect and defend the Constitution and Government of the United States and of the State of Florida; that I am duly qualified to hold office under the Constitution of the State, and that I will well and faithfully perform the duties of

GOVERNOR

of which I am now about to enter, so help me God.

UNDER PENALTIES OF PERJURY, I DECLARE THAT I HAVE READ THE FOREGOING OATH AND THAT THE FACTS STATED IN IT ARE TRUE.

(1) Jeb Bush
Signature

12-3-02
Date Signed

ACCEPTANCE

SECRETARY OF STATE
THE CAPITOL
TALLAHASSEE, FLORIDA 32399-0250

I accept the office of GOVERNOR

The above is the oath of office taken by me. In addition to the above office I also hold the office of _____

My mailing address is: home office

(2) P605, The Capitol
Street or Post Office Box

(3) Jeb Bush
Sign as you desire commission issued

Tallahassee FL 32399-0001
City, State, Zip Code

Jeb Bush
Print or type name as signed above

Person taking oath sign on line (1) above. Sign acceptance on line (3) after giving address on line (2).



RICK SCOTT
GOVERNOR

STATE OF FLORIDA

Office of the Governor

THE CAPITOL
TALLAHASSEE, FLORIDA 32399-0001

www.flgov.com
850-717-9418

September 11, 2018

Mr. Jason Unger
Chair – Supreme Court
Judicial Nominating Commission
301 South Bronough Street, Suite 600
Tallahassee, Florida 32301

Dear Mr. Unger:

Governor Scott has directed me to request that you convene the Supreme Court Judicial Nominating Commission for the purpose of selecting and submitting to the Governor the names of highly qualified lawyers for appointment to the Florida Supreme Court. This appointment is to fill the vacancy created by the mandatory retirement of **Justices Barbara Pariente, R. Fred Lewis and Peggy Quince**. The Governor strongly prefers submission of the maximum number of nominees (six) for each of the vacancies.

The Commission's deadline for completion of this undertaking is **Saturday, November 10, 2018**. The deadline is final as it includes the discretionary 30-day extension authorized by Article V, Section 11(c) of the Florida Constitution.

Administrative support for the Commission will be provided by the Governor's Office, pursuant to section 43.291(7), Florida Statutes. This includes all essential administrative needs such as document distribution, public announcements and the like. JNC Coordinator Erin Kraeft (850-717-9310; Erin.Kraeft@eog.myflorida.com) will contact you to these ends.

The Commission's expeditious handling of this matter is most appreciated. If I may be of assistance to you or the members of the Commission, please call me at (850) 717-9310.

Sincerely,

A handwritten signature in blue ink that reads "Daniel Nordby".

Daniel E. Nordby
General Counsel

cc: The Honorable Charles T. Canady
Chief Justice

Killian, Mark

From: Governor's Press Office <Governor'sPressOffice@eog.myflorida.com>
Sent: Tuesday, September 11, 2018 5:16 PM
Subject: Gov. Scott: Supreme Court JNC Must Convene to Prevent Prolonged Vacancies



FOR IMMEDIATE RELEASE
September 11, 2018

CONTACT: GOVERNOR'S PRESS OFFICE
(850) 717-9282
media@eog.myflorida.com

Gov. Scott: Supreme Court JNC Must Convene to Prevent Prolonged Vacancies

TALLAHASSEE, Fla. – Governor Rick Scott, following past gubernatorial precedent, announced today that he has asked the nine-member Supreme Court Judicial Nominating Commission (JNC) to begin the process to nominate highly qualified successors to fill the three upcoming vacancies on the Florida Supreme Court. The JNC will now have 60 days to submit 3-6 names for each vacancy. According to the Florida Constitution, Justice Pariente, Justice Lewis, and Justice Quince are no longer able to serve on the Supreme Court after the end of their current terms on January 7, 2019. For the Florida Supreme Court to not have multiple prolonged vacancies, the JNC must convene now to meet the deadlines outlined in the Florida Constitution.

Governor Scott said, "Today, I have requested that the Florida Supreme Court Judicial Nominating Commission begin the process of nominating highly qualified successors to Justice Pariente, Justice Lewis, and Justice Quince. Each of these justices is constitutionally ineligible to serve beyond the expiration of their current terms. With more than six decades of combined service on the Court, these three justices have made their mark on the state's jurisprudence. To minimize or avoid any period of vacancy on the Supreme Court, the nominating process must begin well in advance of these vacancies. Beginning the process to fill these vacancies right now follows the practice of previous governors. Florida's Supreme Court is so important to Floridians, and we will work together to select the most qualified justices to faithfully serve our state."

The entire nominating and appointment process can take as long as four months. Three vacancies on the Florida Supreme Court for such an extended period would place a burden on the remaining justices and would risk delays in the Court. The JNC must request applications, contact the applicants' references and others in the community, review the results of criminal background screenings conducted by the Florida Department of Law Enforcement and any disciplinary files on the applicants maintained by The Florida Bar or the Judicial Qualifications Commission, interview the applicants, and conduct careful deliberations before making its nominations.

In 1998, Governor Chiles invited Governor-elect Bush to participate in the interview process that led to the appointment of Justice Quince. Governor Scott intends to follow this precedent and will invite the governor-elect to conduct his own interviews of the nominees following the General Election. The Governor's expectation is that he and the governor-elect – like Governor Chiles and then Governor-elect Bush – will agree on the selection of three justices who will serve with distinction. Governor Scott will not appoint any justice to the Florida Supreme Court until the governor-elect has had an opportunity to interview the nominees and review their references and qualifications.

For a Florida Supreme Court FAQ, click [HERE](#).

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Please note: Florida has very broad public records laws. Many written communications to or from The Florida Bar regarding Bar business may be considered public records, which must be made available to anyone upon request. Your e-mail communications may therefore be subject to public disclosure.

APPLICANTS SOUGHT FOR FLORIDA SUPREME COURT JUSTICE

FOR IMMEDIATE RELEASE

September 12, 2018

CONTACT: Jason L. Unger, Chair
Florida Supreme Court Judicial Nominating Commission
TELEPHONE: 850-577-9090

TALLAHASSEE, [September 12, 2018] — The Florida Supreme Court Judicial Nominating Commission is accepting applications to fill three positions of Florida Supreme Court Justice, appointed by the Governor, upon the mandatory retirement of Justices Barbara Pariente, R. Fred Lewis, and Peggy Quince. Based on the Supreme Court's current composition, one seat must be filled by a qualified applicant who resides in the Third Appellate District; the other two seats are at-large.

Applications may be obtained from <https://www.floridabar.org/directories/jnc/applications/>. Applicants must submit (1) an original application (including all attachments); (2) an electronic copy of the original application (including all attachments) in pdf format; and (3) an electronic redacted copy of the original application, which excludes all material that is exempt or confidential under applicable public records laws.

The original signed, unredacted paper application must be provided to JNC Chair Jason L. Unger, GrayRobinson, 301 S. Bronough Street, Ste. 600, Tallahassee 32301-1724 no later than 5:00 p.m. on October 8, 2018. Additionally, an unredacted copy of the original application (including all attachments) and a redacted copy must be e-mailed, in pdf format, to all Commission members by the same date and time.

Applicants who are selected by the Commission for personal interviews will be informed of their interview times by e-mail.

The members currently serving on the Supreme Court JNC are:

Chair Unger, Tallahassee, jason.unger@gray-robinson.com
Vice Chair Nilda R. Pedrosa, Coral Gables, nildapedrosa@gmail.com
Cynthia G. Angelos, Port St. Lucie, cynthiangelos@gmail.com
Fred Karlinsky, Weston, karlinskyf@gtlaw.com
Heather Stearns, Tallahassee, hstearns@libertydentalplan.com
Jesse M. Panuccio, Palm Beach Gardens, panuccio@gmail.com
Israel U. Reyes, Coral Gables, ireyes@reyeslawfirm.com
Hala A. Sandridge, Tampa, hala.sandridge@bipc.com
Jeanne T. Tate, Tampa, jeanne@jtatelaw.com

APPLICATION FOR NOMINATION TO THE COURT

(Please attach additional pages as needed to respond fully to questions.)

DATE: _____ Florida Bar No.: _____

GENERAL: _____ Social Security No.: _____

1. Name _____ E-mail: _____

Date Admitted to Practice in Florida: _____

Date Admitted to Practice in other States: _____

2. State current employer and title, including professional position and any public or judicial office.

3. Business address: _____

City _____ County _____ State _____ ZIP _____

Telephone () - _____ FAX () - _____

4. Residential address: _____

City _____ County _____ State _____ ZIP _____

Since _____ Telephone () - _____

5. Place of birth: _____

Date of birth: _____ Age: _____

6a. Length of residence in State of Florida: _____

6b. Are you a registered voter? Yes No

If so, in what county are you registered? _____

7. Marital status: _____

If married: Spouse's name _____

Date of marriage _____

Spouse's occupation _____

If ever divorced give for each marriage name(s) of spouse(s), current address for each former spouse, date and place of divorce, court and case number for each divorce.

8. Children

Name(s) *Age(s)* *Occupation(s)* *Residential address(es)*

9. Military Service (including Reserves)

Service *Branch* *Highest Rank* *Dates*

Rank at time of discharge _____ Type of discharge _____

Awards or citations _____

Service *Branch* *Highest Rank* *Dates*

Rank at time of discharge _____ Type of discharge _____

Awards or citations _____

HEALTH:

10. Are you currently addicted to or dependent upon the use of narcotics, drugs, or intoxicating beverages? If yes, state the details, including the date(s).

11a. During the last ten years have you been hospitalized or have you consulted a professional or have you received treatment or a diagnosis from a professional for any of the following: Kleptomania, Pathological or Compulsive Gambling, Pedophilia, Exhibitionism or Voyeurism?

Yes No

If your answer is yes, please direct each such professional, hospital and other facility to furnish the Chairperson of the Commission any information the Commission may request with respect to any such hospitalization, consultation, treatment or diagnosis. ["Professional" includes a Physician, Psychiatrist, Psychologist, Psychotherapist or Mental Health Counselor.]

Please describe such treatment or diagnosis.

11b. In the past ten years have any of the following occurred to you which would interfere with your ability to work in a competent and professional manner?

- Experiencing periods of no sleep for 2 or 3 nights
- Experiencing periods of hyperactivity
- Spending money profusely with extremely poor judgment
- Suffered from extreme loss of appetite
- Issuing checks without sufficient funds
- Defaulting on a loan
- Experiencing frequent mood swings
- Uncontrollable tiredness
- Falling asleep without warning in the middle of an activity

Yes No

If yes, please explain.

12a. Do you currently have a physical or mental impairment which in any way limits your ability or fitness to properly exercise your duties as a member of the Judiciary in a competent and professional manner?

Yes No

12b. If your answer to the question above is Yes, are the limitations or impairments caused by your physical or mental health impairment reduced or ameliorated because you receive ongoing treatment (with or without medication) or participate in a monitoring or counseling program?

Yes No

Describe such problem and any treatment or program of monitoring or counseling.

13. During the last ten years, have you ever been declared legally incompetent or have you or your property been placed under any guardianship, conservatorship or committee? If yes, give full details as to court, date and circumstances.

14. During the last ten years, have you unlawfully used controlled substances, narcotic drugs or dangerous drugs as defined by Federal or State laws? If your answer is "Yes," explain in detail. (Unlawful use includes the use of one or more drugs and/or the unlawful possession or distribution of drugs. It does not include the use of drugs taken under supervision of a licensed health care professional or other uses authorized by Federal law provisions.)

15. In the past ten years, have you ever been reprimanded, demoted, disciplined, placed on probation, suspended, cautioned or terminated by an employer as result of your alleged consumption of alcohol, prescription drugs or illegal use of drugs? If so, please state the circumstances under which such action was taken, the name(s) of any persons who took such action, and the background and resolution of such action.

16. Have you ever refused to submit to a test to determine whether you had consumed and/or were under the influence of alcohol or drugs? If so, please state the date you were requested to submit to such a test, the type of test required, the name of the entity requesting that you submit to the test, the outcome of your refusal and the reason why you refused to submit to such a test.

17. In the past ten years, have you suffered memory loss or impaired judgment for any reason? If so, please explain in full.

EDUCATION:

18a. Secondary schools, colleges and law schools attended.

<i>Schools</i>	<i>Class Standing</i>	<i>Dates of Attendance</i>	<i>Degree</i>
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18b. List and describe academic scholarships earned, honor societies or other awards.

NON-LEGAL EMPLOYMENT:

19. List all previous full-time non-legal jobs or positions held since 21 in chronological order and briefly describe them.

Date *Position* *Employer* *Address*

PROFESSIONAL ADMISSIONS:

20. List all courts (including state bar admissions) and administrative bodies having special admission requirements to which you have ever been admitted to practice, giving the dates of admission, and if applicable, state whether you have been suspended or resigned.

LAW PRACTICE: (If you are a sitting judge, answer questions 21 through 26 with reference to the years before you became a judge.)

21. State the names, dates and addresses for all firms with which you have been associated in practice, governmental agencies or private business organizations by which you have been employed, periods you have practiced as a sole practitioner, law clerkships and other prior employment:

Position *Name of Firm* *Address* *Dates*

22. Describe the general nature of your current practice including any certifications which you possess; additionally, if your practice is substantially different from your prior practice or if you are not now practicing law, give details of prior practice. Describe your typical clients or former clients and the problems for which they sought your services.

23. What percentage of your appearance in courts in the last five years or last five years of practice (include the dates) was in:

Court		Area of Practice	
Federal Appellate	_____ %	Civil	_____ %
Federal Trial	_____ %	Criminal	_____ %
Federal Other	_____ %	Family	_____ %
State Appellate	_____ %	Probate	_____ %
State Trial	_____ %	Other	_____ %
State Administrative	_____ %		
State Other	_____ %		
	_____ %		
TOTAL	_____ 100 %	TOTAL	_____ 100 %

24. In your lifetime, how many (number) of the cases you have tried to verdict or judgment were:

Jury? _____ Non-jury? _____
 Arbitration? _____ Administrative Bodies? _____

25. Within the last ten years, have you ever been formally reprimanded, sanctioned, demoted, disciplined, placed on probation, suspended or terminated by an employer or tribunal before which you have appeared? If so, please state the circumstances under which such action was taken, the date(s) such action was taken, the name(s) of any persons who took such action, and the background and resolution of such action.

26. In the last ten years, have you failed to meet any deadline imposed by court order or received notice that you have not complied with substantive requirements of any business or contractual arrangement? If so, please explain in full.

(Questions 27 through 30 are optional for sitting judges who have served 5 years or more.)

27a. For your last 6 cases, which were tried to verdict before a jury or arbitration panel or tried to judgment before a judge, list the names and telephone numbers of trial counsel on all sides and court case numbers (include appellate cases).

- 27b. For your last 6 cases, which were settled in mediation or settled without mediation or trial, list the names and telephone numbers of trial counsel on all sides and court case numbers (include appellate cases).
- 27c. During the last five years, how frequently have you appeared at administrative hearings?
_____ average times per month
- 27d. During the last five years, how frequently have you appeared in Court?
_____ average times per month
- 27e. During the last five years, if your practice was substantially personal injury, what percentage of your work was in representation of plaintiffs? _____%
Defendants? _____%
28. If during any prior period you have appeared in court with greater frequency than during the last five years, indicate the period during which this was so and give for such prior periods a succinct statement of the part you played in the litigation, numbers of cases and whether jury or non-jury.
29. For the cases you have tried to award in arbitration, during each of the past five years, indicate whether you were sole, associate or chief counsel. Give citations of any reported cases.
30. List and describe the six most significant cases which you personally litigated giving case style, number and citation to reported decisions, if any. Identify your client and describe the nature of your participation in the case and the reason you believe it to be significant. Give the name of the court and judge, the date tried and names of other attorneys involved.
31. Attach at least one example of legal writing which you personally wrote. If you have not personally written any legal documents recently, you may attach writing for which you had substantial responsibility. Please describe your degree of involvement in preparing the writing you attached.

PRIOR JUDICIAL EXPERIENCE OR PUBLIC OFFICE:

- 32a. Have you ever held judicial office or been a candidate for judicial office? If so, state the court(s) involved and the dates of service or dates of candidacy.

32b. List any prior quasi-judicial service:

Dates

Name of Agency

Position Held

Types of issues heard:

32c. Have you ever held or been a candidate for any other public office? If so, state the office, location and dates of service or candidacy.

32d. If you have had prior judicial or quasi-judicial experience,

- (i) List the names, phone numbers and addresses of six attorneys who appeared before you on matters of substance.
- (ii) Describe the approximate number and nature of the cases you have handled during your judicial or quasi-judicial tenure.
- (iii) List citations of any opinions which have been published.
- (iv) List citations or styles and describe the five most significant cases you have tried or heard. Identify the parties, describe the cases and tell why you believe them to be significant. Give dates tried and names of attorneys involved.
- (v) Has a complaint about you ever been made to the Judicial Qualifications Commission? If so, give date, describe complaint, whether or not there was a finding of probable cause, whether or not you have appeared before the Commission, and its resolution.
- (vi) Have you ever held an attorney in contempt? If so, for each instance state name of attorney, approximate date and circumstances.
- (vii) If you are a quasi-judicial officer (ALJ, Magistrate, General Master), have you ever been disciplined or reprimanded by a sitting judge? If so, describe.

BUSINESS INVOLVEMENT:

- 33a. If you are now an officer, director or otherwise engaged in the management of any business enterprise, state the name of such enterprise, the nature of the business, the nature of your duties, and whether you intend to resign such position immediately upon your appointment or election to judicial office.

- 33b. Since being admitted to the Bar, have you ever been engaged in any occupation, business or profession other than the practice of law? If so, give details, including dates.

- 33c. State whether during the past five years you have received any fees or compensation of any kind, other than for legal services rendered, from any business enterprise, institution, organization, or association of any kind. If so, identify the source of such compensation, the nature of the business enterprise, institution, organization or association involved and the dates such compensation was paid and the amounts.

POSSIBLE BIAS OR PREJUDICE:

- 34. The Commission is interested in knowing if there are certain types of cases, groups of entities, or extended relationships or associations which would limit the cases for which you could sit as the presiding judge. Please list all types or classifications of cases or litigants for which you as a general proposition believe it would be difficult for you to sit as the presiding judge. Indicate the reason for each situation as to why you believe you might be in conflict. If you have prior judicial experience, describe the types of cases from which you have recused yourself.

MISCELLANEOUS:

- 35a. Have you ever been convicted of a felony or a first degree misdemeanor?
Yes _____ No _____ If "Yes" what charges? _____
Where convicted? _____ Date of Conviction: _____

- 35b. Have you pled nolo contendere or pled guilty to a crime which is a felony or a first degree misdemeanor?
Yes _____ No _____ If "Yes" what charges? _____
Where convicted? _____ Date of Conviction: _____

- 35c. Have you ever had the adjudication of guilt withheld for a crime which is a felony or a first degree misdemeanor?
Yes _____ No _____ If "Yes" what charges? _____
Where convicted? _____ Date of Conviction: _____

- 36a. Have you ever been sued by a client? If so, give particulars including name of client, date suit filed, court, case number and disposition.
- 36b. Has any lawsuit to your knowledge been filed alleging malpractice as a result of action or inaction on your part?
- 36c. Have you or your professional liability insurance carrier ever settled a claim against you for professional malpractice? If so, give particulars, including the amounts involved.
- 37a. Have you ever filed a personal petition in bankruptcy or has a petition in bankruptcy been filed against you?
- 37b. Have you ever owned more than 25% of the issued and outstanding shares or acted as an officer or director of any corporation by which or against which a petition in bankruptcy has been filed? If so, give name of corporation, your relationship to it and date and caption of petition.
38. Have you ever been a party to a lawsuit either as a plaintiff or as a defendant? If so, please supply the jurisdiction/county in which the lawsuit was filed, style, case number, nature of the lawsuit, whether you were Plaintiff or Defendant and its disposition.
39. Has there ever been a finding of probable cause or other citation issued against you or are you presently under investigation for a breach of ethics or unprofessional conduct by any court, administrative agency, bar association, or other professional group. If so, give the particulars.
40. To your knowledge within the last ten years, have any of your current or former co-workers, subordinates, supervisors, customers or clients ever filed a formal complaint or formal accusation of misconduct against you with any regulatory or investigatory agency, or with your employer? If so, please state the date(s) of such formal complaint or formal accusation(s), the specific formal complaint or formal accusation(s) made, and the background and resolution of such action(s). (Any complaint filed with JQC, refer to 32d(v).
41. Are you currently the subject of an investigation which could result in civil, administrative or criminal action against you? If yes, please state the nature of the investigation, the agency conducting the investigation and the expected completion date of the investigation.

42. In the past ten years, have you been subject to or threatened with eviction proceedings? If yes, please explain.
- 43a. Have you filed all past tax returns as required by federal, state, local and other government authorities?
Yes No If no, please explain. _____
- 43b. Have you ever paid a tax penalty?
Yes No If yes, please explain what and why. _____
- 43c. Has a tax lien ever been filed against you? If so, by whom, when, where and why?

HONORS AND PUBLICATIONS:

44. If you have published any books or articles, list them, giving citations and dates.
45. List any honors, prizes or awards you have received. Give dates.
46. List and describe any speeches or lectures you have given.
47. Do you have a Martindale-Hubbell rating? Yes If so, what is it? ___ No

PROFESSIONAL AND OTHER ACTIVITIES:

- 48a. List all bar associations and professional societies of which you are a member and give the titles and dates of any office which you may have held in such groups and committees to which you belonged.
- 48b. List, in a fully identifiable fashion, all organizations, other than those identified in response to question No. 48(a), of which you have been a member since graduating from law school, including the titles and dates of any offices which you have held in each such organization.
- 48c. List your hobbies or other vocational interests.

- 48d. Do you now or have you ever belonged to any club or organization that in practice or policy restricts (or restricted during the time of your membership) its membership on the basis of race, religion, national origin or sex? If so, detail the name and nature of the club(s) or organization(s), relevant policies and practices and whether you intend to continue as a member if you are selected to serve on the bench.
- 48e. Describe any pro bono legal work you have done. Give dates.

SUPPLEMENTAL INFORMATION:

- 49a. Have you attended any continuing legal education programs during the past five years? If so, in what substantive areas?
- 49b. Have you taught any courses on law or lectured at bar association conferences, law school forums, or continuing legal education programs? If so, in what substantive areas?
50. Describe any additional education or other experience you have which could assist you in holding judicial office.
51. Explain the particular potential contribution you believe your selection would bring to this position.
52. If you have previously submitted a questionnaire or application to this or any other judicial nominating commission, please give the name of the commission and the approximate date of submission.
53. Give any other information you feel would be helpful to the Commission in evaluating your application.

REFERENCES:

54. List the names, addresses and telephone numbers of ten persons who are in a position to comment on your qualifications for judicial position and of whom inquiry may be made by the Commission.

CERTIFICATE

I have read the foregoing questions carefully and have answered them truthfully, fully and completely. I hereby waive notice by and authorize The Florida Bar or any of its committees, educational and other institutions, the Judicial Qualifications Commission, the Florida Board of Bar Examiners or any judicial or professional disciplinary or supervisory body or commission, any references furnished by me, employers, business and professional associates, all governmental agencies and instrumentalities and all consumer and credit reporting agencies to release to the respective Judicial Nominating Commission and Office of the Governor any information, files, records or credit reports requested by the commission in connection with any consideration of me as possible nominee for appointment to judicial office. Information relating to any Florida Bar disciplinary proceedings is to be made available in accordance with Rule 3-7.1(l), Rules Regulating The Florida Bar. I recognize and agree that, pursuant to the Florida Constitution and the Uniform Rules of this commission, the contents of this questionnaire and other information received from or concerning me, and all interviews and proceedings of the commission, except for deliberations by the commission, shall be open to the public.

Further, I stipulate I have read, and understand the requirements of the Florida Code of Judicial Conduct.

Dated this ____ day of _____, 20____.

Printed Name	Signature
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(Pursuant to Section 119.071(4)(d)(1), F.S.), . . . The home addresses and telephone numbers of justices of the Supreme Court, district court of appeal judges, circuit court judges, and county court judges; the home addresses, telephone numbers, and places of employment of the spouses and children of justices and judges; and the names and locations of schools and day care facilities attended by the children of justices and judges are exempt from the provisions of subsection (1), dealing with public records.

FINANCIAL HISTORY

1. State the amount of gross income you have earned, or losses you have incurred (before deducting expenses and taxes) from the practice of law for the preceding three-year period. This income figure should be stated on a year to year basis and include year to date information, and salary, if the nature of your employment is in a legal field.

Current year to date _____

List Last 3 years _____

2. State the amount of net income you have earned, or losses you have incurred (after deducting expenses but not taxes) from the practice of law for the preceding three-year period. This income figure should be stated on a year to year basis and include year to date information, and salary, if the nature of your employment is in a legal field.

Current year to date _____

List Last 3 years _____

3. State the gross amount of income or losses incurred (before deducting expenses or taxes) you have earned in the preceding three years on a year by year basis from all sources other than the practice of law, and generally describe the source of such income or losses.

Current year to date _____

List Last 3 years _____

4. State the amount of net income you have earned or losses incurred (after deducting expenses) from all sources other than the practice of law for the preceding three-year period on a year by year basis, and generally describe the sources of such income or losses.

Current year to date _____

List Last 3 years _____

**FORM 6
FULL AND PUBLIC
DISCLOSURE OF
FINANCIAL INTEREST**

PART A – NET WORTH

Please enter the value of your net worth as of December 31 or a more current date. [Note: Net worth is not calculated by subtracting your *reported* liabilities from your *reported* assets, so please see the instructions on page 3.]

My net worth as of _____, 20____ was \$_____.

PART B - ASSETS

HOUSEHOLD GOODS AND PERSONAL EFFECTS:

Household goods and personal effects may be reported in a lump sum if their aggregate value exceeds \$1,000. This category includes any of the following, if not held for investment purposes; jewelry; collections of stamps, guns, and numismatic items; art objects; household equipment and furnishings; clothing; other household items; and vehicles for personal use.

The aggregate value of my household goods and personal effects (described above) is \$ _____

ASSETS INDIVIDUALLY VALUED AT OVER \$1,000:

DESCRIPTION OF ASSET (specific description is required – see instructions p. 3)

VALUE OF ASSET

DESCRIPTION OF ASSET (specific description is required – see instructions p. 3)	VALUE OF ASSET

PART C - LIABILITIES

LIABILITIES IN EXCESS OF \$1,000 (See instructions on page 4):

NAME AND ADDRESS OF CREDITOR

AMOUNT OF LIABILITY

NAME AND ADDRESS OF CREDITOR	AMOUNT OF LIABILITY

JOINT AND SEVERAL LIABILITIES NOT REPORTED ABOVE:

NAME AND ADDRESS OF CREDITOR

AMOUNT OF LIABILITY

NAME AND ADDRESS OF CREDITOR	AMOUNT OF LIABILITY

PART D - INCOME

You may ***EITHER*** (1) file a complete copy of your latest federal income tax return, *including all W2's, schedules, and attachments*, ***OR*** (2) file a sworn statement identifying each separate source and amount of income which exceeds \$1,000 including secondary sources of income, by completing the remainder of Part D, below.

I elect to file a copy of my latest federal income tax return and all W2's, schedules, and attachments.
 (if you check this box and attach a copy of your latest tax return, you need not complete the remainder of Part D.)

PRIMARY SOURCE OF INCOME (See instructions on page 5):

NAME OF SOURCE OF INCOME EXCEEDING \$1,000	ADDRESS OF SOURCE OF INCOME	AMOUNT

SECONDARY SOURCES OF INCOME [Major customers, clients, etc., of businesses owned by reporting person—see instructions on page 6]

NAME OF BUSINESS ENTITY	NAME OF MAJOR SOURCES OF BUSIENSS' INCOME	ADDRESS OF SOURCE	PRINCIPAL BUSINESS ACTIVITY OF SOURCE

PART E – INTERESTS IN SPECIFIC BUSINESS [Instructions on page 7]

	BUSINESS ENTITY #1	BUSINESS ENTITY #2	BUSINESS ENTITY #3
NAME OF BUSINESS ENTITY			
ADDRESS OF BUSINESS ENTITY			
PRINCIPAL BUSINESS ACTIVITY			
POSITION HELD WITH ENTITY			
I OWN MORE THAN A 5% INTEREST IN THE BUSINESS			
NATURE OF MY OWNERSHIP INTEREST			

IF ANY OF PARTS A THROUGH E ARE CONTINUED ON A SEPARATE SHEET, PLEASE CHECK HERE

OATH

I, the person whose name appears at the beginning of this form, do depose on oath or affirmation and say that the information disclosed on this form and any attachments hereto is true, accurate, and complete.

STATE OF FLORIDA

COUNTY OF _____

Sworn to (or affirmed) and subscribed before me this _____ day of _____, 20____ by _____

(Signature of Notary Public—State of Florida)

(Print, Type, or Stamp Commissioned Name of Notary Public)

Personally Known _____ OR Produced Identification _____

SIGNATURE

Type of Identification Produced _____

INSTRUCTIONS FOR COMPLETING FORM 6:

PUBLIC RECORD: The disclosure form and everything attached to it is a public record. **Your Social Security Number is not required and you should redact it from any documents you file.** If you are an active or former officer or employee listed in Section 119.071(4)(d), F.S., whose home address is exempt from disclosure, the Commission is required to maintain the confidentiality of your home address **if you submit a written request for confidentiality.**

PART A – NET WORTH

Report your net worth as of December 31 or a more current date, and list that date. This should be the same date used to value your assets and liabilities. In order to determine your net worth, you will need to total the value of all your assets and subtract the amount of all of your liabilities. Simply subtracting the liabilities reported in Part C from the assets reported in Part B will not result in an accurate net worth figure in most cases.

To total the value of your assets, add:

- form;
- (1) The aggregate value of household goods and personal effects, as reported in Part B of this form;
 - (2) The value of all assets worth over \$1,000, as reported in Part B; and
 - (3) The total value of any assets worth less than \$1,000 that were not reported or included in the category of “household goods and personal effects.”

To total the amount of your liabilities, add:

- (1) The total amount of each liability you reported in Part C of this form, except for any amounts listed in the “joint and several liabilities not reported above” portion; and,
- (2) The total amount of unreported liabilities (including those under \$1,000, credit card and retail installment accounts, and taxes owed).

PART B – ASSETS WORTH MORE THAN \$1,000

HOUSEHOLD GOODS AND PERSONAL EFFECTS:

The value of your household goods and personal effects may be aggregated and reported as a lump sum, if their aggregate value exceeds \$1,000. The types of assets that can be reported in this manner are described on the form.

ASSETS INDIVIDUALLY VALUED AT MORE THAN \$1,000:

Provide a description of each asset you had on the reporting date chosen for your net worth (Part A), that was worth more than \$1,000 and that is not included as household goods and personal effects, and list its value. Assets include: interests in real property; tangible and intangible personal property, such as cash, stocks, bonds, certificates of deposit, interests in partnerships, beneficial interest in a trust, promissory notes owed to you, accounts received by you, bank accounts, assets held in IRAs, Deferred Retirement Option Accounts, and Florida Prepaid College Plan accounts. You are not required to disclose assets owned solely by your spouse.

How to Identify or Describe the Asset:

— Real property: Identify by providing the street address of the property. If the property has no street address, identify by describing the property’s location in a manner sufficient to enable a member of the public to ascertain its location without resorting to any other source of information.

— Intangible property: Identify the type of property and the business entity or person to which or to whom it relates. **Do not list simply “stocks and bonds” or “bank accounts.”** For example, list “Stock (Williams Construction Co.),” “Bonds (Southern Water and Gas),” “Bank accounts (First

National Bank),” “Smith family trust,” Promissory note and mortgage (owed by John and Jane Doe).”

How to Value Assets:

- Value each asset by its fair market value on the date used in Part A for your net worth.

- Jointly held assets: If you hold real or personal property jointly with another person, your interest equals your legal percentage of ownership in the property. However, assets that are held as tenants by the entirety or jointly with right of survivorship must be reported at 100% of their value.

- Partnerships: You are deemed to own an interest in a partnership which corresponds to your interest in the equity of that partnership.

- Trusts: You are deemed to own an interest in a trust which corresponds to your percentage interest in the trust corpus.

- Real property may be valued at its market value for tax purposes, unless a more accurate appraisal of its fair market value is available.

- Marketable securities which are widely traded and whose prices are generally available should be valued based upon the closing price on the valuation date.

- Accounts, notes, and loans receivable: Value at fair market value, which generally is the amount you reasonably expect to collect.

- Closely-held businesses: Use any method of valuation which in your judgment most closely approximates fair market value, such as book value, reproduction value, liquidation value, capitalized earnings value, capitalized cash flow value, or value established by “buy-out” agreements. It is suggested that the method of valuation chosen be indicated in a footnote on the form.

- Life insurance: Use cash surrender value less loans against the policy, plus accumulated dividends.

PART C—LIABILITIES

LIABILITIES IN EXCESS OF \$1,000:

List the name and address of each creditor to whom you were indebted on the reporting date chosen for your net worth (Part A) in an amount that exceeded \$1,000 and list the amount of the liability. Liabilities include: accounts payable; notes payable; interest payable; debts or obligations to governmental entities other than taxes (except when the taxes have been reduced to a judgment); and judgments against you. You are not required to disclose liabilities owned *solely* by your spouse.

You do not have to list on the form any of the following: credit card and retail installment accounts, taxes owed unless the taxes have been reduced to a judgment), indebtedness on a life insurance policy owned to the company of issuance, or contingent liabilities. A “contingent liability” is one that will become an actual liability only when one or more future events occur or fail to occur, such as where you are liable only as a partner (without personal liability) for partnership debts, or where you are liable only as a guarantor, surety, or endorser on a promissory note. If you are a “co-maker” on a note and have signed as being jointly liable or jointly and severally liable, then this is not a contingent liability.

How to Determine the Amount of a Liability:

- Generally, the amount of the liability is the face amount of the debt.

- If you are the only person obligated to satisfy a liability, 100% of the liability should be listed.

— If you are jointly and severally liable with another person or entity, which often is the case where more than one person is liable on a promissory note, you should report here only the portion of the liability that corresponds to your percentage of liability. *However*, if you are jointly and severally liable for a debt relating to property you own with one or more others as tenants by the entirety or jointly, with right of survivorship, report 100% of the total amount owed.

— If you are only jointly (not jointly and severally) liable with another person or entity, your share of the liability should be determined in the same way as you determined your share of jointly held assets.

Examples:

— You owe \$10,000 to a bank for student loans, \$5,000 for credit card debts, and \$60,000 with your spouse to a saving and loan for the mortgage on the home you own with your spouse. You must report the name and address of the bank (\$10,000 being the amount of that liability) and the name and address of the savings and loan (\$60,000 being the amount of this liability). The credit cards debts need not be reported.

— You and your 50% business partner have a \$100,000 business loan from a bank and you both are jointly and severally liable. Report the name and address of the bank and \$50,000 as the amount of the liability. If your liability for the loan is only as a partner, without personal liability, then the loan would be a contingent liability.

JOINT AND SEVERAL LIABILITIES NOT REPORTED ABOVE:

List in this part of the form the amount of each debt, for which you were jointly and severally liable, that is not reported in the “Liabilities in Excess of \$1,000” part of the form. Example: You and your 50% business partner have a \$100,000 business loan from a bank and you both are jointly and severally liable. Report the name and address of the bank and \$50,000 as the amount of the liability, as you reported the other 50% of the debt earlier.

PART D – INCOME

As noted on the form, you have the option of either filing a copy of your latest federal income tax return, including all schedules, W2's and attachments, with Form 6, or completing Part D of the form. If you do not attach your tax return, you must complete Part D.

PRIMARY SOURCES OF INCOME:

List the name of each source of income that provided you with more than \$1,000 of income during the year, the address of that source, and the amount of income received from that source. The income of your spouse need not be disclosed; however, if there is a joint income to you and your spouse from property you own jointly (such as interest or dividends from a bank account or stocks), you should include all of that income.

“Income” means the same as “gross income” for federal income tax purposes, even if the income is not actually taxable, such as interest on tax-free bonds. Examples of income include: compensation for services, gross income from business, gains from property dealings, interest, rents, dividends, pensions, IRA distributions, distributive share of partnership gross income, and alimony, but not child support. Where income is derived from a business activity you should report that income to you, as calculated for income tax purposes, rather than the income to the business.

Examples:

— If you owned stock in and were employed by a corporation and received more than \$1,000 of income (salary, commissions, dividends, etc.) from the company, you should list the name of the company, its address, and the total amount of income received from it.

— If you were a partner in a law firm and your distributive share of partnership gross income exceeded \$1,000, you should list the name of the firm, its address, and the amount of your distributive share.

— If you received dividend or interest income from investments in stocks and bonds, list only each individual company from which you received more than \$1,000. Do not aggregate income from all of these investments.

— If more than \$1,000 of income was gained from the sale of property, then you should list as a source of income the name of the purchaser, the purchaser's address, and the amount of gain from the sale. If the purchaser's identity is unknown, such as where securities listed on an exchange are sold through a brokerage firm, the source of income should be listed simply as "sale of (name of company) stock," for example.

— If more than \$1,000 of your income was in the form of interest from one particular financial institution (aggregating interest from all CD's, accounts, etc., at that institution), list the name of the institution, its address, and the amount of income from that institution.

SECONDARY SOURCE OF INCOME:

This part is intended to require the disclosure of major customers, clients, and other sources of income to businesses in which you own an interest. It is not for reporting income from second jobs. That kind of income should be reported as a "Primary Source of Income." You will **not** have anything to report **unless:**

(1) You owned (either directly or indirectly in the form of an equitable or beneficial interest) during the disclosure period, more than 5% of the total assets or capital stock of a business entity (a corporation, partnership, limited partnership, LLC, proprietorship, joint venture, trust, firm, etc., doing business in Florida); and

(2) You received more than \$1,000 in gross income from that business entity during the period.

If your ownership and gross income exceeded the two thresholds listed above, then for that business entity you must list every source of income to the business entity which exceeded 10% of the business entity's gross income (computed on the basis of the business entity's more recently completed fiscal year), the source's address, the source's principal business activity, and the name of the business entity in which you owned an interest. You do not have to list the amount of income the business derived from that major source of income.

Examples:

— You are the sole proprietor of a dry cleaning business, from which you received more than \$1,000 in gross income last year. If only one customer, a uniform rental company, provided more than 10% of your dry cleaning business, you must list the name of your business, the name of the uniform rental company, its address, and its principal business activity (uniform rentals).

— You are a 20% partner in a partnership that owns a shopping mall and your gross partnership income exceeded \$1,000. You should list the name of the partnership, the name of each tenant of the mall that provided more than 10% of the partnership's gross income, the tenant's address and principal business activity.

PART E – INTERESTS IN SPECIFIED BUSINESS

The types of businesses covered in this section include: state and federally chartered banks; state and federal savings and loan associations; cemetery companies; insurance companies; mortgage companies, credit unions; small loan companies; alcoholic beverage licensees; pari-mutuel wagering companies; utility companies; and entities controlled by the Public Service Commission; and entities granted a franchise to operate by either a city or a county government.

You are required to make this disclosure if you own or owned (either directly or indirectly in the form of an equitable or beneficial interest) at any time during the disclosure period, more than 5% of the total assets or capital stock of one of the types of business entities listed above. You also must complete this part of the form for each of these types of business for which you are, or were at any time during the year an officer, director, partner, proprietor, or agent (other than a resident agent solely for service of process).

If you have or held such a position or ownership interest in one of these types of businesses, list: the name of the business, its address and principal business activity, and the position held with the business (if any). Also, if you own(ed) more than a 5% interest in the business, as described above, you must indicate that fact and describe the nature of your interest.

JUDICIAL APPLICATION DATA RECORD

The judicial application shall include a separate page asking applicants to identify their race, ethnicity and gender. Completion of this page shall be optional, and the page shall include an explanation that the information is requested for data collection purposes in order to assess and promote diversity in the judiciary. The chair of the Commission shall forward all such completed pages, along with the names of the nominees to the JNC Coordinator in the Governor’s Office (pursuant to JNC Uniform Rule of Procedure).

(Please Type or Print)

Date: _____

JNC Submitting To: _____

Name (please print): _____

Current Occupation: _____

Telephone Number: _____ Attorney No.: _____

Gender (check one): Male Female

Ethnic Origin (check one): White, non Hispanic
 Hispanic
 Black
 American Indian/Alaskan Native
 Asian/Pacific Islander

County of Residence: _____

FLORIDA DEPARTMENT OF LAW ENFORCEMENT

DISCLOSURE PURSUANT TO THE
FAIR CREDIT REPORTING ACT (FCRA)

The Florida Department of Law Enforcement (FDLE) may obtain one or more consumer reports, including but not limited to credit reports, about you, for employment purposes as defined by the Fair Credit Reporting Act, including for determinations related to initial employment, reassignment, promotion, or other employment-related actions.

CONSUMER'S AUTHORIZATION FOR FDLE
TO OBTAIN CONSUMER REPORT(S)

I have read and understand the above Disclosure. I authorize the Florida Department of Law Enforcement (FDLE) to obtain one or more consumer reports on me, for employment purposes, as described in the above Disclosure.

Printed Name of
Applicant:

Signature of Applicant:

Date: _____