

**IN THE SUPREME COURT  
OF FLORIDA**

**INQUIRY CONCERNING A JUDGE,  
THE HON. KENNETH N. "SONNY" SCAFF, JR.  
JQC NO. 2019-118**

**SC20-\_\_\_\_\_**

**STIPULATION**

In this disciplinary proceeding, the Investigative Panel of the Florida Judicial Qualifications Commission and Hamilton County Judge Kenneth N. "Sonny" Scaff, Jr. 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 Qualifications 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 December 11, 2019, was served on Judge Scaff. A hearing before the Investigative Panel was held in Orlando, Florida on January 10, 2020, at which Judge Scaff 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 the Findings and Recommendation of Discipline.

3. Upon being presented with the Notice of Investigation, Judge Scaff took immediate responsibility for his conduct, both in his written response, and during his sworn testimony before the Commission. Judge Scaff admits that the conduct as described in the Notice of Formal Charges occurred, admits that his conduct was inappropriate, and admits that it violated the Canons.

4. Judge Scaff has expressed great remorse and regrets that his failure to conduct first appearance hearings in accordance with the applicable rules of procedure and statutory law, and his participation in ex-parte communications erodes the public confidence in the impartiality and integrity of the judiciary.

5. After receiving the Notice of Investigation, Judge Scaff also independently undertook steps to ensure that such conduct is never again repeated, including:

a. Locking the exterior door to his chambers to eliminate the ability of litigants or others to enter his office to attempt to speak with the judge about their cases.

b. He has placed signage around the courthouse explaining that the judge is not permitted to speak with “any person about any court case.”

c. He has set a fixed time for conducting first appearances, and has informed the Office of the State Attorney and the Office of the Public

Defender that representatives of those offices shall be present in person or telephonically.

d. He has engaged with the Chief Judge of the Circuit who will mentor and advise Judge Scaff as to issues that might arise while presiding over cases in such a small jurisdiction.

6. In light of the facts, and Judge Scaff's responses to the Panel's inquiries, the Investigative Panel and Judge Scaff 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 adopting the Findings and Recommendations which accompany this Stipulation.

7. Judge Scaff does not contest the Findings and Recommendations, and agrees that they are supported by clear and convincing evidence. He further accepts, and agrees to receive a public reprimand, the discipline recommended therein. He waives a plenary hearing before the Hearing Panel of the Florida Judicial Qualifications Commission, if the Findings and Recommendations are accepted by the Court.

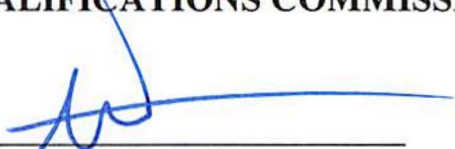
8. The parties acknowledge and understand that this Stipulation and attached Findings and Recommendations of Discipline are subject to the review and approval of this Court. The parties acknowledge and understand that this Stipulation and Findings and Recommendations of Discipline may be rejected by

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 attached 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.

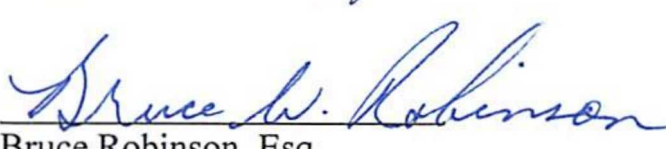
9. The parties agree that oral argument before this Court is not necessary in light of the record, the nature of the charges, the contents of this Stipulation, and the attached Findings and Recommendation of Discipline. As previously noted, Judge Scaff waives his right to further hearings if they are accepted.

Dated this 31<sup>st</sup> day of March, 2020.

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

By:   
Alexander John Williams  
Florida Bar No. 99225  
GENERAL COUNSEL TO THE FJQC  
PO Box 14106  
Tallahassee, FL 32317  
[awilliams@floridajqc.com](mailto:awilliams@floridajqc.com)

  
Hon. Kenneth N. "Sonny" Scaff  
HAMILTON COUNTY JUDGE

  
Bruce Robinson, Esq  
COUNSEL FOR JUDGE SCAFF