

**APPLICATION FOR NOMINATION TO THE  
SEVENTH JUDICIAL CIRCUIT COURT**



**Ann M. Phillips**  
**January 22, 2023**

## APPLICATION FOR NOMINATION TO THE CIRCUIT COURT

**Instructions:** Respond fully to the questions asked below. Please make all efforts to include your full answer to each question in this document. You may attach additional pages, as necessary, however it is discouraged. In addition to the application, you must provide a recent color photograph to help identify yourself.

**Full Name:** Ann Muenzmay Phillips

**Social Security No.:** [REDACTED]

**Florida Bar No.:** 978698 **Date Admitted to Practice in Florida:** 7/23/1993

1. Please state your current employer and title, including any professional position and any public or judicial office you hold, your business address and telephone number.

Embry-Riddle Aeronautical University  
Associate Professor of Homeland Security & Intelligence  
Security Studies & International Affairs Department  
1 Aerospace Boulevard  
Daytona Beach, Florida 32114  
386-226-2966

2. Please state your current residential address, including city, county, and zip code. Indicate how long you have resided at this location and how long you have lived in Florida. Additionally, please provide a telephone number where you can be reached (preferably a cell phone number), and your preferred email address.

15 Noble Woods Way, Ormond Beach, Volusia County, 32174  
I have resided at this address since March 2020.  
I have lived in Florida my entire life.  
I can be reached on my cell phone at 386-316-0739.  
My preferred email address is [amphil1227@gmail.com](mailto:amphil1227@gmail.com)

3. State your birthdate and place of birth.

June 20, 1966  
Sarasota, Florida

4. Are you a registered voter in Florida (Y/N)?

Yes

5. Please list all courts (including state bar admissions) and administrative bodies having special admissions requirements to which you have ever been admitted to practice, giving the dates of admission, and if applicable, state whether you have ever been suspended or resigned. Please explain the reason for any lapse in membership.

- The Florida Bar (1993 – present)
  - Middle District of Florida (1995 – 2016) I allowed my membership to lapse as I was no longer practicing law in the Middle District.
  - 11<sup>th</sup> Circuit Court of Appeals (1995 – 2016) I allowed my membership to lapse as I was no longer practicing law in the 11<sup>th</sup> Circuit Court of Appeals.
  - United States Supreme Court (2003 – present)
6. Have you ever been known by any aliases? If so, please indicate and when you were known by such alias.

Birth – August 1990 - Ann Muenzmay  
 August 1990 - December 1997 - Ann Muenzmay Childs  
 December 1997 - present – Ann Muenzmay Phillips

## EDUCATION:

7. List in reverse chronological order each secondary school, college, university, law school or any other institution of higher education attended and indicate for each the dates of attendance, whether a degree was received, the date the degree was received, class standing, and graduating GPA (if your class standing or graduating GPA is unknown, please request the same from such school).
- University of Florida
    - January 1990 – December 1992
    - Degree earned: Juris Doctorate
    - Date received: December 19, 1992
    - Graduating GPA: 2.8
  - University of South Florida
    - August 1984 – December 1987
    - Degree earned: Bachelor of Arts, Political Science
    - Date received: December 13, 1987
    - Graduating GPA: 3.1
8. List and describe any organizations, clubs, fraternities or sororities, and extracurricular activities you engaged in during your higher education. For each, list any positions or titles you held and the dates of participation.
- University of Florida
    - Guardian Ad Litem volunteer, 1991-1993
    - Chapter Adviser, Alpha Omicron Pi, 1990-1993
    - John Marshall Bar Association, 1990-1992
  - University of South Florida
    - Student Government, Senator, College of Social & Behavioral Sciences, 1986-1987
      - Budget Committee member

- Young Republicans, 1985-1987
- Alpha Omicron Pi Fraternity, collegiate member, 1985-1987
  - Vice-President of Recruitment, 1985-1986
  - Keeper of the Ritual, 1986-1987
  - Panhellenic Representative, 1986-1987
- Order of Omega, Honor Society, 1986-1987
  - Secretary, 1987
- Senior Class Council, 1987

**EMPLOYMENT:**

9. List in reverse chronological order all full-time jobs or employment (including internships and clerkships) you have held since the age of 21. Include the name and address of the employer, job title(s) and dates of employment. For non-legal employment, please briefly describe the position and provide a business address and telephone number.

**Embry Riddle Aeronautical University, Daytona Beach** (August 2015 – present)  
*Associate Professor of Homeland Security & Intelligence (August 2021 – present)*  
*Assistant Professor of Homeland Security (August 2015 – August 2021)*  
*Program Coordinator, Homeland Security & Intelligence (August 2018 – present)*  
 Security Studies & International Affairs Department  
 1 Aerospace Blvd.  
 Daytona Beach, Florida 32114  
 386-226-7517

- I am a full-time associate professor at ERAU teaching various classes focused mainly on the legal courses. I was promoted by committee to associate professor from assistant professor in 2019, the year in which I was first eligible for this promotion. I am also the program coordinator for the Homeland Security & Intelligence degree program, with oversight over faculty members, students, administrative requirements, and budgeting.

**Aaron Delgado & Associates**  
*Contract attorney services (2022 – present)*  
 227 Seabreeze Blvd.  
 Daytona Beach, Florida 32118

**Embry Riddle Aeronautical University, Worldwide Campus**  
*Course Developer and Adjunct Faculty*  
 1 Aerospace Blvd.  
 Daytona Beach, Florida 32114  
 800-522-6787  
 College of Arts & Sciences, Security & Emergency Services (2016-2019)

- o Developed course curriculum for four courses for online delivery (2 graduate/2 undergraduate): International Law and U.S. Security Policy, Aviation Policy and Law in Cyberspace, Homeland Security Law and Policy, Cybercrime and Cyberlaw.
- o Provided online graduate and undergraduate instruction in courses I created

**State of Florida, Department of Legal Affairs, Office of the Attorney General**

*Assistant Attorney General, Criminal Division (February 1994 – May 2015)*

444 Seabreeze Blvd.

Suite 500

Daytona Beach, Florida 32118

**Embry Riddle Aeronautical University (August 2013 – August 2015)**

*Adjunct Professor, College of Arts and Sciences*

1 Aerospace Blvd.

Daytona Beach, Florida 32114

386-226-7517

- o I taught one class of Homeland Security Law & Policy per semester for the Homeland Security program.

**Embry Riddle Aeronautical University (August 1996 – May 1999)**

*Adjunct Professor, College of Business*

1 Aerospace Blvd.

Daytona Beach, Florida 32114

386-226-6100

- o I taught one class of Business Law per semester for the College of Business.

**Department of Justice, United States Attorney General, Northern District of Florida**

*Legal Intern (August 1992 – December 1992)*

United States Courthouse

401 SE First Ave.

Gainesville, Florida 32601

**Dickinson & Gibbons, P.A.**

*Legal Intern (March 1993 – February 1994)*

401 N. Cattleman Rd.

Suite 300

Sarasota, Florida 34232

**Clayton, Johnston, Quincey, Ireland, Felder, Gadd, Smith & Roundtree, P.A.**

*Legal Intern (January 1991 – August 1994)*

111 S.E. 1<sup>st</sup> Ave.

Gainesville, Florida 32601

10. 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.

I achieved board certification in Criminal Appellate law in August 1999 and have remained certified since that date. My current certification period ends in 2024.

Prior to my employment with Embry-Riddle Aeronautical University, I worked as an Assistant Attorney General for the State of Florida. In that capacity, I handled felony criminal appeals for all the circuits within the jurisdiction of Florida's Fifth District Court of Appeal. My practice consisted of all aspects of criminal appellate law in state and federal courts. I handled appeals in felony cases, including all levels of homicides (excluding death penalty cases), assault and battery, stalking, kidnapping & false imprisonment, sex offenses (including capital sexual battery), robbery, burglary, fraud, and child abuse. I would be solely responsible for the cases assigned to me and would address all issues raised in the opponents' briefs. Typical issues raised on appeal would include review of state constitutional issues, statutory challenges, U.S. constitutional claims under the Fourth, Fifth, Sixth, and Eighth amendments, evidentiary claims of error, jury selection issues, sentencing errors, and claims of prosecutorial error. I also handled issues raising ineffective assistance of counsel claims, both trial and appellate counsel. Claims of statutory and constitutional construction and interpretation were commonplace, as were claims of various procedural errors. In addition to standard appellate briefs, I responded to various extraordinary writs, such as mandamus and habeas corpus.

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

	Court		Area of Practice	
Federal Appellate	_____	%	Civil	_____ %
Federal Trial	_____	%	Criminal	<u>90</u> %
Federal Other	<u>10</u>	%	Family	_____ %
State Appellate	<u>90</u>	%	Probate	_____ %
State Trial	_____	%	Other	<u>10</u> %
State Administrative	_____	%		
State Other	_____	%		

TOTAL 100 %

TOTAL 100 %

If your appearance in court the last five years is substantially different from your prior practice, please provide a brief explanation:

Since I have been teaching for more than five years, I have not appeared in courts. While at the Attorney General's Office, I appeared in multiple courts as set forth in this application.

12. In your lifetime, how many (number) of the cases that you tried to verdict, judgment, or final decision were:

Jury? 0

Non-jury? 5

Arbitration? 0

Administrative Bodies? 0

Appellate? Thousands

13. Please list every case that you have argued (or substantially participated) in front of the United States Supreme Court, a United States Circuit Court, the Florida Supreme Court, or a Florida District Court of Appeal, providing the case name, jurisdiction, case number, date of argument, and the name(s), e-mail address(es), and telephone number(s) for opposing appellate counsel. If there is a published opinion, please also include that citation.

Being employed by the Florida Attorney General's Office provided me with the unique experience of handling thousands of cases in the Florida appellate courts and hundreds of cases in the federal court system. A search of the Attorney General's Office files indicates more than 4,000 cases in which I was the counsel of record. For most of those cases, I was either the sole or primary attorney. A smaller percentage of those cases would have involved only *pro forma* responses and did not include legal research and writing on my part.

I have handled cases at every level of the state and federal court systems. I have filed pleadings in state trial courts, multiple Florida district courts of appeal, the Florida Supreme Court, federal district courts, and the federal appellate court.

#### **11<sup>th</sup> Circuit Court of Appeal**

I was counsel of record in approximately a dozen cases in the Eleventh Circuit Court of appeal. I presented oral argument in one case.

*Thompson v. Secretary, Department of Corrections*, 595 F.3d 1233 (11<sup>th</sup> Cir. 2010).

Oral argument on September 21, 2009

Opposing Counsel: Appointed Counsel for Appellant, Elaine Joan Mittleman, [elainemittleman@msn.com](mailto:elainemittleman@msn.com), (703) 734-0482

### **Florida Supreme Court**

I was counsel of record in more than 30 cases and appeared for oral argument in the following matters:

*Andre Isaiah Dunbar v. State of Florida*, 89 So. 3d 901 (Fla. 2012)

Oral argument on November 2, 2011

Opposing counsel: Assistant Public Defender David Stewart Morgan, [morgan.dave@pd7.org](mailto:morgan.dave@pd7.org), (386) 689-8857

*State of Florida v. Tony A. Carwise*, 846 So. 2d 1145 (Fla. 2003)

Oral argument on March 3, 2003

Opposing counsel: Leonard R. Ross, [lrr@fldivorcesite.com](mailto:lrr@fldivorcesite.com), (386) 258-5069 and George D.E. Burden, [georgeburdenlaw@gmail.com](mailto:georgeburdenlaw@gmail.com), (386) 451-6968

### **Fifth District Court of Appeal**

I was counsel of record in more than one thousand cases in the Fifth District Court of Appeal. I would estimate that I have appeared for oral argument approximately fifty times. If desired, a list of cases could be generated.

14. 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.

No.

15. 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 full.

No.

16. For your last six cases, which were tried to verdict or handled on appeal, either before a jury, judge, appellate panel, arbitration panel or any other administrative hearing officer, list the names, e-mail addresses, and telephone numbers of the trial/appellate counsel on all sides and court case numbers (include appellate cases). *This question is optional for sitting judges who have served five years or more.*



A) Noah Dickerhoff v. State of Florida, 5D21-2594  
Richard Pallas, Counsel for Appellee  
[Richard.pallas@myfloridalegal.com](mailto:Richard.pallas@myfloridalegal.com)  
(386) 238-4990

B) Robert Lentino v. Torianne McKinney, 5D21-2155  
No appearance by Appellee

C) Alexey Kholodkov v. State of Florida, 5D15-665  
Ronald E. Fox, Counsel for Appellant  
[ron@ronfoxlawyer.com](mailto:ron@ronfoxlawyer.com)  
(352) 669-3228

D) Michael P. Matos v. State of Florida, 5D14-2704  
Michael Matos, *pro se* Appellant

E) Michael P. Matos v. State of Florida, 5D14-4428  
Michael Matos, *pro se* Appellant

F) Kenneth Earl Jackson v. State of Florida, 5D14-1400  
William R. Ponall, Counsel for Appellant  
[bponall@ponalllaw.com](mailto:bponall@ponalllaw.com)  
(407) 622-1144

17. For your last six cases, which were either 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). *This question is optional for sitting judges who have served five years or more.*

Not applicable.

18. During the last five years, on average, how many times per month have you appeared in Court or at administrative hearings? If during any period you have appeared in court with greater frequency than during the last five years, indicate the period during which you appeared with greater frequency and succinctly explain.

I have not appeared in court in the past five years as I have been primarily employed as a university professor during the stated time frame.

When I was employed at the Florida Attorney General's Office, I did not appear regularly in court. I appeared before the Fifth District Court of Appeal, the Florida Supreme Court, the Middle District of Florida, the Eleventh Circuit, and several circuit courts. While most of these appearances were oral arguments, I also appeared in evidentiary hearings, depositions, and various motion hearings.

During my time of employment, during the early 2000s, I assisted in representing the Florida Department of Highway Safety and Motor Vehicles in civil forfeitures in the circuit court. My participation included preliminary probable cause hearings, status hearings, pretrial conferences, hearings on motions to dismiss, and for summary judgment.

19. If Questions 16, 17, and 18 do not apply to your practice, please list your last six major transactions or other legal matters that were resolved, listing the names, e-mail addresses, and telephone numbers of the other party counsel.

Not applicable.

20. During the last five years, if your practice was greater than 50% personal injury, workers' compensation or professional malpractice, what percentage of your work was in representation of plaintiffs or defendants?

Not applicable.

21. List and describe the five most significant cases which you personally litigated giving the case style, number, court and judge, the date of the case, the names, e-mail addresses, and telephone numbers of the other attorneys involved, 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.

- *Rosado v. State*, 129 So. 3d 1104 (Fla. 5<sup>th</sup> DCA 2013) (5D12-4257) (Judges Cohen, Torpy, and Orfinger) (Opposing counsel: John Selden, [Selden.john@pd7.org](mailto:Selden.john@pd7.org), 386-254-3758). This opinion was written based on a motion for rehearing by Rosado. The Fifth DCA found that while Rosado's motion raising vindictive sentencing could be raised for the first time on appeal as the claim was not subject to a 3.800(b) motion; the imposition of a vindictive sentence would constitute fundamental error. In this case, however the court found that the presumption of vindictiveness did not arise based on the trial judge's actions.
- *State v. Oliveras*, 65 So. 3d 1162 (Fla. 5<sup>th</sup> DCA 2011) (5D09-4197) (Judges Sawaya, Orfinger, and Jacobus) (Opposing counsel: Kathryn Radtke, [radtke.kathryn@pd7.org](mailto:radtke.kathryn@pd7.org), 386-254-3758). In this state appeal, the court interpreted Florida's Security of Communications Act as it related to a computer tracing company's tracing of the victim's computer and the possible violation of the defendant's Fourth Amendment rights. The court found that since there was no state action and the tracing company was acting at the request of the person who had paid for their services, Oliveras had no reasonable expectation of privacy.
- *McKinney v. State*, 66 So. 3d 852 (Fla. 2011) (SC10-140) (Opposing counsel: Rebecca Becker, [rmbmsb@outlook.com](mailto:rmbmsb@outlook.com), 386-672-6092). The Florida Supreme Court resolved a conflict regarding double-jeopardy between the Fifth and Fourth District Courts of Appeal. The Supreme Court approved the opinion of the Fifth DCA. I wrote the brief for the case in the district court as well.
- *Freeman v. State*, 969 So. 2d 473 (Fla. 5<sup>th</sup> DCA 2007) (5D06-2395) (Judges Pleus, Palmer, and Lawson) (Opposing counsel: Assistant Public Defender Brynn Newton(retired),

[thenewscons@aol.com](mailto:thenewscons@aol.com), 386-846-2428. This case struck a chord with me as the victim's family was very concerned about the appeal of the defendant's manslaughter conviction. The case was interesting from a legal perspective in that it examined the charging discretion of the State and the application of general versus specific statutes.

- *Barber v. State*, 781 So. 2d 425 (Fla. 5<sup>th</sup> DCA 2001) (5D99-218) (Judges Peterson, Sharp, and Pleus) (Opposing counsel: Robert Berry, [robert@attorneyrobertberry.com](mailto:robert@attorneyrobertberry.com), 850-597-8015 and Gregory Eisenmenger, [gregeisenmenger@ebplaw.com](mailto:gregeisenmenger@ebplaw.com), 321-504-0321). This was a circumstantial evidence case of aggravated child abuse stemming from a baby being injured from shaking by the church daycare provider entrusted with his care. A feature of the case was Williams rule evidence which the prosecution relied upon to prove identity.

22. Attach at least two, but no more than three, examples of legal writing which you personally wrote. If you have not personally written any legal documents recently, you may attach a writing sample for which you had substantial responsibility. Please describe your degree of involvement in preparing the writing you attached.

I have attached three writing samples. The first two are answer briefs for which I was solely responsible. The third is the journal article I co-wrote with a colleague from Embry-Riddle, Dr. Gary Kessler. While we worked together on the article, I cannot claim any credit for the portion of the article that addresses the history of cryptography; Section 2 is solely Dr. Kessler's work. My contributions are reflected in the legal aspects of the article.

### **PRIOR JUDICIAL EXPERIENCE OR PUBLIC OFFICE**

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

No.

24. If you have previously submitted a questionnaire or application to this or any other judicial nominating commission, please give the name(s) of the commission, the approximate date(s) of each submission, and indicate if your name was certified to the Governor's Office for consideration.

Not applicable.

25. List any prior quasi-judicial service, including the agency or entity, dates of service, position(s) held, and a brief description of the issues you heard.

Not applicable.

26. If you have prior judicial or quasi-judicial experience, please list the following information:

- (i) the names, phone numbers and addresses of six attorneys who appeared before you on matters of substance;
- (ii) the approximate number and nature of the cases you handled during your tenure;
- (iii) the citations of any published opinions; and
- (iv) descriptions of the five most significant cases you have tried or heard, identifying the citation or style, attorneys involved, dates of the case, and the reason you believe these cases to be significant.

Not applicable.

- 27.** Provide citations and a brief summary of all of your orders or opinions where your decision was reversed by a reviewing court or where your judgment was affirmed with significant criticism of your substantive or procedural rulings. If any of the opinions listed were not officially reported, attach copies of the opinions.

Not applicable.

- 28.** Provide citations for significant opinions on federal or state constitutional issues, together with the citation to appellate court rulings on such opinions. If any of the opinions listed were not officially reported, attach copies of the opinions.

Not applicable.

- 29.** Has a complaint about you ever been made to the Judicial Qualifications Commission? If so, give the date, describe the complaint, whether or not there was a finding of probable cause, whether or not you have appeared before the Commission, and its resolution.

Not applicable.

- 30.** Have you ever held an attorney in contempt? If so, for each instance state the name of the attorney, case style for the matter in question, approximate date and describe the circumstances.

Not applicable.

- 31.** Have you ever held or been a candidate for any other public office? If so, state the office, location, dates of service or candidacy, and any election results.

Not applicable.

## **NON-LEGAL BUSINESS INVOLVEMENT**

- 32.** 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.

I am currently serving as a member of the Board of Trustees for Daytona Beach's Museum of Arts and Sciences. MOAS is a not-for-profit educational institution, the mission of which is to inspire, cultivate curiosity, and promote lifelong learning in art, science, and history. I am passionate about the contributions the Museum brings to this community and the State of Florida but would resign immediately upon appointment if required to do so.

- 33.** Since being admitted to the Bar, have you ever engaged in any occupation, business or profession other than the practice of law? If so, explain and provide dates. If you received any compensation of any kind outside the practice of law during this time, please list the amount of compensation received.

In the late 1990s and into the early 2000s, and again in 2012-2014, I taught as an adjunct faculty for Embry-Riddle Aeronautical University. As an adjunct, I taught Business Law and Homeland Security Law & Policy. As an adjunct, I was paid \$3,000 per course.

I became a full-time professor at ERAU in 2014 and am currently employed by them in that capacity. I teach courses in Homeland Security Law & Policy, Environmental Security, and Cybercrime & Cyberlaw. As a full-time employee, I have been paid a regular salary, the details of which are set forth more fully in the financial disclosure. My compensation for the most recent year, 2022, was \$98,455.

#### **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.

No, I do not believe that there is any general group or relationship that would lead me to have to recuse myself.

#### **PROFESSIONAL ACCOMPLISHMENTS AND OTHER ACTIVITIES**

- 35.** List the titles, publishers, and dates of any books, articles, reports, letters to the editor, editorial pieces, or other published materials you have written or edited, including materials published only on the Internet. Attach a copy of each listed or provide a URL at which a copy can be accessed.

- Phillips, A.M., “Foreign Intelligence Surveillance Act of 1978,” J. Rudolph & W. Lahneman (Eds.) *Combatting Terrorism in the 21<sup>st</sup> Century: American Laws, Strategies and Agencies*. Santa Barbara, CA. ABC-CLIO.
- Phillips, A.M., “Foreign Intelligence Surveillance Court,” J. Rudolph & W. Lahneman (Eds.) *Combatting Terrorism in the 21<sup>st</sup> Century: American Laws, Strategies and Agencies*. Santa Barbara, CA. ABC-CLIO.
- Kessler, G. and Phillips, A.M. (August 2020) “Cryptography, Passwords, Privacy, and the Fifth Amendment,” *Journal of Digital Forensics, Security and Law*.

36. List any reports, memoranda or policy statements you prepared or contributed to the preparation of on behalf of any bar association, committee, conference, or organization of which you were or are a member. Provide the name of the entity, the date published, and a summary of the document. To the extent you have the document, please attach a copy or provide a URL at which a copy can be accessed.

Not applicable.

37. List any speeches or talks you have delivered, including commencement speeches, remarks, interviews, lectures, panel discussions, conferences, political speeches, and question-and-answer sessions. Include the date and place they were delivered, the sponsor of the presentation, and a summary of the presentation. If there are any readily available press reports, a transcript or recording, please attach a copy or provide a URL at which a copy can be accessed.

- Phillips, A.M. Cybersecurity and the Law. Presentation for the 2022 ERAU U.S. Aviation Law Professional Development Workshop, November 29, 2022, Embry-Riddle Aeronautical University.
- Phillips, A.M. Homeland Security Law & Policy. Presentation for the 2022 ERAU Aviation Regulation in the U.S. Law Seminar, April 7, 2022, Embry-Riddle Aeronautical University.
- Phillips, A.M. Cybersecurity and the Law. Presentation for the 2021 ERAU U.S. Aviation Law Professional Development Workshop, December 9, 2021, Embry-Riddle Aeronautical University.
- Phillips, A.M. Homeland Security Law & Policy. Presentation for the 2021 ERAU Aviation Regulation in the U.S. Law Seminar, April 8, 2021, Embry-Riddle Aeronautical University.
- Phillips, A.M. and Zorri, D.M., “Quantifying Risk as a Method of Reasoning Protecting Privacy at the Border.” Presentation at the 2020 Citadel Intelligence Ethics Conference, Charleston, SC, February 11, 2020.

- Phillips, A.M. Cybersecurity and the Law. Presentation for the *2019 ERAU U.S. Aviation Law Professional Development Workshop*, December 5, 2019. Embry-Riddle Aeronautical University.
- Phillips, A., Trends in Homeland Security. Presentation for the *2019 Aviation Regulation in the United States*, Part of the U.S. Aviation Law Diploma. April 11, 2019. Embry-Riddle Aeronautical University.
- Phillips, A., Cybersecurity Law and Policy. Presentation for the *2018 ERAU Aviation Law Professional Development Workshop*. December 6, 2018. Embry-Riddle Aeronautical University.
- Phillips, A. and Friedenzohn, D., “Constitutional Considerations and Evolving Drone Technology.” Presentation at the Ninth Annual Constitutional Law Colloquium, Loyola University Chicago School of Law, Chicago, IL, November 3, 2018.
- Phillips, A., Trends in Homeland Security Law & Policy. Presentation for the *2018 Aviation Regulation in the United States*, Part of the U.S. Aviation Law Diploma. April 5, 2018. Embry-Riddle Aeronautical University.
- Phillips A., Cybersecurity Law and Policy. Presentation for the *2017 ERAU Aviation Law Professional Development Workshop*. December 7, 2017. Embry-Riddle Aeronautical University.
- Phillips, A.M., Cybersecurity in Aviation. Presentation for the *2016 ERAU U.S. Aviation Law Seminar*, December 6, 2016. Embry-Riddle Aeronautical University.

I have either presented, or substantially led Embry-Riddle’s Constitution Day events since 2016. I have spoken individually, led panel discussions, hosted a Constitution game, and moderated questions and answer sessions.

During my employment at the Attorney General’s office, I spoke numerous times as part of the Child Predator Cyber Crime Unit’s initiative to educate middle and high school students on the dangers that exist on the internet. I also spoke numerous times as the president of VFAWL and the Dunn Blount Inn of Court. I have guest lectured in numerous classes on the law, appeals, and legal writing. I have participated in many Law Week talks and presentations.

38. Have you ever taught a course at an institution of higher education or a bar association? If so, provide the course title, a description of the course subject matter, the institution at which you taught, and the dates of teaching. If you have a syllabus for each course, please provide.

All courses were taught at Embry-Riddle Aeronautical University. Master course outlines for each named course have been provided.

**BA 225 – Business Law** (August 1996 – May 1999) - an overview of the law as it pertains to business relations and business transactions. Areas covered include procedure; torts; criminal law and procedure; constitutional law; administrative law; contracts; agency; real property; personal property; wills; trusts and estates; insurance law; employment law; commercial transactions; secured transactions; creditor/debtor law; and negotiable instruments.

**CYB 465/CYBR 465 – Cybercrime & Cyberlaw** (occasional offerings since 2017) - types of criminal behavior in cyberspace, such as identity theft, white collar crimes, fraud, child sexual exploitation, intellectual property theft, and online scams; laws governing cyberspace, defining criminal activity and guiding law enforcement investigations; U.S. decisional law guiding search and seizure of digital devices and information; international laws related to computer crime and privacy.

**HSI 110 – Introduction to Homeland Security** (occasional offerings since 2015) - introduces the multidisciplinary approach to protecting and defending America. Knowledge domains of intelligence, emergency management, law and policy, critical infrastructure and resilience, strategic planning and decision-making, terrorism, cyberspace, human and environmental security, risk analysis and management, and professionalism.

**HS 280 – Professionalism in Homeland Security** (occasional offerings between 2016-2018) - prepared students to seek and win internships, personality evaluations, cover letter and resume preparation, and interviewing skills. Ethics and professionalism in homeland security.

**HS 320/HSI 320/HSLD 320 – Homeland Security & Intelligence Law and Policy** (2016 – present) - Key legal, policy, and ethical issues in the context of Homeland Security and Intelligence policy and practice; legal concepts regarding constitutional rights of individuals, legal process, access to courts, the law of war, and national security principles as they relate to homeland security legislation and policy initiatives; legal principles of due process, habeas corpus, search and seizure, compulsory process, and international agreements are explored. Elements of national security law, including intelligence collection and sharing, the Patriot Act, and military-civilian relations.

**HS 290 – Introduction to Environmental Security** (occasional offerings since 2016) - Development and execution of U.S. domestic and foreign policy, transnational threats, and ultimately U.S. national security relating to emerging threats, environmental & health issues, infrastructure vulnerabilities, natural resource shortages, and urbanization in less developed countries.

**MCMP 515/MHSR 515 – Law & Policy for National, Human, and Cyber Security** (Spring 2016, Summer 2019) - examines the role of international law, U.S. foreign policy, and international institutions in responding to terrorism, crime, complex emergencies, disasters and crises; analyzes the challenges and difficulties in achieving unified response and the administrative and legal barriers that must be overcome; discusses how U.S. laws and policies intersect with international norms and regimes in a U.S. security context, including existing multinational treaties such as UNCLOS and the Antarctic Treaty System, International Cybercrime Treaty, the Biological Weapons Convention or the Chemical Weapons Convention, and international humanitarian law. Particular attention is paid to privacy law; conflicts that are caused by disparate laws and policies are also explored, as well as solutions.



**MCMP 516 – Aviation Policy and Law in Cyberspace** (Spring 2018) - addresses emerging policies and laws that affect cyberspace, particularly related to information security and cybercrime in the aviation and aerospace industry; the clash between real space and cyberspace is examined, as well as international laws and policies related to aviation, aerospace, and aeronautics.

**SS 320 – Government of the U.S.** (Fall 2020) (now HSI 323) - introduces the nature of constitutional government at the national level, contributing to a greater understanding and political awareness among an informed citizenry; students are introduced to rules, institutions, and concepts to demonstrate the allocation of power and resources in political conflict, supporting an understanding that the U.S. political process inevitably involves its citizens, regardless of their involvement in politics.

39. List any fellowships, honorary degrees, academic or professional honors, honorary society memberships, military awards, and any other special recognition for outstanding service or achievement. Include the date received and the presenting entity or organization.

Impact Award – Awarded by the ERAU Daytona Beach Parent Association/Parent Advisory Council – 2023

Service Recognition – Child Predator Cyber Crime Unit – 2008, 2009, 2010

Service Recognition – Volunteer Lawyer’s Project – 2000, 2008

Pro Bono Award – 2007

Service Recognition – Guardian Ad Litem -1996

Service Recognition – Greek Advisor - 1993

Service Recognition – Student Intern – 1992

I am also part of a group of professors at ERAU who were awarded a nearly \$250,000 grant from the Department of Homeland Security as part of their Targeted Violence and Terrorism Prevention Program. This was a competitive grant process; we were one of 37 recipients across the United States. This is the only federal grant program dedicated to enhancing the capabilities of local communities to prevent targeted violence and terrorism. The grants in this cycle prioritized the prevention of domestic violent extremism, including through efforts to counter online radicalization and mobilization to violence. We are in the second year of the two-year grant.

40. Do you have a Martindale-Hubbell rating? If so, what is it and when was it earned?

I am BV rated. I am uncertain when the rating was earned.

41. List all bar associations, legal, and judicial-related committees of which you are or have been a member. For each, please provide dates of membership or participation. Also, for each indicate any office you have held and the dates of office.

- **The Federalist Society** (2022-present)
- **Dunn-Blount American Inn of Court** – (2014-present) (Immediate Past President, 2021-2023, President, 2019-2021; President-elect, 2017-2019; Secretary, 2015-2017; Executive Board member 2014-15, 2023-2025)
- **Volusia County Bar Association** (Director 1998-2001, Secretary 1996-1997)
- **Volusia Flagler Association for Women Lawyers** (2010-2016, 2022-present) (President 2014-15; Vice-President 2013-2014; Secretary 2011-2013)
- **Florida Bar** (Appellate Section, Legislative Committee 2007-2009, 2020-2022)
- **American Bar Association**, Law School Divisions Competition, Appellate Brief grader (2020-2021)
- **Volusia County Teen Court, Development Committee**
- **Volusia County Teen Court** volunteer
- **Juvenile Drug Court Task Force Committee**
- **Adult Drug Court Task Force Committee**
- **Volusia County Young Lawyers** (1995-1999)

42. List all professional, business, fraternal, scholarly, civic, charitable, or other organizations, other than those listed in the previous question to which you belong, or to which you have belonged since graduating law school. For each, please provide dates of membership or participation and indicate any office you have held and the dates of office.

- Museum of Arts & Sciences, Board of Directors (2019 – present) (Secretary, 2022 – present)
- International Studies Association (2016-2020)
- Pathways Elementary PTA (President 2009-2011, 2013-2014)
- Pathways Elementary School Advisory Council (2006-2015)
- Volusia County School Advisory Council, school representative (2012-2015)
- Hinson Middle School PTSA (Vice-President 2012-2014)
- Volusia County Teacher of the Year Selection Committee (2014)
- Ormond Beach Soccer Club, Girls Team Manager (2013-2015)
- Alpha Omicron Pi Fraternity, Collegiate Network Specialist (1990-2003)
- Justice Teaching Program (2007-2009)
- Volusia County Friends of Teen Court Board (Secretary)
- Guardian Ad Litem (Family Law division)
- Junior League of Daytona Beach (1997-1999)

43. Do you now or have you ever belonged to a 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 (other than a church, synagogue, mosque or other religious institution), national origin, or sex (other than an educational institution, fraternity or sorority)? If so, state 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.

I was a member of the Junior League of Daytona Beach for two years in the late 1990s. The Junior League of Daytona Beach is an organization of women committed to promoting volunteering, developing the potential of women, and improving communities through the effective action and leadership of trained volunteers. Its purpose is exclusively educational and charitable. Its intent is to positively impact the communities of Volusia and Flagler Counties. This chapter is a member of the Association of Junior Leagues International, Inc. I have not been a member of the Junior League since approximately 1999.

44. Please describe any significant pro bono legal work you have done in the past 10 years, giving dates of service.

I have not done significant pro bono legal work in the past ten years. I have helped senior citizens with various scams and cyber fraud issues. No court cases have ever come from any of the incidents.

In addition to teaching classes, I also mentor two collegiate groups at Embry-Riddle Aeronautical University. My contact with so many students often provides me with requests for legal counseling, which I provide. None of these situations has ever resulted in a case being filed in which I played a role.

45. Please describe any hobbies or other vocational interests.

I enjoy reading, listening to audiobooks and podcasts, cooking, watching and attending sporting events (high school, collegiate, and professional), going to the beach, and traveling anywhere.

46. Please state whether you have served or currently serve in the military, including your dates of service, branch, highest rank, and type of discharge.

I have never served in the military. My father served in the Army, and my husband served in the Air Force. Both were honorably discharged.

47. Please provide links to all social media and blog accounts you currently maintain, including, but not limited to, Facebook, Twitter, LinkedIn, and Instagram.

Facebook: Ann Muenzmay Phillips (<https://www.facebook.com/>)

Twitter: @AnnPhillips66 (<https://www.twitter.com/home>)

LinkedIn: Ann Phillips (<https://www.linkedin.com/feed/>)

Instagram: annm\_phillips (<https://www.instagram.com>)

Pinterest: @amp5 (<https://www.pinterest.com/amp5>)

## **FAMILY BACKGROUND**

48. Please state your current marital status. If you are currently married, please list your spouse's name, current occupation, including employer, and the date of the marriage. If you have ever been divorced, please state for each former spouse their name, current address, current telephone number, the date and place of the divorce and court and case number information.

I am married to John M. Phillips. We were married on December 27, 1997. He is the Athletic Director at Embry-Riddle Aeronautical University.

I was previously married to Robert Wayne Childs. Current address and telephone number are unknown. Divorced: May 25, 1993, Alachua County Circuit Court, Gainesville, Florida, Case 01-93-01514-CA.

49. If you have children, please list their names and ages. If your children are over 18 years of age, please list their current occupation, residential address, and a current telephone number.

- o Lauren Elyse Phillips, 21 years of age, student. Residence: 15 Noble Woods Way, Ormond Beach, Florida 32174. (386) 882-4165
- o Zachary John Phillips, 21 years of age, student. Residence: 15 Noble Woods Way, Ormond Beach, Florida 32174. (386) 882-4164
- o Rachel Layne Phillips, 19 years of age, student. Residence: 15 Noble Woods Way, Ormond Beach, Florida 32174. (386) 882-6879

#### **CRIMINAL AND MISCELLANEOUS ACTIONS**

50. Have you ever been convicted of a felony or misdemeanor, including adjudications of guilt withheld? If so, please list and provide the charges, case style, date of conviction, and terms of any sentence imposed, including whether you have completed those terms.

No.

51. Have you ever pled nolo contendere or guilty to a crime which is a felony or misdemeanor, including adjudications of guilt withheld? If so, please list and provide the charges, case style, date of conviction, and terms of any sentence imposed, including whether you have completed those terms.

No.

52. Have you ever been arrested, regardless of whether charges were filed? If so, please list and provide sufficient details surrounding the arrest, the approximate date and jurisdiction.

No.

53. Have you ever been a party to a lawsuit, either as the plaintiff, defendant, petitioner, or respondent? If so, please supply the case style, jurisdiction/county in which the lawsuit was filed, case number, your status in the case, and describe the nature and disposition of the matter.

- Case 01-93-01514-CA
  - Ann M. Childs v. Robert Wayne Childs
  - Alachua County Circuit Court
  - Petitioner
  - Final Judgment of Dissolution of Marriage, entered May 25, 1993

**54.** To your knowledge, has there ever been a complaint made or filed alleging malpractice as a result of action or inaction on your part?

No.

**55.** To the extent you are aware, have you or your professional liability carrier ever settled a claim against you for professional malpractice? If so, give particulars, including the name of the client(s), approximate dates, nature of the claims, the disposition and any amounts involved.

No.

**56.** 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, provide the particulars of each finding or investigation.

No.

**57.** To your knowledge, within the last ten years, have any of your current or former co-workers, subordinates, supervisors, customers, clients, or the like, ever filed a formal complaint or accusation of misconduct including, but not limited to, any allegations involving sexual harassment, creating a hostile work environment or conditions, or discriminatory behavior against you with any regulatory or investigatory agency or with your employer? If so, please state the date of complaint or accusation, specifics surrounding the complaint or accusation, and the resolution or disposition.

No.

**58.** 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.

No.

**59.** Have you ever filed a personal petition in bankruptcy or has a petition in bankruptcy been filed against you, this includes any corporation or business entity that you were involved with? If so, please provide the case style, case number, approximate date of disposition, and any relevant details surrounding the bankruptcy.

No.

60. In the past ten years, have you been subject to or threatened with eviction proceedings? If yes, please explain.

No.

61. Please explain whether you have complied with all legally required tax return filings. To the extent you have ever had to pay a tax penalty or a tax lien was filed against you, please explain giving the date, the amounts, disposition, and current status.

I have always timely filed my tax returns.

## HEALTH

62. Are you currently addicted to or dependent upon the use of narcotics, drugs, or alcohol?

No.

63. 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? 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.

No.

64. 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 two or three nights, experiencing periods of hyperactivity, spending money profusely with extremely poor judgment, suffering 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. If yes, please explain.

No.

65. 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? If yes please explain the limitation or impairment and any treatment, program or counseling sought or prescribed.

No.

66. 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, provide full details as to court, date, and circumstances.

No.

67. 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 or State law provisions.)

No.

68. 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 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

No.

69. 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.

No.

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

No.

#### **SUPPLEMENTAL INFORMATION**

71. Describe any additional education or experiences you have which could assist you in holding judicial office.

**Teen Court judge** – In addition to assisting with the creation and implementation of Teen Court, I also served for years as a judge and a mentor for cases diverted for hearing. It was a pleasure to work with student prosecutors and defense attorneys. I found the process of peer review to be quite interesting and effective. I would carefully consider the sentences handed down by the jury and imposed appropriate sanctions based upon the case before me.

I have served on a number of community boards and participated in several community organizations. I believe my involvement and commitment to the community would enhance my abilities as a judge.

72. Explain the particular contribution you believe your selection would bring to this position and provide any additional information you feel would be helpful to the Commission and Governor in evaluating your application.

I have spent my entire adult life in some form of public service, both in my career and in my personal life. Public service is what initially drew me toward the practice of law, and it was what made me excited to get out of bed and go to work. I often tell people that I am fortunate to have always been able to say that I “get” to go to work, rather than I “have” to go to work. It is my belief that serving on the bench is the highest calling in the legal profession. It is truly service to the public. Moreover, I strongly believe in the judiciary’s importance as a co-equal branch of government.

I believe that my experience, both legal and non-legal, demonstrates that I possess the skills, knowledge, abilities, and temperament to be successful as a circuit judge. I have managed caseloads and supervised people, learned new skills and became proficient at them, and made difficult decisions. A circuit judge must be able to simultaneously manage various aspects of the job; my experience has prepared me to be successful in this regard.

At the AG’s office, I often received phone calls seeking guidance on substantive and procedural issues. Usually, the questions had tight, if not immediate, deadlines. I also developed strong research and analytical skills in my legal career. As a professor, I improved my ability to listen, observe, analyze, and then determine the best action. All of these capabilities will serve me well if selected to serve. My respect for the position and its importance to our governance will foster a positive courtroom and culture.

## REFERENCES

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

- Judge Richard B. Orfinger, Fifth District Court of Appeal (retired), 1 [REDACTED]  
[REDACTED]
- The Honorable Leah R. Case, C [REDACTED]  
[REDACTED]



- The Honorable Raul A. Zambrano, [REDACTED] 4  
[REDACTED]  
[REDACTED]
- The Honorable Wesley H. Heidt, [REDACTED]  
[REDACTED]  
[REDACTED]
- Steve Ridder, [REDACTED]  
[REDACTED]  
[REDACTED]
- Abraham C. McKinnon, Esq., [REDACTED]  
[REDACTED]  
[REDACTED]
- George D.E. Burden, Esq., [REDACTED]  
[REDACTED]
- Patrick W. Krechowski, Esq., [REDACTED]  
[REDACTED]  
[REDACTED]
- Lori Tolland, [REDACTED]  
[REDACTED]
- Chase Tramont, [REDACTED]  
[REDACTED]  
[REDACTED]

**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 25<sup>th</sup> day of January, 2023.

Ann Phillips

Printed Name

Ann Phillips

Signature

*(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: 2023 to date/ \$0**

**Last Three Years: 2022/ \$8,000**

**2021/ \$0**

**2020/ \$0**

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: 2023 to date/ \$0**

**Last Three Years: 2022/ \$6,776**

**2021/ \$0**

**2020/ \$0**

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: 2023/ \$3,363 -- ERAU/employer**

**Last Three Years: 2022/ \$98,455 – ERAU/employer**

**2021/ \$79,537 – ERAU/employer**

**2020/ \$79,050 – ERAU/employer**

4. State the amount 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: 2023/ \$3,356 -- ERAU/employer**

**Last Three Years: 2022/ \$98,454 – ERAU/employer**

**2021/ \$79,537 – ERAU/employer**

**2020/ \$79,050 – ERAU/employer**

5. 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: 2023/ \$2,257-- ERAU/employer**

**Last Three Years: 2022/ \$66,808 – ERAU/employer**

**2021/ \$75,493 – ERAU/employer**

**2020/ \$73,540 – ERAU/employer**

**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 December 31, 2022 was \$ 1,716,412.

**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 \$95,000.

**ASSETS INDIVIDUALLY VALUED AT OVER \$1,000:**

DESCRIPTION OF ASSET (specific description is required – see instructions p. 3)	VALUE OF ASSET
Real Property – 15 Noble Woods Way, Ormond Beach, FL	\$425,764
Wells Fargo (joint checking with spouse)	\$32,449
Wells Fargo (joint savings with spouse)	\$316,830
Bank of America stock (joint with spouse)	\$59,054
Verizon stock (joint with spouse)	\$6,180
AT&T stock (joint with spouse)	\$3,614

**PART C - LIABILITIES**

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

NAME AND ADDRESS OF CREDITOR	AMOUNT OF LIABILITY
VyStar	\$1,157
VyStar	\$6,585

**JOINT AND SEVERAL LIABILITIES NOT REPORTED ABOVE:**

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
Embry Riddle Aeronautical University	1 Aerospace Blvd., Daytona Beach, FL 32114	\$98,455
Bank of America dividends/capital gains (joint w/ spouse)	100 N. Tryon St., Charlotte, NC 28255	\$1,344

**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 BUSINESS' 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**

<p align="center"><b>OATH</b></p> <p>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.</p>  <p align="center"><i>Anna Phillips</i></p> <p align="center"><b>SIGNATURE</b></p>	<p><b>STATE OF FLORIDA</b></p> <p><b>COUNTY OF</b> <u>Volusia</u></p> <p>Sworn to (or affirmed) and subscribed before me this <u>26<sup>th</sup></u> day of <u>January</u>, 20<u>23</u> by <u>Ann Phillips</u></p> <p align="center"><i>Michelle D. Carey</i></p> <p>(Signature of Notary Public—State of Florida)</p> <p align="center"><u>Michelle D. Carey</u></p> <p>(Print, Type, or Stamp Commissioned Name of Notary Public)</p> <p>Personally Known _____ OR Produced Identification <input checked="" type="checkbox"/></p> <p>Type of Identification Produced <u>FL Drivers License</u></p>
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**PART B – ASSETS (cont'd)**

**TIAA Retirement Account**

**\$794,027**

## 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
  - (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,

## 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: January 22, 2023

JNC Submitting To: Seventh Judicial Circuit

Name(please print):Ann M. Phillips

Current Occupation: Associate Professor

Telephone Number: 386-316-0739

Attorney No.: 978698

Gender (check one):  Male  Female

Ethnic Origin (check one):  White, non-Hispanic

Hispanic

Black

American Indian/Alaskan Native

Asian/Pacific Islander

County of Residence: Volusia

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.

Ann Phillips

Printed Name of Applicant

Ann Phillips

Signature of Applicant

Date: 1/25/23