

**APPLICATION FOR NOMINATION TO THE
FIFTH DISTRICT COURT OF APPEAL**



MARY GRIFFO JOLLEY

AUGUST 26, 2019

APPLICATION FOR NOMINATION TO THE Fifth District Court of Appeal COURT

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

DATE: August 26, 2019 Florida Bar No.: 080454

GENERAL: Social Security No.: [REDACTED]

1. Name Mary Griffo Jolley E-mail: [REDACTED]

Date Admitted to Practice in Florida: May 10, 1996

Date Admitted to Practice in other States: October 31, 1994 (Indiana)

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

Circuit Judge, Seventh Judicial Circuit, State of Florida

3. Business address: 101 N. Alabama Avenue

City DeLand County Volusia State FL ZIP 32724

Telephone (386) 736-5945 FAX (386) 736-5982

4. Residential address: [REDACTED]

City [REDACTED] County Volusia State FL ZIP [REDACTED]

Since August 2003 Telephone [REDACTED]

5. Place of birth: Elmhurst, New York

Date of birth: [REDACTED] Age: 50

6a. Length of residence in State of Florida: 23 years

6b. Are you a registered voter? Yes No

If so, in what county are you registered? Volusia

7. Marital status: Married

If married: Spouse's name [REDACTED]

Date of marriage June 11, 1994

Spouse's occupation Director of Information Technology

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.

N/A

8. Children

<i>Name(s)</i>	<i>Age(s)</i>	<i>Occupation(s)</i>	<i>Residential address(es)</i>
[REDACTED]	22	[REDACTED]	[REDACTED]
[REDACTED]	19	[REDACTED]	[REDACTED]
[REDACTED]	13	[REDACTED]	[REDACTED]

9. Military Service (including Reserves)

<i>Service</i>	<i>Branch</i>	<i>Highest Rank</i>	<i>Dates</i>
Rank at time of discharge _____	Type of discharge _____		
Awards or citations _____			
<i>Service</i>	<i>Branch</i>	<i>Highest Rank</i>	<i>Dates</i>
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).

No

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.

No

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.)

No

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.

No

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.

No

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

No

EDUCATION:

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

<i>Schools</i>	<i>Class Standing</i>	<i>Dates of Attendance</i>	<i>Degree</i>
Seton Hall Law School	84/416	September 1991- May 1994	J.D.
Marymount University	Not Recorded	September 1987- May 1991	B.A. cum laude
North Hunterdon High School, Annandale, NJ	37/337	September 1983 - June 1987	High School Diploma

18b. List and describe academic scholarships earned, honor societies or other awards.
Moot Court Board, Seton Hall University School of Law
Merit Scholarship, Seton Hall University School of Law

Phi Theta Kappa Academic Honor Society, Marymount University
 Delta Epsilon Sigma Academic Honor Society Marymount University
 Four Year Academic Scholar Recipient, Marymount University
 Graduated Cum Laude, Marymount University
 French Honor Society, North Hunterdon High School
 Varsity Girls Basketball Team State Champions, 1985, 1986, and 1987
 Three-year Varsity Letters in Field Hockey and Basketball
 Two-year Varsity Letters in Softball

NON-LEGAL EMPLOYMENT:

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

<i>Date</i>	<i>Position</i>	<i>Employer</i>	<i>Address</i>
September 1990 - May 1991	Bookseller	B. Dalton Bookseller	Arlington, VA
October 1991 - May 1994	Bookseller	B. Dalton Bookseller	Somerville, NJ

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.

The Florida Bar, May 10, 1996

United States District Court, Middle District of Florida, December 17, 1996

United States Court of Appeal, Eleventh Circuit , November 25, 1996

State of Indiana, October 31, 1994 (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:

<i>Position</i>	<i>Name of Firm</i>	<i>Address</i>	<i>Dates</i>
Assistant County Attorney	County of Volusia	123 W. Indiana Avenue, DeLand,	August 2010 - December

		FL	2015
		444 Seabreeze Boulevard, Suite 500, Daytona Beach, Florida 32118	September 1996 - July 2010
Assistant Attorney General	State of Florida, Department of Legal Affairs		
		1200 West International Speedway Blvd., Daytona Beach, FL 32114	January 2003 - December 2003
Adjunct Professor	Daytona Beach Community College		
		State House, 200 West Washington Street, Indianapolis, IN, 46204	August 1994 - July 1996
Law Clerk to the Hon. Robert H. Staton	Indiana Court of Appeals		

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.

I achieved Board Certification in Criminal Appellate law in August 2002, have been recertified three times, and remain board certified.

Prior to my judicial appointment, I practiced in the land use section of the Volusia County Attorney's Office. I served as staff counsel to the Volusia County Code Enforcement Board and as both staff counsel and legal counsel to the Volusia County Contractor Licensing & Construction Appeals Board (CLCA), and the ECHO Advisory Committee. I handled all animal control matters, including animal neglect cases in county court and dangerous dog hearings before a special magistrate. I provided legal counsel to county staff in building and zoning, code enforcement, environmental, ECHO programs, and animal control. I drafted ordinance amendments, engaged in foreclosure litigation on code enforcement liens, and reviewed the legality of brownfield designations. I also handled extensive administrative litigation involving the county's shared responsibility for secure juvenile detention costs, appeared before the Division of Administrative Hearings (DOAH), and was appellate counsel in multiple appeals in the First District Court of Appeal. I reviewed real estate contracts, lien extinguishments, title searches, and covered any and all litigation that would arise from county departments. In the three years prior, I practiced exclusively in the civil litigation section of the County Attorney's Office, handling personal injury defense, premises liability, employment litigation, and specialized litigation involving local tourist and convention development taxes, the public dedication of the beach, and federal section 1983 civil rights cases. I was involved in all aspects of civil litigation, including discovery, filing pre-trial motions, appearing at hearings, preparing cases for trials, attending mediations, and presenting cases to the Volusia County Personnel Board in administrative employment appeals. I sat as second chair in two jury trials and one bench trial, and handled both civil plenary appeals, and first and second tier certiorari appeals.

Prior to my tenure with the Volusia County Attorney's Office, I served as an Assistant

Attorney General representing the State of Florida in appeals from felony criminal cases for all the circuits within the jurisdiction of the Fifth District Court of Appeal as well as in the Florida Supreme Court. My practice entailed all aspects of criminal appellate law at both the state and federal levels. I handled appeals of felony cases, including first degree murder, capital sexual battery, manslaughter, robbery, racketeering, and driving under the influence. Issues raised on appeal included review of state constitutional statutory challenges, Fourth, Fifth, Sixth, and Eighth Amendment claims, evidentiary rulings, sentencing errors, prosecutorial misconduct, ineffective assistance of trial and appellate counsel, statutory construction, standing, and preservation of arguments. I responded to extraordinary writs, including petitions for writ of habeas corpus, and handled post-conviction proceedings filed pursuant to Florida Rules of Criminal Procedure 3.800 and 3.850.

I appeared regularly at oral argument in the Fifth District Court of Appeal, as well as ten appearances before the Florida Supreme Court and three oral arguments before the United States Court of Appeals for the Eleventh Circuit. I also drafted responses to petitions for writs of certiorari in the United States Supreme Court and handled evidentiary hearings on federal habeas corpus matters before the United States District Court for the Middle District of Florida. I was called upon to assist the Bureau Chief as needed in case assignments and office administration. I served as team leader for moot courts as part of oral argument preparation for other attorneys in the office and responded to legal questions from assistant state attorneys within the appellate district.

I am the named assistant attorney general in more than 430 cases on Westlaw where I represented the State of Florida in criminal cases in the Fifth District Court of Appeal and the Florida Supreme Court.

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	<u>5</u> %	Civil	<u>90</u> %
Federal Trial	<u>10</u> %	Criminal	<u>10</u> %
Federal Other	<u> </u> %	Family	<u> </u> %
State Appellate	<u>20</u> %	Probate	<u> </u> %
			100% criminal from January 1 through July 31,2010
State Trial	<u>45</u> %	Other	<u>31,2010</u> %
State Administrative	<u>25</u> %		
State Other	<u> </u> %		
	<u> </u> %		
TOTAL	<u>100</u> %	TOTAL	<u>100</u> %

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

Jury? 2 Non-jury? 7
 Arbitration? Administrative Bodies? 10

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.

No

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.

No

(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).

1. In Re Dangerous Dog Classification, Case No. 2015-10274-CODL, appeal from dangerous dog classification including evidentiary hearing on petition for injunction
George Torres, animal owner, pro se

2. County of Volusia, et al. v. Dep't of Juvenile Justice, DOAH Case No. 14-2799RP, appeal pending, 1D15-2298 (Fla. 1st DCA 2015).

Opposing Counsel: Michael J. Wheeler, former Assistant General Counsel, Department of Juvenile Justice, now with Office of Public Defender (850) 606-1000 and Brian D. Berkowitz, General Counsel, Department of Juvenile Justice, (850) 921-4129

Co-Counsel: Gregory T. Stewart, Esq. and Carly J. Schrader, Esq., counsel for Petitioner/Intervenor Counties, (850) 224-4070

Scott D. Shevenell, Assistant County Attorney, Orange County, (407) 836-7320

Adam Katzman, Assistant County Attorney, Broward County, (954) 357-7600

Terrell K. Arline, formr Bay County Attorney, (850) 321-8726

Stephen M. Todd, Senior Assistant County Attorney, Hillsborough County, (813) 272-5670

3. County of Volusia v. Dep't of Juvenile Justice, DOAH Case No. 13-2957, appeal pending, 1D15-1126 (Fla. 1st DCA 2015).

Opposing Counsel: Michael J. Wheeler, former Assistant General Counsel, Department of Juvenile Justice, now with Office of the Public Defender (850) 606-1000

Co-Counsel: former Assistant County Attorney Nancye R. Jones , now in private practice (386) 228-0911

4. HJH, LLC v. Volusia County, Case No. 2008-20156-CINS-02, aff'd in part and rev'd in part, 170 So.3d 100 (Fla. 5th DCA), rev. denied, 192 So.3d 45 (Fla. 2015)

Trial Opposing Counsel: Douglas K. Gartenlaub, Esq. and Howard Marks, Esq., (407) 540-6600

Appellate Opposing Counsel: Martin S. Awerbach, Esq. and Michael Cohn, Esq., (727) 725-3227; and William E. Bond, Jr., Esq. and William J. Dunaway, Esq., (850) 434-9200

Trial Co-Counsel: Deputy County Attorney Larry Smith, (386) 736-5950

5. Flesch v. Volusia County, Case No. 2012-12005-CIDL, (petition for certiorari denied following administrative evidentiary hearing tried before the Volusia County Personnel Board)

Opposing Counsel. Joseph E. Blich, Esq., (407) 574-2835

6. Knudsen v. Higgins, et al., Case No. 6:09-cv-1060-ORL-31GJK (M.D. Fla. 2011), appeal dismissed, Case No. 11-14772-FF (11th Cir. 2012).

Opposing Counsel: Dennis F. Wells, Esq., (407) 865-5600

Trial Co-Counsel: former Assistant County Attorney Nancye R. Jones, now in private practice (386) 228-0911

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).

1. County of Volusia v. Moyer, et. al, Case No. 2014-10088-CIDL

Opposing Counsel: Donald Gervase, Esq., (407) 287-6767

Co- counsel: former Assistant County Attorney Shannon K. Eller, now counsel for City of Jacksonville, (904) 255-5084

Co-defendant Counsel of Record: Michael Kelton, Esq., (386) 734-3020

2. In re The Matter of a Mistreated or Neglected Animal, Case No. 2014-23328-CONS

Blake Johnathan Doyle, animal owner, pro se

3. Morrell v. County of Volusia, Circuit Court Case No.2009-13701-CIDL

Opposing Counsel: Keith R. Warnock, Esq., (386) 258-0049

Co-Counsel: Assistant County Attorney Francis J. Carroll, (386) 736-5950

4. Butcher v. County of Volusia, Circuit Court Case No: 2009-32539-CICI

Opposing Counsel: Edward S. Donini, Esq., (386) 846-6007

5. Robles v. County of Volusia, Circuit Court Case No. 2011-11762-CIDL

Opposing Counsel: Keith C. Warnock, Esq., (386) 258-0049

6. Cintron v. County of Volusia, Circuit Court Case No. 2012-10718 CIDL

Opposing Counsel: David R. Heil, Esq., (407) 599-2100

27c. During the last five years, how frequently have you appeared at administrative hearings?
1-2 average times per month

27d. During the last five years, how frequently have you appeared in Court?
2-3 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? 100 %

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.

Prior to these last five years of practice before my judicial appointment, I appeared regularly before the Florida Fifth District Court of Appeal as lead counsel for the State of Florida handling criminal appeals. I would appear as both Appellant and Appellee, individually filing five to six briefs or pleadings per month in the Fifth District Court of Appeal, the Florida Supreme Court, the United States District Court for the Middle District Court of Appeal, and the United States Court of Appeals for the Eleventh Circuit. I handled all oral arguments and evidentiary hearings in my assigned case load.

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.

N/A

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.

1. Barber v. State, 4 So.3d 9 (Fla. 5th DCA 2009) (Sawaya, J., Palmer, C.J., and Griffin, J.), oral argument on July 15, 2008

Opposing Counsel: William Mallory Kent, Esq., appellate counsel for Justin Barber

I handled this criminal appeal on behalf of the State of Florida as an assistant attorney general, following the first degree murder conviction and life sentence of Justin Barber. Barber's wife, April, was fatally shot in the face on a beach in St. Johns County following their celebratory anniversary dinner. Barber told police that he and his wife were approached by a gunman who attempted to rob them, who then shot April and fled the scene. After several years of investigation, the case was brought to trial by former Assistant State Attorneys and now Circuit Judges Matthew Foxman and Christopher France, during which they presented a circumstantial evidence case to prove that Barber, in fact, shot his wife in the face. On appeal, Barber's counsel attacked certain evidentiary rulings, including the introduction of Barber's downloaded music on his computer, his extramarital affairs, and his receipt of life insurance policy proceeds, and argued that because a certain aggravating factor in support of the death penalty was not proven or found by the jury, Barber's motion for judgment of acquittal based upon circumstantial evidence should likewise have been granted. I briefed the case and appeared at oral argument in the Fifth District Court of Appeal where the court was very active in its questioning as the bulk of the appellate issues were novel. While this case received national news media attention at the trial level and was the subject of a 48 Hours documentary, the import of upholding this conviction and sentence was crucial to me in my role as the appellate prosecutor. The brutal and calculated manner in which Barber killed his wife made this case one of the most significant of my career. My review of the record, the evidence presented at trial, and my personal interaction with April's family members remain with me to this day. When the conviction and life sentence were affirmed by the appellate court so many years after her murder, I was gratified that I could provide some comfort that the justice system had prevailed for April Barber.

2. Franklin v. State, 887 So.2d 1063 (Fla. 2004) (Pariente, C.J., Wells, Cantero, and Bell, JJ, concurring; Quince, J., dissenting with an opinion, with Anstead and Lewis, JJ, concurring), oral argument on November 4, 2003

Opposing Counsel: Assistant Public Defenders Lisa Walsh and Billie Jan Goldstein

I handled this criminal appeal on behalf of the State of Florida in the Florida Supreme Court. This appeal involved a constitutional challenge to the Three-Strike Violent Felony Offender Act, a significant piece of sentencing legislation passed in 1999. This case

originated out of Miami but the appeal was sent to the Daytona Beach criminal appeals office and assigned to me. The constitutional challenge attacked fourteen provisions of the act on single subject grounds. This case was heard on oral argument by the Florida Supreme Court, along with a companion case, and the court was inquisitive of the attorneys on both sides, given the state-wide impact of the sentencing scheme under scrutiny and the number of sentences potentially affected if the statute were to be declared unconstitutional. This was a significant case of my criminal appellate career given the merits of the constitutional challenge, the various attorneys involved, its publicity, and the pressure of handling oral argument in our state's highest court on a critical sentencing bill.

3. HJH, LLC v. Volusia County, Case No. 2008-20156-CINS-02, (Hon. Robert K. Rouse, Jr., presiding trial judge), aff'd in part and rev'd in part, 170 So.3d 100 (Fla. 5th DCA)(Edwards, Sawaya, and Berger, JJ); rev. denied, 192 So.3d 45 (Fla. 2015). Trial in October 2013 and oral argument on May 14, 2015

Trial Opposing Counsel: Douglas K. Gartenlaub, Esq. and Howard Marks, Esq.,

Appellate Opposing Counsel: Martin S. Awerbach, Esq., Michael Cohn, Esq.,

William E. Bond, Jr., Esq., and William J. Dunaway, Esq.

Trial and Appellate Co-Counsel: Deputy County Attorney Larry Smith

This case involved the issue of public dedication of the beach on ancient plats. This case was tried before Judge Rouse, where Deputy County Attorney Larry Smith and I presented extensive testimony on the history of New Smyrna Beach, ancient beach plats, public use of the beach, conveyances of deeds, and offer and acceptance of a public dedication. I presented the expert testimony of a University of Central Florida professor who testified to the public's use of the sandy beach and dunes in New Smyrna Beach since the early 1900's. Evidence of the public's continued use of the beach just east of the ocean front lots subdivided on ancient beach plats, the first plat drawn in 1889, was offered to support the position of the county regarding access and use of beach to the public to determine the width and length of the present-day lots as platted. Also offered were the oral histories provided by two long-time residents of New Smyrna Beach, who testified to their memories as children of the public access to the beach, cars on the beach, and playing in the sand dunes. The witness preparation and deposition trial testimony of these two women, who were both consistent in their historical memories of enjoyable times as beachgoers throughout their lives, provided insightful historical facts about the city and likewise provided some entertainment during pre-trial meetings as they would sometimes banter back and forth when they disagreed about certain old acquaintances, landmarks, or the origins of certain buildings. Under oath, these two ladies, a local business owner and author and a lifelong teacher respectively, and in their late eighties at the time, testified with great precision and clarity. Mr. Smith and I maintained contact with them in the years after the trial, as any visit or conversation with them was heartfelt and so enjoyable. Following the bench trial and a favorable final judgment, I wrote the appellate brief and appeared for oral argument in the Fifth District Court of Appeal. I also drafted the brief in support of jurisdiction on behalf of the county in the Florida Supreme Court. This complex civil case is of huge significance to me as I had to learn a completely new area of the law in

preparation for summary judgment motions and trial, qualify a historian as an expert witness, and handle all of the appellate proceedings.

4. *Drury v. Volusia County, et al.*, Case No. 6:10-cv-1176-Orl-28DAB (M.D. Fla. 2012), Hon. John Antoon, II, Order of Summary Judgment, January 19, 2012

Opposing counsel: Gary Edinger, Esq.; Brett Hartley, Esq.

Co-counsel: Deputy County Attorney Larry Smith, Assistant County Attorney Nancy R. Jones

This highly publicized lawsuit filed against the Volusia County Beach Patrol and its now retired director Kevin Sweat involved claims of federal civil rights violations stemming from allegations that a “culture of sexual abuse” was fostered in the department against female lifeguards by older, male lifeguards, supervisors, and beach patrol law enforcement officers. This case involved extensive discovery, including more than 20 depositions of beach patrol employees, alleged victims, and county management. The inflammatory allegations raised in this lawsuit struck at the core of this department, having a significant effect on the morale of the beach patrol and its image in the community. After more than a year of discovery, I co-authored a comprehensive motion for summary judgment, which detailed the complete lack of proof that a culture of sexual abuse existed or that the county or its director had any knowledge of beach patrol officers engaging in sexual relations with minor female lifeguards. On the eve of trial, after extensive and exhaustive witness preparation, an order granting the County’s motion for summary judgment was rendered, and a judgment was entered in favor of Volusia County and Director Sweat, wherein Judge Antoon found there was no evidence to support the allegations. I was assigned to this case during my first months at the county attorney’s office and worked extensively on document review, discovery, and federal civil rights section 1983 legal research. During the course of discovery in this case, I met many hard working beach patrol employees and others who took great pride in keeping our beaches safe. This case will remain one of the most significant in my tenure at the county attorney’s office as this complaint contained a lengthy list of allegations that seemed overwhelming to overcome and yet during each step of discovery, we were able to reach the truth, dismantle the plaintiff’s claims, and reach the most favorable result possible.

5. *Raulerson v. State*, 763 So.2d 285 (Fla. 2000)(Wells, C.J., and Shaw, Harding, Anstead, Pariente, Lewis, and Quince, JJ.)

Opposing Counsel: Assistant Public Defender Glen P. Gifford

Co-Counsel: Assistant Attorney General Kristen L. Davenport (on the brief only)

This was the first case where I appeared for oral argument before the Florida Supreme Court. This was a consolidated appeal from eleven cases statewide, five consolidated for oral argument, and all of which raised a constitutional challenge on separation of powers grounds based upon whether an “adjudication withheld” constituted a conviction in the driving while license cancelled, suspended or revoked statute, section 322.34(1), which increased in severity the degree of crime with each subsequent conviction. The defendants argued that by giving a trial judge the authority to define the degree of the

substantive criminal offense whether choosing to withhold an adjudication if a withhold of adjudication were to be construed as included in the definition of conviction as that term was utilized in the statute. The effect was then a purported violation of separation of powers as the judicial branch was unconstitutionally infringing upon the Legislature's exclusive authority to create and make criminal laws. Applying the rules of statutory construction, I successfully argued to the Florida Supreme Court that the word "conviction" as utilized in the statute included adjudications withheld as that construction was consistent with the overall scheme of chapter 322 and the plain legislative intent to impose harsher penalties for repeat offenders. The constitutional challenge based upon a violation of separation of powers thus failed. Arguing before the Florida Supreme Court in March 1999, just shy of my thirtieth birthday, less than five years after graduating from law school and with less than three years of experience as an Assistant Attorney General (including a stint on maternity leave), was an enormous undertaking for me. My comfort before the court at oral argument and the successful outcome in these cases were milestones for me as an appellate attorney. This case gave me the confidence to handle more challenging criminal appellate cases, including arguing nine more additional cases in the Florida Supreme Court on behalf of the Attorney General's Office.

6. Knudsen v. Higgins, et al., Case No. 6:09-cv-1060-ORL-31GJK (M.D. Fla. 2011)(Hon. Gregory J. Presnell)

Opposing counsel: Dennis Wells, Esq.

Co-Counsel: Assistant County Attorney Nancye R. Jones for Defendants David Higgins and Volusia County Sheriff Ben Johnson.

I was second chair in this federal civil rights jury trial involving a former Volusia County Sheriff's Deputy alleged to have engaged in excessive force against the plaintiff when he was called to her residence. This trial involved extensive witness preparation, and I presented the testimony of the defensive tactics officer who trained Deputy Higgins on the use of force continuum policy that law enforcement officers are to follow in situations when they believe their personal safety is at risk. The jury deliberated for two days and ultimately found that Deputy Higgins engaged in the reasonable use of force. Deputy Higgins was a single parent of his children, who would have been personally liable for any jury verdict, and the emotion of the favorable verdict cannot be understated for him and for me as one of his lawyers.

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.

See the attached order as referenced in response no. 32d(iv), and an amicus curiae brief filed in the Florida Supreme Court, both of which I personally and exclusively drafted.

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.

Appointed Circuit Judge, Seventh Judicial Circuit, January 2016 to December 31, 2018

Elected Circuit Judge (unopposed), Seventh Judicial Circuit, May 4, 2018, and presently serving a six year term

32b. List any prior quasi-judicial service:

<i>Dates</i>	<i>Name of Agency</i>	<i>Position Held</i>
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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.

No

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.

Robert Aguilar, (904) 264-6000, Aguilar & Sieron, P.A., 1045 N. Orange Ave., Ste. 3, Green Cove Springs, FL 32043-2529, robert@aguilarsieron.com. Mr. Aguilar was counsel for the defendant in a bench trial in a breach of contract action which I presided over in St. Augustine.

Daphne Cukier, (386) 668-4451, Cukier Law Firm, P.A., P.O. Box 530144, Debarry, FL 32753-0144, cukierlawfirm@gmail.com. Ms. Cukier is appointed to represent parents in dependency matters and as defense counsel to juvenile delinquents. She appears before me routinely, at least ten times per week, on our weekly dependency docket. Ms. Cukier has tried termination of parental rights and dependency cases before me.

Eric W. Emery, Jr., (850) 717-4696 (office) or (850) 228-4473 (cell), Office of Child Welfare, Florida Department of Children and Families, 1317 Winewood Blvd., Bldg. 1 Rm 300E, Tallahassee, FL 32399-0700, eric.emery@myflfamilies.com. Mr. Emery appeared before me routinely, at least ten times per week, when serving as a supervising attorney for Children's Legal Services on our weekly dependency docket. He also tried termination of parental rights and dependency cases before me.

Allison Hughes, Division Chief, (386) 822-5770, Office of the Public Defender, 101 N Alabama Ave, DeLand, FL 32724-4316, hughes.allison@pd7.org. Division Chief Hughes is the assigned public defender on the juvenile delinquency docket and appears before me routinely on our weekly delinquency docket, daily during our monthly rotation for circuit-wide detention hearings, and as trial counsel for

juveniles in adjudicatory hearings, violation of probation hearings, and disposition hearings.

Richard Bradley McBride, (904) 827-0813, Law Office of Brad McBride, PA, 310 Paseo Reyes Dr. Unit 1, St. Augustine, FL 32095-8464, bradmcbridelaw@gmail.com. Mr. McBride is appointed to represent parents in dependency matters in St. Johns County and has appeared before me on several occasions when I provided coverage on that docket in St. Johns County.

Thomas P. Turcotte, (386) 736-5958, Guardian Ad Litem Program, 125 W New York Ave., Ste 260, DeLand, FL 32720-5415, Thomas.Turcotte@gal.fl.gov. Mr. Turcotte appears on behalf of the Guardian ad Litem program and is before me routinely, at least ten times per week, on our weekly dependency docket. Mr. Turcotte has also tried multiple termination of parental rights and dependency cases before me.

- (ii) Describe the approximate number and nature of the cases you have handled during your judicial or quasi-judicial tenure.

Since taking the bench in January 2016, I hear on average more than 100 hundred juvenile delinquency matters per month, including detention hearings, arraignments, adjudicatory hearings, dispositions, judicial reviews, and proceedings on violations of probation. I hear more than 100 dependency matters per month, including daily shelter hearings, weekly dependency arraignments, adjudicatory and disposition hearings, and judicial reviews as well as proceedings in termination of parental rights, including advisory hearings, adjudicatory and disposition hearings, and judicial reviews. I preside over multiple adoption hearings per month and I have presided over numerous, often multi-day, trials on petitions for termination of parental rights, each of which required detailed final orders subject to expedited appeals in the Fifth District Court of Appeal.

Based upon information from the Volusia County Clerk of Court, in 2018, our unified family division closed more than 500 juvenile delinquency matters where petitions for delinquency were filed and I presided over 500 detention hearings. I closed more than 200 hundred juvenile dependency cases, and handled close to 400 judicial review hearings.

As a unified family division judge, I handle related family matters including domestic violence and chapter 39 injunctions, as well as domestic relations matters including paternity, dissolution, time-sharing and child support matters, adoptions, and chapter 751 petitions. I have presided over paternity, dissolution of marriage, time-sharing, and relocation trials. I have likewise handled intervention petitions filed in adoption cases, with bench trials, and private termination of parental rights petitions, also with bench trials.

In March 2018, in collaboration with community providers, dependency case management, court staff, Children's Legal Services, the guardian ad litem program, and dependency parent attorneys, we launched Early Childhood Court for West Volusia, a problem-solving court aimed at child welfare for children ages zero to three. We are one of twenty-three sites state-wide. The ECC model looks to the judge as the core of the leadership component, a role I took on after careful consideration. My relationship with our court team is cohesive, respectful, and

collegial. Our ECC team meets for status conferences on the third Friday of each month as we roundtable each parent's progress, the needs and development of the children, and hear input from the providers working with the parties as well the caregivers of the children. Most importantly, in this short time period, our West Volusia ECC site has had successful reunifications with four families. I attended the National Cross-Sites Conference in August 2018 and the All-Sites State Conference in Orlando this summer. I also spoke at a regional DCF/ECC summit in Jacksonville last summer for regional circuits looking to launch its own ECC site or otherwise maintain or improve existing sites. This training and opportunity has been invaluable to me not only as a judge but as a parent.

Finally, I hear detention hearings (first appearances for juveniles) each day on a three-month rotating basis for all juveniles arrested circuit-wide. I have provided coverage as needed in county and circuit criminal dockets in both Volusia and Putnam Counties, on county and circuit civil cases in Volusia and St. Johns Counties, dependency dockets in St. Johns County, and family dockets in Volusia, Flagler, and St. Johns Counties. I also covered St. Johns County drug court in July 2019. I rotate with other Volusia County circuit judges for weekend and holiday first appearances and as the weekly "on-call" or emergency duty judge.

(iii) List citations of any opinions which have been published.

U.S. Bank Nat'l Ass'n for Registered Holders of Citigroup Mortg. Loan Tr. 2007-AHL2, Asset-Backed Pass-Through Certificates, Series 2007-AHL2 v. Wilson, 252 So. 3d 306, 309 (Fla. 5th DCA 2018).

(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.

1. J.A. v. Dep't of Children & Families, 235 So. 3d 928 (Fla. 5th DCA 2017)(table); Volusia County Circuit Court Case No. 2014-10260-CJDL. The Fifth District Court of Appeal affirmed per curiam a final judgment terminating the parental rights of J.A., which I authored following a four day bench trial. This case involved allegations of egregious abuse of a young boy where the perpetrator of such abuse was not criminally charged. The child was in the care of his father and stepmother at the time of the abusive acts which resulted in the child sustaining a perforated bowel, and both denied inflicting the life threatening injury. The evidence presented at trial required rulings on the admission of child hearsay which implicated the stepmother, the credibility of witnesses, and applying the statutory grounds for termination of parental rights and the manifest best interest of the child under chapter 39. The appeal, as with all termination of parental rights judgments, was given expedited status in the appellate court, as the nature of such proceedings are typically referred to as the death penalty cases for parents. In addition to the egregious abuse caused to the child in this case, this case is significant to me as I entered an order placing the child with another family member at the outset of the trial which was disrupted months later when allegations arose that the child was mistreated in that placement. As a judge tasked daily with making decisions in the best interest of a child, a case such of this will always remain significant to me given that the decision I made to place this child with a family member had a negative albeit temporary impact on the

child. In the end, the child remained in therapy, was placed in a loving pre-adoptive home, and has since been adopted by two parents committed to him for life.

Trial – May 2017

Lawrence Cartelli, Jr., Attorney for Parent; Stephanie Castranova, Attorney for the Department of Children and Families, Eric W. Emery Jr., Attorney for the Department of Children and Families, and Thomas P. Turcotte, Attorney for the Guardian Ad Litem Program

2. L.A. v. Dep't of Children & Families, 247 So. 3d 522 (Fla. 5th DCA 2018)(table). The Fifth District Court of Appeal affirmed per curiam a final judgment of involuntary termination of parental rights that I authored. This case involved a parent with ongoing substance abuse whose children were removed three times, a statutory ground for termination under chapter 39. This case was a journey for the Florida Department of Children and Families, its contracted case management agency, the parents' attorneys, and the guardian ad litem program, as each entity continued to work with a parent who struggled with substance abuse, had periods of recovery where she was reunified with her children, and then had relapses, ultimately resulting in the final removal of the children. This case is significant as it exemplifies the impact of the opioid crisis on two children as their addicted father died and their addicted mother's rights were terminated. As a co-representative for the circuit on the state opioid awareness panel, through training, I know have a fuller understanding of this addiction, its impact on the user's brain, and the availability of medication assisted treatment, I see this case as one that might have had a different result even now given the recent increased awareness of and treatment options for opioid use disorder.

Trial Date: November 2017

Kathryn Welch, Attorney for the Parent; Stephanie Castranova, Attorney for the Department of Children and Families, and Ann Lieb, Attorney for the Guardian ad Litem Program

3. In the Interest of R.Y., Volusia County Circuit Court Case Nos. 2017-10214 CJDL (dependency), 2016-10434 CJDL, 2016-10416 CJDL, 2016-10396 CJDL, 2016-10295 CJDL, 2016-10214 CJDL, 2015-10926 CJDL, 2015-10794 CJDL, and 2015-10274 CJDL. When I first took the bench, the juvenile, R.Y. was being held in secure detention on multiple burglary charges as well as grand theft auto. Ultimately, I sentenced R.Y. to a non-secure commitment program based upon his lengthy juvenile record and his inability to comply with the terms of his probation. At the end of his disposition hearing, R.Y. told me he wanted to go into foster care rather than return home after he completed his commitment program but would not state why. After his release from commitment, he did return home, and while on post-commitment probation, R.Y. was arrested again, which triggered a shelter hearing. R.Y. was placed in licensed foster care at that time and remained in group homes until reaching adulthood. He is currently enrolled in college, a budding entrepreneur, and has held down various jobs since coming off probation. R.Y., now living independently, was on my docket for more than three years and made a lasting impression on not only me but all who have come into contact with him in both delinquency and dependency. Having the "full" picture is crucial to a

family law judge, especially when a youth crosses over from juvenile delinquency to juvenile dependency. Considered a “crossover” youth, R.Y. is a success of unified family court, success driven by his growth, determination, and his ability to know what was best for him. This case embodies the vision of Florida's unified family court of "one family one judge" as not only did I have ability to consider the "full" picture of this young man but so did the dependency case manager, juvenile probation officer, the assistant state attorney, the assistant public defender, the attorneys in dependency, and the guardian ad litem program. In each unified family case, not just those involving crossover youth, the judge can to bring all the stakeholders together and work toward achieving an outcome beneficial for a child and a family. This case exemplifies the goals by the Florida Supreme Court when adopting the unified family division model.

Delinquency Disposition - July 2016 and Dependency Judicial Review (final) – December 2018

Assistant Public Defender Allison Hughes; Assistant State Attorney Jill Fitzgerald and Assistant State Attorney Shirtrina Roberts; Samantha Castranova, Attorney I for the Department of Children and Families; and John Dorris and Ann Lieb, Attorneys for the Guardian ad Litem Program

4. D.D. v. M.D., Volusia County Circuit Court Case No. 2018-13153 FMDL. This was a bench trial on a petition to disestablish paternity, where the legal father sought to disestablish paternity for a child born during his marriage to the mother but conceived while he was incarcerated. The issue to be decided was whether the legal father had come forward with newly discovered evidence regarding the paternity of the child since the establishment of his child support obligation. The law on disestablishment of paternity while statutorily driven can be difficult to maneuver as the case law provides varying results. This case was no different. However, of significance in this case was overwhelming proof that the evidence was not newly discovered as was detailed in the final judgment I solely authored. Of further note, this disestablishment case was related to a high conflict dependency case involving the parents, permanent guardian, and I presided over a two-day evidentiary hearing on their joint motion to reopen. This case provides another example of the "one family one judge" approach given the lengthy procedural history of a dependency case, a related family law case, all impacting the same child or children. The final judgment is attached and referenced to my response to question no. 31.

Trial: June 2019

Counsel: Michael S. Teal for Petitioner and Thomas W. Collier for Respondent

5. In the Interest of D.S., Volusia County Circuit Court Case Nos. 2017-10722 CJDL and 2017-10739 CJDL. This is a juvenile delinquency case where I departed from the recommendation of the Department of Juvenile Justice for probation and committed the juvenile to a non-secure commitment program. There is significant appellate case law on the procedures required of a circuit judge when departing from a recommendation but those cases do not address instances where probation is recommended but the disposition conclusion of the judge is that the juvenile be committed to non-secure residential commitment, the lowest level of commitment. The case law requires the circuit judge to send the matter back to

the Department of Juvenile Justice for a recommendation on a restrictiveness level for commitment once probation is rejected despite a finding by the judge that the lowest restrictiveness level is appropriate. Following the controlling case law, and notwithstanding my finding, the matter was continued so that a recommendation could be provided by the Department of Juvenile Justice. The net effect is a delay in placement of the juvenile in an appropriate commitment program with the services put in place to counsel, treat, and rehabilitate the juvenile as well maintain his or her education.

Disposition Date – April 2018

Shirtrina Roberts, Assistant State Attorney; Brett Kocijan, Esq., and Isadore Hyde, Esq., counsel for child

- (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.

Unless notified by the Judicial Qualifications Commission of a notice of investigation, I would not be aware of any complaint or its content. In June 2019, I was advised by the chief judge of a matter referred to him by the Judicial Qualifications Commission regarding a juvenile's disposition hearing I presided over months earlier. I was never in receipt of a notice of investigation. There was no finding of probable cause and the matter was summarily closed. I have never appeared before Judicial Qualifications Commission.

- (vi) Have you ever held an attorney in contempt? If so, for each instance state name of attorney, approximate date and circumstances.

No

- (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.

N/A

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.

N/A

- 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.

No

- 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.

No

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.

Since my appointment, I have not had any types of cases or classification of cases which have been difficult for me to preside over as the sitting judge and I do not anticipate any difficulties arising as an appellate judge. I recused myself from a juvenile delinquency matter involving the grandchild of my former paralegal and, at the direction of the chief judge, in cases related to my response in no. 32.v. I granted a motion to recuse in a termination of parental rights matter filed by a parent, the grounds of which were not legally strong, but given the nature of the proceedings and the severity of the potential outcome, I concluded that recusal, in an abundance of caution and in my discretion, was appropriate. I was one of two judges who were recused during the course of that case.

MISCELLANEOUS:

35a. Have you ever been convicted of a felony or a first degree misdemeanor?

Yes _____ No XX 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 XX 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 XX 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.

No

36b. Has any lawsuit to your knowledge been filed alleging malpractice as a result of action or inaction on your part?

No

- 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.
- No
- 37a. Have you ever filed a personal petition in bankruptcy or has a petition in bankruptcy been filed against you?
- No
- 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.
- No
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.
- Yes; Timothy Jolley, et al. v. Jerry Woodgate, et al., Volusia County Court Case No. 2001 20238 CONS, stipulated order of dismissal filed July 30, 2001. I filed this lawsuit jointly with my husband demanding return of monies for our deposit pursuant to a real estate contract for purchase of a home with undisclosed termite damage.
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.
- No
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).
- No
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.
- No
42. In the past ten years, have you been subject to or threatened with eviction proceedings? If yes, please explain.
- No
- 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?

No

HONORS AND PUBLICATIONS:

44. If you have published any books or articles, list them, giving citations and dates.

Mary G. Jolley and Catherine M. Morrison, 1995 Developments in Property Law, 29 Ind. L. Rev. 1035 (1996).

45. List any honors, prizes or awards you have received. Give dates.

Employee of the Year, Office of the Attorney General, 2002

Two Time Inductee, North Hunterdon High School Athletic Hall of Fame, 2002 and 2004

46. List and describe any speeches or lectures you have given.

For the past three years, I have spoken to newly minted guardian ad litem volunteers and administered the oath during their induction ceremony.

I have twice presided over National Adoption Day proceedings in Daytona Beach and provided the introductory speech in November 2016.

I served as a Mock Trial judge for the 2018 Rotary Youth Leadership Awards Conference.

I frequently speak to students who come to the courthouse for arranged school trips about the juvenile delinquency system, diversion programs such as teen court, and the importance of education.

For numerous years, as part of the Volusia County Bar Association programs for Law Week, I was a speaker each spring at Volusia County elementary and middle schools where I would do presentations or give speeches to individual classes or large groups of students.

47. Do you have a Martindale-Hubbell rating? Yes If so, what is it? ___ No

BV

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.

Florida Courts Opioid Initiative, Seventh Circuit Co-Representative, (2019)

Hague Convention Designated Judge, Seventh Judicial Circuit (2019)

Early Childhood Court, (2018 - present)

Futures/ Take Stock in Children, Mentor (2018 - present)
Grade Review Panel, Criminal Trial Board Certification (2017)
Dunn-Blount Inn of Court, Member (2014 - present)
Florida Association of Code Enforcement (2012 - 2015)
Seventh Circuit Judicial Nominating Commission, Member (2008-2011)
Volusia County Bar Association, Law Week Chairperson (2003-2005)
Volusia County Bar Association, Law Week School Speaker (2000-2006)
Volusia County Bar Association, Member (1997-2004)
Justice Teaching Program, Sunrise Elementary School (2007-2008)
Volusia County Mock Trial Competition, Award of Volunteer Participation (2001)

- 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.

Our Lady Star of the Sea Catholic Church, Parishioner (2001 to present)
Our Lady Star of the Sea Catholic Church, Parish Finance Committee Member (2004 to 2018)
RBI Cudas Baseball Club, Volunteer (2010 - 2018)
Alzheimer's Association, Walk to End Alzheimer's, Participant (2014)
Sacred Heart School, Classroom Volunteer (2002-2004, 2005-2007)

- 48c. List your hobbies or other vocational interests.

Reading, watching my son pitch at [REDACTED] baseball games, attending my daughter's dance recitals, New Smyrna Beach High School sporting events, enjoying the beach, and spending time with my family. Our family loves to attend or watch any sporting event, college or professional, particularly Major League Baseball games, as I am an avid scorekeeper.

- 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.

N/A

- 48e. Describe any pro bono legal work you have done. Give dates.

As a sitting judge, I am precluded from providing pro bono representation. As an Assistant County Attorney, I was restricted by county charter to representing only the county. I do serve as a mentor to a high school student as part of the Futures/Take Stock in Children program and I meet with my student mentee at least twice of month, and am always available to her when needed. I also served on my church finance

committee for more than ten years, which met regularly to review financial audits and balance sheets, and approve the expenditures of funds for capital projects, salaries of church employees, and parish engagement with local service organizations.

SUPPLEMENTAL INFORMATION:

- 49a. Have you attended any continuing legal education programs during the past five years? If so, in what substantive areas?

Conference of Circuit Judges (August 2019)(plenary sessions on family/addiction issues for judges, electronic discovery evidentiary issues, implicit bias and neutrality, and breakout session on immigration issues in family law)

Conference of Circuit Judges (August 2019)(Hague Convention)

Florida's Early Childhood Courts All-Sites Meeting (June 2019)

Florida Institute on Interpersonal Violence Phase I (February 2018)

Criminal Trial Grade Review Panel (November 2017)

Criminal Law Update 2016 (November 2017)

2017 Survey of Florida Law (September 2017)

Conference of Circuit Judges (July 2017)(fairness and diversity)

College of Advanced Judicial Studies (May 2017)(domestic violence and compassion fatigue)

Conference of Circuit Judges (August 2016)(hearsay, unified family division breakout sessions, search and seizure update)

Your Fair Courts Toolbox: Developing Skills for Better Courts (December 2016)

Finding Leverage & Maintaining Tactical Advantage in Mediation (April 2015)

Appellate Law Update: 2014 Year in Review (January 2015)

- 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?

I was an adjunct professor at Daytona Beach Community College for the 2003 academic year where I taught Legal Writing and Research II in the Spring Semester and Legal Terminology in the Fall Semester.

50. Describe any additional education or other experience you have which could assist you in holding judicial office.

My tenure as a law clerk to the late Honorable Robert H. Staton, who, at the time, was one of the most experienced jurists on the Indiana Court of Appeals, shaped my ability to analyze appellate issues and hone my legal research skills as a recent law school graduate. I was further taught to write concisely, with efficient use of words and their meanings. From the outset, I was tasked with reviewing appellate records, taking detailed notes, considering the issues raised on appeal, and then drafting a legal memorandum, providing a recommendation for the judge by following the rule of law, albeit fair or unfair. As a practical matter, I also had a first-hand look inside of a judge's

office and, in particular, the necessity of case management, which starts with the intake of cases from the clerk's office to the assignment of duties within our judge's own office. As law clerks, we were expected to manage our cases efficiently as well as those cases that were circulated to our office as part of a three judge or en banc panel. This experience has assisted me twenty years later in managing a circuit court docket, as I am mindful of the careful balance of moving cases but still giving each case the time necessary for a thoughtful, well-reasoned result. With my work at the appellate court, I learned very early in my career the importance of cooperation with court staff to ensure docket efficiency, and the value of collaboration and meaningful discussions with fellow judges.

51. Explain the particular potential contribution you believe your selection would bring to this position.

Since taking the bench in January 2016, I have presided over the Unified Family Court in DeLand. This post required me to immediately learn completely new areas of law, juvenile dependency and family. What I did not know in January 2016 when assigned to this division was that this assignment would be the most rewarding and humbling experience of my legal career. The highs and lows of a juvenile division are evident in my daily docket, where I could be enjoying the fruitful end of a long dependency case with an adoption hearing to witnessing a heartbroken parent watch their son or daughter be committed to a juvenile delinquency commitment program. Each day I must be ready to handle a shelter hearing, where a child or children have been removed from their parent or caregiver or an infant, just days or weeks old, is placed into dependent care from the hospital. I must be available to sign a warrant on a juvenile for a felony offense, a violation of probation or for absconding from a placement or their own home, and to review injunctions on behalf of child subject to abuse or domestic violence. Each day is different from the day before and each day I make a decision that will impact a child. Only by sitting in this division could I truly understand the impact of these cases on so many young lives. While I am tasked with making frequent rulings from the bench, I also am mindful of taking the time necessary to fully research diverse and challenging legal issues and then draft orders which may terminate a parent's rights, adjudicate parents dependent, adjudicate juveniles delinquent, dispose a juvenile to a commitment program or probation or even enjoin a party from contact with a child based upon domestic violence or abuse. To date, not one of my orders has been overturned on appeal.

Prior to this, I was fortunate to have a diverse legal practice which gave me tremendous opportunities to grow and learn different areas of the law. As noted in my response in question no. 50, this diversity started in my first legal job following law school as a law clerk on the Indiana Court of Appeals. There, I handled every type of case that came into the office, from search and seizure criminal appeals to dissolution and child custody appeals to complex civil litigation appeals, and I was mentored by an experienced appellate judge who demonstrated civility each day. This invaluable experience and direction early in my legal career stayed with me and guided me through my many years of service with the Attorney General's Office and then as an Assistant County Attorney. As an appellate attorney, I learned that solid legal research and careful review of the record on appeal serve as the foundation for any written pleading, and that any written pleading, utilizing both the research and the evidentiary record, should be concise and clear. During these years, I was also afforded ample opportunity to present oral argument in front of many appellate judges, and with that I learned that listening to the question asked is just as important as providing a cogent response. Following my tenure

as an appellate attorney, I made the decision to challenge myself as an Assistant County Attorney. As a civil litigator, I faced a more aggressive and faster moving opponent. Yet, during this time, I found the value of preparation, a quality written pleading, and a calm demeanor often carried the day. Then doing land use, administrative law, and as counsel to certain county boards, I had to be even more detail-oriented, learn other unique areas of the law, and be able to articulate in writing and orally a legally supported position based on the law as written.

My experience as a circuit judge, a civil attorney, an appellate attorney, and an appellate law clerk, I believe, will give me a strong skill set, derived from broad experience, to aid me to adapt to the diversity of legal issues, procedural questions, and the writing demands of a judge on the Fifth District Court of Appeal.

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.

Judicial Nominating Commission, Seventh Judicial Circuit (September 2015)

53. Give any other information you feel would be helpful to the Commission in evaluating your application.

Prior to taking the bench, and while based in Volusia County, I was able to appear in all four circuits that comprise the jurisdiction of the Fifth District Court of Appeal. As an Assistant Attorney General and an Assistant County Attorney, several of my cases were selected for oral argument for Law Day, where I appeared in St. Augustine, St. Johns County, in Sanford, Seminole County, in Brooksville, Hernando County, in Ocala, Marion County, and at both Florida A & M University and Barry University in Orlando, Orange County as well as Atlantic High School, Volusia County. Each location brought its own unique environment, allowing me to meet local attorneys and court staff while, at the same, still requiring my focus and detailed preparation for the actual oral argument. I recall talking to some law students after court at both local law schools, where I was asked about not only the cases I just argued but also how I liked my legal career and how I balanced work and family. My response then is the same now; I love what I do. My advice to young lawyers is always do something in the law that inspires you but keeps you true to yourself as genuineness is what shines through and brings you both happiness and success. Handling appellate oral arguments, no matter what the court or where the location, brought me my greatest successes and some crushing defeats but in the end made me a stronger and more confident attorney and allowed me to exhibit my own genuineness.

My oldest son recently told me that I was quite unique when it came to my work experience, as he noted that I have enjoyed each job I have had in my adult life. From working in a bookstore, clerking, advocating for the State of Florida, litigating for the County of Volusia, and now as a circuit judge, I have, in fact, truly enjoyed and grown with each experience. An appointment to the Fifth District Court of Appeal would undoubtedly top my proud list of "jobs." Being an appellate judge is a goal I have set for myself and to seek at a time when I believed I was ready and could do a job not only the late Judge Staton would be proud of but also one my family will admire and my colleagues respect. I pledge to maintain a strong work ethic, be prepared for oral argument, thoroughly research the law, and write concise, timely opinions applying the statutes and applicable case law in accordance with their plain meaning.

In June 2018, I was fortunate to sit as a visiting judge on the Fifth District Court of Appeal, and standing with Judges Torpy and Berger on the dais was momentous for me, given my past dozens and dozens appearances as an attorney and my respect for the judges who have served. I was prepared, humbled, and honored to take that chair. With that, when considering my application, please know that I have been thoughtful about this submission. I am confident that if given the opportunity to elevate to the appellate bench, the preparedness, humility, and deference I experienced last June will remain and be the example I hope to set as a judge on the Fifth District Court of Appeal.

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.

The Honorable C. Alan Lawson, Justice, Florida Supreme Court, 500 South Duval Street, Tallahassee, Florida 32399-1925, (850) 921-1096

The Honorable Kerry I. Evander, Chief Judge, Fifth District Court of Appeal, 300 South Beach Street, Daytona Beach, Florida 32114, (386) 947-1518

The Honorable Richard B. Orfinger, Judge, Fifth District Court of Appeal, 200 South Beach Street, Daytona Beach, Florida 32114, (386) 947-1510

The Honorable Raul Zambrano, Chief Judge, Seventh Judicial Circuit, 251 N. Ridgewood Ave., Daytona Beach, Florida 32114, (386) 239-7791

The Honorable Jennifer Bass, Circuit Judge, Fifth Judicial Circuit, Marion County Judicial Center, 110 N.W. 1st Avenue, Ocala, FL 34475, (352) 401-6763

Laura Roth, Clerk of Circuit Court, Volusia County, P.O. Box 6043, DeLand, FL 32721-6043, (386) 736-5915 or cell (386) 337-1011

Deborah Denys, Volusia County Council, County of Volusia, Thomas C. Kelly Administration Center, 123 W. Indiana Avenue, DeLand, Florida 32720, (386) 740-5224

Ben F. Johnson, Volusia County Council, County of Volusia, Thomas C. Kelly Administration Center, 123 W. Indiana Avenue, DeLand, Florida, 32720, (386) 943-7026

Daniel D. Eckert, Volusia County Attorney, Thomas C. Kelly Administration Center, 123 W. Indiana Avenue, DeLand, Florida 32720, (386) 736-5950

Shimene Shepard, Student Services and Mentor Coordinator, FUTURES/ Take Stock in Children, 3750 Olson Drive, Daytona Beach, Florida 32124, (386) 255-6475 ext. 50724

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 26th day of August, 2019.

Mary G. Jolley
Printed Name


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	<u>\$93,735</u> Judicial Salary YTD		
List Last 3 years	<u>\$160,688</u> Judicial Salary 2018	<u>\$149,732</u> Judicial Salary 2017	<u>\$146,914</u> Judicial & Asst Co. Attorney Salary 2016

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	<u>\$61,376</u> Judicial Salary YTD		
List Last 3 years	<u>\$106,622</u> Judicial Salary 2018	<u>\$94,844</u> Judicial Salary 2017	<u>\$93,461</u> Judicial & Asst Co. Attorney Salary 2016

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.

<u>Current year to date</u>	<u>YTD</u>		
<i>Dividends:</i>	\$388		
<u>List Last 3 years</u>	<u>2018</u>	<u>2017</u>	<u>2016</u>
<i>Dividends:</i>	\$1,118	\$1,035	\$1,187
<i>Capital Gains:</i>	\$1,023	\$1,135	\$3,362

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.

<u>Current year to date</u>	<u>YTD</u>		
<i>Dividends:</i>	\$388		
<u>List Last 3 years</u>	<u>2018</u>	<u>2017</u>	<u>2016</u>
<i>Dividends:</i>	\$1,118	\$1,035	\$1,187
<i>Capital Gains:</i>	\$1,023	\$1,135	\$3,362

FORM 6

**FULL AND PUBLIC DISCLOSURE
OF FINANCIAL INTERESTS**

2018

Please print or type your name, mailing address, agency name, and position below:

FOR OFFICE USE ONLY:

LAST NAME — FIRST NAME — MIDDLE NAME:

Jolley, Mary Griffio

MAILING ADDRESS:

Rm C-437 Volusia County Courthouse

101 N. Alabama Ave.

CITY :

DeLand

ZIP :

32724-4316

COUNTY :

Volusia

NAME OF AGENCY :

Judicial Circuit (7th)

NAME OF OFFICE OR POSITION HELD OR SOUGHT :

Circuit Judge

CHECK IF THIS IS A FILING BY A CANDIDATE

PART A -- NET WORTH

Please enter the value of your net worth as of December 31, 2018 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 June 28, 20 19 was \$ 1,058,080.

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, whether owned or leased.

The aggregate value of my household goods and personal effects (described above) is \$ 125,000

ASSETS INDIVIDUALLY VALUED AT OVER \$1,000:

DESCRIPTION OF ASSET (specific description is required - see instructions p.4)	VALUE OF ASSET
Real Property - [REDACTED]	\$490,000
Combined Checking and Savings - Bank of America (Joint with [REDACTED])	\$25,000
Edward R. Jones - Mutual Fund Holdings (Joint account with [REDACTED])	\$25,100
Edward R. Jones - Stock Holdings (Joint account with [REDACTED])	\$10,600

PART C -- LIABILITIES

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

NAME AND ADDRESS OF CREDITOR	AMOUNT OF LIABILITY
Regions Bank, Mortgage, 2050 Parkway Office Circle, Birmingham, AL 35244	\$109,000
Subaru Motors Finance, Vehicle Loan, P.O. Box 901076, Fort Worth, TX 76101	\$30,950
Space Coast Credit Union, Vehicle Loan, P.O. Box 419001, Melbourne, FL 32941	\$6,200

JOINT AND SEVERAL LIABILITIES NOT REPORTED ABOVE:

NAME AND ADDRESS OF CREDITOR	AMOUNT OF LIABILITY

PART D -- INCOME

Identify each separate source and amount of income which exceeded \$1,000 during the year, including secondary sources of income. Or attach a complete copy of your 2018 federal income tax return, including all W2s, schedules, and attachments. Please redact any social security or account numbers before attaching your returns, as the law requires these documents be posted to the Commission's website.

I elect to file a copy of my 2018 federal income tax return and all W2's, schedules, and attachments.
 [If you check this box and attach a copy of your 2018 tax return, you need not complete the remainder of Part D.]

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

NAME OF SOURCE OF INCOME EXCEEDING \$1,000	ADDRESS OF SOURCE OF INCOME	AMOUNT
State of Florida, Chief Financial Officer	200 E Gaines St., Tallahassee, FL 32399	\$160,688
Edward R Jones-Ordinary Dividends & Capital Gains	201 Progress Parkway, Maryland Heights, MO 63043	\$1,118

SECONDARY SOURCES OF INCOME [Major customers, clients, etc., of businesses owned by reporting person--see instructions on page 5]:

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

PART E -- INTERESTS IN SPECIFIED BUSINESSES [Instructions on page 6]

	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			

PART F - TRAINING

For officers required to complete annual ethics training pursuant to section 112.3142, F.S.

I CERTIFY THAT I HAVE COMPLETED THE REQUIRED TRAINING.

OATH

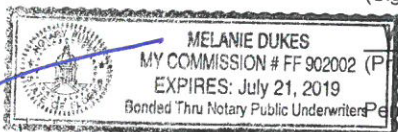
STATE OF FLORIDA
 COUNTY OF Volusia

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.

Sworn to (or affirmed) and subscribed before me this 29 day of

June, 2019 by Mary Jolley

Melanie Dukes
 (Signature of Notary Public--State of Florida)



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

Personally Known _____ OR Produced Identification

Mary Jolley
 SIGNATURE OF REPORTING OFFICIAL OR CANDIDATE

Type of Identification Produced FID

If a certified public accountant licensed under Chapter 473, or attorney in good standing with the Florida Bar prepared this form for you, he or she must complete the following statement:

I, Mary Griffio Jolley, prepared the CE Form 6 in accordance with Art. II, Sec. 8, Florida Constitution, Section 112.3144, Florida Statutes, and the instructions to the form. Upon my reasonable knowledge and belief, the disclosure herein is true and correct.

Mary Jolley
 Signature

June 29, 2019
 Date

Preparation of this form by a CPA or attorney does not relieve the filer of the responsibility to sign the form under oath.

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

PART B – ASSETS (CONT.)

ASSETS INDIVIDUALLY VALUED AT OVER \$1,000: DESCRIPTION OF ASSET (specific description is required – see instructions p.4)	VALUE OF ASSET
T. Rowe Price Retirement Account	\$231,500
Nationwide Retirement Account	\$57,900
Edward R. Jones – Mutual Fund Holdings (Joint account with Patricia Griffo)	\$78,500
Edward R. Jones – Stock Holdings (Joint account with Patricia Griffo)	\$152,400
Edward R. Jones – Money Market Fund (Joint account with Patricia Griffo)	\$2,030

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: August 26, 2019

JNC Submitting To: Fifth District Court of Appeal

Name (please print): Mary Griffo Jolley

Current Occupation: Circuit Judge

Telephone Number: 386 736-5945 Attorney No.: 080454

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.

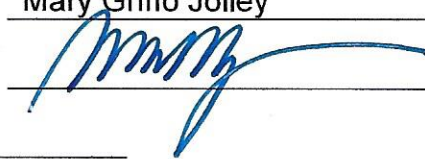
CONSUMER'S AUTHORIZATION FOR FDLE
TO OBTAIN CONSUMER REPORT(S)

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.

Printed Name of
Applicant:

Mary Griffio Jolley

Signature of Applicant:



Date: August 26, 2019