

January 19, 2010

Governor Charlie Crist
Office of the Governor
The Capitol
Tallahassee, FL 32399

Dear Governor:

This is an **addendum** to the complaint I made January 15, 2010 alleging misconduct of Pedro F. Bajo, Jr., Chairperson, 13th Circuit Judicial Nominating Commission, and Chris A. Barker, Commissioner and Vice Chair, 13th Circuit Judicial Nominating Commission.

**Addendum to the Complaint against Commissioner and Vice Chair
Chris A. Barker:**

Paragraph 7 currently states:

7. The ongoing substantial conflict of interest has also unfairly benefited Mr. Rodems by having an insider on the JNC to advise him of the inner workings of the Commission, to the disadvantage of applicants who do not have an insider serving on the Commission. If it is found that Commissioner Barker's service on JNC was primarily to benefit his law partner Mr. Rodems to become a judge, that may amount to malfeasance.

Addendum to paragraph 7:

Mr. Barker submitted a "Questionnaire For Gubernatorial Appointments" signed by him July 6, 2007 and received by the Governor's Appointments Office July 11, 2007. (Exhibit 4).

Question number 27 lists "Chirs Rodems" as a person he has known well within the past five (5) years. The address for "Chris Rodems" is listed as 400 North Ashley Dr. #2100, Tampa, FL 33602. "Chris Rodems" is in fact Ryan Christopher Rodems, his law partner, and the address is that of his law firm, Barker, Rodems & Cook, PA. (Exhibit 4, page 6).

Question number 29 on Mr. Barker's questionnaire asked, "Do you know of any reason why you will not be able to attend fully to the duties of the office or position to which you have been or will be appointed?" Mr. Barker responded "no". (Exhibit 4, page 6)

Mr. Barker certified (1) that he/she has carefully and personally prepared or read the answers to the foregoing questions; (2) that the information contained in said answers is complete and true; and (3) that he/she will, as an appointee, fully support the Constitution of the United States and of the State of Florida. Mr. Barker signed the certification and his signature was notarized July 6, 2007. (Exhibit 4, page 7).

At the time he sought appointment to the JNC, Mr. Barker knew or had reason to believe his law partner Ryan Christopher Rodems planned to apply for judicial vacancies. Mr. Barker knew a substantial conflict of interest would exist if he were appointed Commissioner and his law partner applied for a vacancy to the JNC on which he served. Therefore Mr. Barker knew a reason why he would not be able to attend fully to the duties of Commissioner if appointed, but he failed to disclose this when answering the questionnaire he submitted to the Governor July 6, 2007. Therefore it appears Mr. Barker obtained appointment to the JNC under false pretenses. It appears Mr. Barker sought appointment to the JNC not to serve the public, but to help his law partner become judge.

Mr. Barker was appointed Commissioner by letter dated April 24, 2008. (Exhibit 5). He was subsequently elected Vice Chair. Commissioner Barker has made a favorable impression on the Commission, goodwill which extends to his law firm, Barker, Rodems & Cook, PA, and flows to Mr. Rodems, his law partner.

Mr. Rodems has applied for every vacancy in 2009 and 2010. Because Vice Chair Barker serves on the Commission, Mr. Rodems has a tangible benefit when appearing before the Commission, a benefit not available to other applicants. This is unfair to the other applicants and to the citizens of the 13th Judicial Circuit.

This addendum is in writing, signed, legally sufficient, and contains ultimate facts which show a violation of the rules and reflects discredit on the judicial selection process.

Respectfully submitted January 19, 2010.



Neil J. Gillespie

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FOR THE OFFICE OF THE GOVERNOR
The Capitol, Tallahassee, Florida 32399-0001

The information from this page has been requested and will be used exclusively by the GOVERNOR'S OFFICE.
Please type or use black ink.

1. Board of Interest: 13th Jud Circuit, 2nd DCA, Supreme Court
2. Current Employer and Occupation: Barker, Rodems & Cook, P.A. - Attorney
3. Are you applying for reappointment: Yes No
4. *Do you have a disability? Yes No If "Yes", please describe your disability that would qualify you for this appointment, if applicable.

5. *Sex: Male Female

6. *Race: White Native-American/Alaskan Native
Hispanic-American Asian/Pacific Islander
African-American

7. Do you now, or have you, within the last three years, been a member of any club or organization that, to your knowledge, in practice or policy, restricts membership or restricted membership during the time that you belonged on the basis of race, religion, national origin, or gender? If so, detail the name and nature of the club(s) or organization(s), relevant policies and practices, and state whether you intend to continue as a member if you appointed by the Governor. No

8. Email Address: cbarker@barkerrodemsandcook.com

9. Cellular Telephone Number: (813) 205-3487

Chris A. Barker

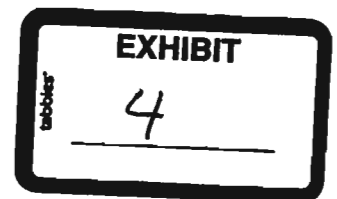
Applicant's Name, including name
commonly used (Please print)

RECEIVED

JUL 11 2007

GOVERNOR'S APPOINTMENTS
OFFICE

* This information will be used to provide demographic statistics and is not requested for the purpose of discriminating on any basis.



QUESTIONNAIRE FOR GUBERNATORIAL APPOINTMENTS

The information from this questionnaire will be used by the Governor's Office and, where applicable, The Florida Senate in considering action on your confirmation. The questionnaire **MUST BE COMPLETED IN FULL**. Answer "none" or "not applicable" where appropriate. Please type or print in black ink.

07/06/07
Date Completed

1. Name: Mr. Barker Chris
MR./MRS. MS. LAST FIRST MIDDLE/MAIDEN

2. Business Address: 400 North Ashley Drive, Suite 2100 Tampa
STREET OFFICE # CITY
FL 33602 (813) 489-1001
POST OFFICE BOX STATE ZIP CODE AREA CODE/PHONE NUMBER

3. Residence Address: 160 Columbia Drive, #507 Tampa Hillsborough
STREET CITY COUNTY
FL 33606 (813) 251-6138
POST OFFICE BOX STATE ZIP CODE AREA CODE/PHONE NUMBER

Specify the preferred mailing address: Business Residence Fax # (813) 489-1008
(optional)

4. A. List all your places of residence for the last five (5) years.

ADDRESS	CITY & STATE	FROM	TO
<u>160 Columbia Dr, #507</u>	<u>Tampa, FL</u>	<u>May 2004</u>	<u>Present</u>
<u>480 West Davis Blvd.</u>	<u>Tampa, FL</u>	<u>Aug 1996</u>	<u>May 2004</u>

B. List all your former and current residences outside of Florida that you have maintained at any time during adulthood.

ADDRESS	CITY & STATE	FROM	TO
<u>1205 Spruce Circle</u>	<u>Sheffield, AL</u>	<u>1970</u>	<u>Current</u>

5. Date of Birth: 07/24/1965 Place of Birth: Sheffield, AL
6. Social Security Number: _____
7. Driver License Number: B626-101-65-264-0 Issuing State: FL
8. Have you ever used or been known by any other legal name? Yes No If "Yes" Explain _____

9. Are you a United States citizen? Yes No If "No" explain:

If you are a naturalized citizen, date of naturalization: _____

10. Since what year have you been a continuous resident of Florida? 1992

11. Are you a registered Florida voter? Yes No If "Yes" list:

A. County of registration: Hillsborough B. Current Party Affiliation: Democrat

12. Education

A. High School: Sheffield High School Sheffield, AL Year Graduated: 1983
(NAME AND LOCATION)

B. List all postsecondary educational institutions attended:

NAME & LOCATION	DATES ATTENDED	CERTIFICATES/DEGREES RECEIVED
<u>Birmingham-Southern College</u> <u>- Birmingham, AL</u>	<u>1983-1987</u>	<u>BA - History</u>
<u>University of Alabama Law School</u> <u>- Tuscaloosa, AL</u>	<u>1987-1990</u>	<u>JD</u>

13. Are you or have you ever been a member of the armed forces of the United States? Yes No If "Yes" list:

A. Dates of service: _____

B. Branch or component: _____

C. Date & type of discharge: _____

14. Have you ever been arrested, charged, or indicted for violation of any federal, state, county, or municipal law, regulation, or ordinance? (Exclude traffic violations for which a fine or civil penalty of \$150 or less was paid.) If "Yes" give details:

DATE	PLACE	NATURE	DISPOSITION
<u>No</u>			

15. Concerning your current employer and for all of your employment during the last five years, list your employer's name, business address, type of business, occupation or job title, and period(s) of employment.

EMPLOYER'S NAME & ADDRESS	TYPE OF BUSINESS	OCCUPATION/JOB TITLE	PERIOD OF EMPLOYMENT
<u>Barker Rodems & Cook</u> <u>400 North Ashley Dr. #2100</u> <u>Tampa, FL 33602</u>	<u>Law Firm</u>	<u>Attorney-</u> <u>President/</u> <u>Managing Attorney</u>	<u>12/2000 - Present</u>

16. Have you ever been employed by any state, district, or local governmental agency in Florida? Yes No If "Yes", identify the position(s), the name(s) of the employing agency, and the period(s) of employment:

POSITION	EMPLOYING AGENCY	PERIOD OF EMPLOYMENT
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17. A. State your experiences and interests or elements of your personal history that qualify you for this appointment.

I have trial and litigation experience in all state and federal courts within Florida. I have seen firsthand the importance and necessity of having qualified and committed members of the judiciary. I know that public confidence, and the rights of all citizens are served best by having judges who impartially and intelligently guide the legal system.

B. Have you received any degree(s), professional certification(s), or designations(s) related to the subject matter of this appointment? Yes No If "Yes", list:

Other than my Juris Doctor degree, I have also been certified as a mediator of civil disputes by the Florida Supreme Court and have appeared before, and been appointed to mediate by, judges of both state and federal courts.

C. Have you received any awards or recognitions relating to the subject matter of this appointment? Yes No If "Yes", list:

As an attorney, I have received an evaluation/rating of AV from Martindale-Hubbell based upon evaluations by attorneys and judges. This is the highest rating available.

D. Identify all association memberships and association offices held by you that relate to this appointment:

Florida Bar Alabama Bar, Hillsborough County Bar Association, American Bar Association, Florida Justice Association, American Association for Justice National Crime Victims Bar Association, Florida Academy of Professional Mediators

18. Do you currently hold an office or position (appointive, civil service, or other) with the federal or any foreign government? Yes No If "Yes", list:

19. A. Have you ever been elected or appointed to any public office in this state? Yes No If "Yes", state the office title, date of election or appointment, term of office, and level of government (city, county, district, state, federal):

OFFICE TITLE	DATE OF ELECTION OR APPOINTMENT	TERM OF OFFICE	LEVEL OF GOVERNMENT
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

B. If your service was on an appointed board(s), committee(s), or council(s):

N/A

- (1) How frequently were meetings scheduled: _____
- (2) If you missed any of the regularly scheduled meetings, state the number of meetings you attended, the number you missed, and the reasons(s) for your absence(s).

MEETINGS ATTENDED	MEETINGS MISSED	REASON FOR ABSENCE
N/A		

20. Has probable cause ever been found that you were in violation of Part III, Chapter 112, F.S., the Code of Ethics for Public Officers and Employees? Yes No If "Yes", give details:

DATE	NATURE OF VIOLATION	DISPOSITION

21. Have you ever been suspended from any office by the Governor of the State of Florida? Yes No If "Yes", list:

A. Title of office: _____ C. Reason for suspension: _____

B. Date of suspension: _____ D. Result: Reinstated Removed Resigned

22. Have you previously been appointed to any office that required confirmation by the Florida Senate? Yes No If "Yes", list:

A. Title of Office: _____

B. Term of Appointment: _____

C. Confirmation results: _____

23. Have you ever been refused a fidelity, surety, performance, or other bond? Yes No If "Yes", explain:

24. Have you held or do you hold an occupational or professional license or certificate in the State of Florida? Yes No If "Yes", provide the title and number, original issue date, and issuing authority. If any disciplinary action (fine, probation, suspension, revocation, disbarment) has ever been taken against you by the issuing authority, state the type and date of the action taken:

LICENSE/CERTIFICATE TITLE & NUMBER	ORIGINAL ISSUE DATE	ISSUING AUTHORITY	DISCIPLINARY ACTION/DATE
Bar #885568	May 1991	Florida Supreme Court	None

25. A. Have you, or businesses of which you have been and owner, officer, or employee, held any contractual or other direct dealings during the last four (4) years with any state or local governmental agency in Florida, including the office or agency to which you have been appointed or are seeking appointment? Yes No If "Yes", explain:

NAME OF BUSINESS	YOUR RELATIONSHIP TO BUSINESS	BUSINESS' RELATIONSHIP TO AGENCY

- B. Have members of your immediate family (spouse, child, parents(s), siblings(s)), or businesses of which members of your immediate family have been owners, officers, or employees, held any contractual or other direct dealings during the last four (4) years with any state or local governmental agency in Florida, including the office or agency to which you have been appointed or are seeking appointment? Yes No If "Yes", explain:

NAME OF BUSINESS	FAMILY MEMBER'S RELATIONSHIP TO YOU	FAMILY MEMBER'S RELATIONSHIP TO BUSINESS	BUSINESS RELATIONSHIP TO AGENCY
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26. Have you ever been a registered lobbyist or have you lobbied at any level of government at any time during the past five (5) years? Yes No

A. Did you receive any compensation other than reimbursement for expenses? Yes No

B. Name of agency or entity you lobbied and the principal(s) you represented:

AGENCY LOBBIED	PRINCIPAL REPRESENTED
N/A	

27. List three persons who have known you well within the past five (5) years. Include a current, complete address and telephone number. Exclude your relatives and members of the Florida Senate.

NAME	MAILING ADDRESS	ZIP CODE	AREA CODE/PHONE NUMBER
Steve Burton	100 North Tampa St. #3500 Tampa, FL	33602	(813) 390-8285 or 225-3020
Chris Rodens	400 North Ashley Dr. #2100 Tampa, FL	33602	(813) 489-1001
Jane Toombs	633 Ontario Ave. Tampa, FL	33606	(813) 258-5999

28. Name any business, professional, occupational, civic, or fraternal organizations(s) of which you are now a member, or of which you have been a member during the past five (5) years, the organization address(es), and date(s) of your membership(s).

NAME	MAILING ADDRESS	OFFICE(S) HELD & TERM	DATE(S) OF MEMBERSHIP
CEO Council of Tampa Bay, Inc.	633 Ontario Ave. Tampa, FL 33606	Director	2001 - Present

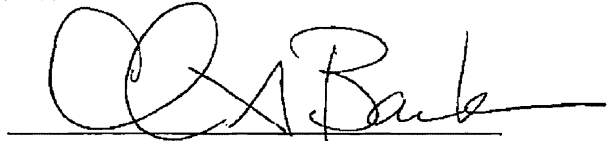
29. Do you know of any reason why you will not be able to attend fully to the duties of the office or position to which you have been or will be appointed? Yes No If "Yes", explain:

30. If required by law or administrative rule, will you file financial disclosure statements? Yes No

CERTIFICATION

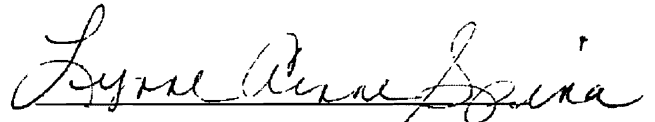
STATE OF FLORIDA, COUNTY OF

Before me, the undersigned Notary Public of Florida, personally appeared CHRIS A. BARKER, who, after being duly sworn, say: (1) that he/she has carefully and personally prepared or read the answers to the foregoing questions; (2) that the information contained in said answers is complete and true; and (3) that he/she will, as an appointee, fully support the Constitutions of the United States and of the State of Florida.




Signature of Applicant-Affiant

Sworn to and subscribed before me
this 6th day of JULY, 2007.



Signature of Notary Public-State of Florida

NOTARY PUBLIC-STATE OF FLORIDA
 Lynne Anne Spina
Commission # DD490021
Expires: DEC. 26, 2009
Bonded Thru Atlantic Bonding Co., Inc.

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

My commission expires: 12/26/09

Personally Known OR Produced Identification

Type of Identification Produced _____

(seal)



CHARLIE CRIST
GOVERNOR

April 24, 2008

Mr. Chris A. Barker
400 North Ashley Drive
Suite 2100
Tampa, Florida 33602

Dear Mr. Barker:

Based upon your qualifications and interest in serving the people of Florida, I am pleased to appoint you as a member of the Thirteenth Circuit Judicial Nominating Commission.

You will soon receive your qualifying papers from the Department of State. These papers must be filed with the Secretary of the Department of State, R. A. Gray Building, Room 316, 500 South Bronough Street, Tallahassee, Florida 32399-0250, within thirty days of the date of their receipt.

If you have any questions about the financial disclosure form, please contact the Commission on Ethics, Post Office Box 15709, Tallahassee, Florida 32317-5709, or telephone 850/488-7864. Other inquiries may be directed to the Appointments Office at 850/488-2183.

Congratulations, and I wish you the best in your new endeavor.

Sincerely,

A handwritten signature in cursive script that reads "Charlie Crist".

Charlie Crist

CC/lm

