

Neil Gillespie

From: "Amy Hasselbring" <ahasselbring@bowenschroth.com>
To: <neilgillespie@mfi.net>
Cc: "Derek Schroth" <dschroth@bowenschroth.com>
Sent: Monday, April 25, 2016 10:36 AM
Attach: Application Barbara Kissner Kwaltkosky.pdf
Subject: JNC Application - Kwaltkosky

Mr. Gillespie,

Attached is the application of Barbara Kissner Kwaltkosky. Thanks.

Amy McCain Hasselbring
Florida Registered Paralegal and
Legal Assistant to Derek A. Schroth
Bowen & Schroth, P.A.
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Eustis, FL 32726
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APPLICATION FOR NOMINATION TO THE CIRCUIT COURT

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

DATE: September 30, 2015 Florida Bar No.: 675229

GENERAL: Social Security No.: [REDACTED]

1. Name Barbara Kissner Kwatkosky E-mail: bkissner@circuit5.org

Date Admitted to Practice in Florida: 10/7/2003

Date Admitted to Practice in other States: 11/1990 - Alaska

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

Judicial Hearing Officer, Fifth Circuit

3. Business address: Marion County Judicial Center, 110 NW 1st Ave., Suite 2050

City Ocala County Marion State FL ZIP 34475

Telephone (352) 401-6750 FAX (352) 401-6784

4. Residential address: [REDACTED] (Address exempt [REDACTED])

City [REDACTED] County [REDACTED] State [REDACTED] ZIP [REDACTED]

Since 2004 Telephone (352) 286-5268

5. Place of birth: Boynton Beach, Florida

Date of birth: ~~06/15/1964~~ Age: 51

6a. Length of residence in State of Florida: 37 years

6b. Are you a registered voter? Yes No

If so, in what county are you registered? Marion

7. Marital status: Married

If married: Spouse's name John Kwatkosky

Date of marriage 10/21/1995

Spouse's occupation Electrician

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>
Casey	18	Student	Florida State University
Delaney	17	Student	same as mine
Samuel	15	Student	same as mine

9. Military Service (including Reserves)

<i>Service</i>	<i>Branch</i>	<i>Highest Rank</i>	<i>Dates</i>
N/A			
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>
University of Florida Levin College of Law	109/300	1/87-12/89	Juris Doctor
Florida State University	unknown	8/82-4/86	Bachelor of Science
Cardinal Newman High School	33/127	8/78-6/82	High School Diploma

18b. List and describe academic scholarships earned, honor societies or other awards.
High school: National Honor Society; ABWA Scholarship; Palm Beach Blood Bank Scholarship; Who's Who
FSU: Gold Key; Omicron Delta Kappa; National Residence Hall Honorary; Pi Sigma Alpha Political Science Honorary; Seminole Ambassadors; Who's Who

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>
6/86-12/86	Cashier	Adobe Home Centers	7701 N. Federal Hwy Boca Raton FL 33487

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.

<i>Court or Administrative Body</i>	<i>Date of Admission</i>
Florida Bar	10/7/03
Alaska Bar	11/90
United State District of Alaska	11/90

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>
Judicial Hearing Officer	Fifth Circuit	Marion County Judical Center 110 NW 1 st Ave. Ocala FL 34475	9/06-present
Senior Staff Attorney	Fifth Circuit	Marion County Judicial Center 110 NW 1st Ave. Ocala FL 34475	10/04-9/06
Associate Attorney	Rosenthal & Levy	1660 SW St. Lucie Blvd., Suite 300 Pt. St. Lucie, FL 34986	2/04-7/04
Supervising Attorney/Asst. Public Defender	Alaska Public Defender Agency	415 Main St., Suite 200 Ketchikan AK 99901	02/93-07/03

Associate Attorney	Wohlforth, Argetsinger Johnson & Brecht	900 W. 5 th Ave., Suite 600 Anchorage AK 99501	1/90-1/93
Intern	Eighth Circuit Public Defender Office	35 N. Main St. Gainesville FL 32602	8/89-12/89
Intern	Wohlforth, Argetsinger Johnson & Brecht	900 W. 5th Ave., Suite 600 Anchorage AK 99501	5/89-8/89
Law Clerk	Fifteenth Circuit Circuit Judge Richard I. Winnett	Palm Beach County Courthouse 205 N. Dixie Hwy West Palm Beach FL 33401	5/88-8/88
Law Clerk	Fifteenth Circuit County Judges David Clark Howard H. Harrison	South County Annex 200 W. Atlantic Ave. Delray Beach FL 33444	5/88-8/88

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.

Current Practice: Judicial Hearing Officer

I serve the Fifth Circuit, primarily Marion and Citrus Counties, handling Title IV-D child support issues. From 2006-2010, I served all five counties in the Circuit: Hernando, Lake, Sumter, Marion and Citrus. I review files and pleadings, schedule hearings, conduct evidentiary hearings, calculate child support guidelines, modify child support, issue writs of bodily attachment for failure to pay support as ordered, conduct first appearances following arrests, prepare orders, perform legal research, and perform case management. I preside over hearings with attorneys representing the Florida Department of Revenue and other parties who may or may not have legal counsel. I conduct Pro Se dockets where individuals seek to resolve various support-related issues. I handle about 500 cases each month.

Prior Practice: Assistant Public Defender

From 1993-2003, I served as an Assistant Public Defender in Ketchikan, Alaska, including 4 years as office supervisor. I represented indigent clients accused in criminal

cases, juveniles accused of crimes in Juvenile Delinquency cases; parents in Child In Need of Aid cases (i.e. Dependency cases); and persons facing involuntary mental health commitments (i.e. Baker Acts). As supervisor, I carried a full case load, hired assistant public defenders, trained new attorneys, assigned cases, created and followed a budget for my office, coordinated travel schedules to remote courthouses and supervised four attorneys, one investigator, support staff and summer interns.

I have tried 44 criminal cases to six and twelve person juries, on charges ranging from DWI to Murder in the First Degree. I have also tried Juvenile Delinquency cases, represented parents in Termination of Parental Rights bench trials and represented mentally unstable persons in countless commitment hearings. I have also written several appellate briefs.

Other relevant prior practice: Private Practice Associate

I worked as an associate attorney in a private civil firm, representing public school teachers and employees in labor matters. I was part of the State's "Discovery Team" in the Exxon Valdez Oil Spill litigation, where I defended state employees during depositions, prepared state documents for production to Exxon and reviewed documents received by Exxon. I also served as a Municipality of Anchorage hearing officer in appeals from the Animal Control Board.

From 2005-2007, I also served as a Certified Dependency Mediator in the Fifth Circuit.

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

Court		Area of Practice	
Federal Appellate	_____ %	Civil	<u>10%</u> (1990-2003) %
Federal Trial	_____ %	Criminal	<u>90%</u> (1993-2003) %
Federal Other	_____ %	Family	<u>100%</u> (2006-2015) %
State Appellate	_____ %	Probate	_____ %
State Trial	<u>100%</u> %	Other	_____ %
State Administrative	_____ %		
State Other	_____ %		
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? 44 Non-jury? over 15
Arbitration? _____ Administrative Bodies? _____

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

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).

JURY TRIALS where I was Counsel of Record:

State v. Joshua Rowden - Murder in First Degree, Murder 2, and Manslaughter. Case: 1KE-2003-703 CR, Ketchikan Superior Court. Prosecutor: Stephen R. West, Assistant District Attorney (907) 225-6128; Co-Defense Counsel: Susan M. Crocker, Assistant Public Defender (508) 428-0879; Judge: Larry R. Weeks

State v. John Savage - Sexual Assault. Case: 1KE-2002-1165 CR, Ketchikan Superior Court. Prosecutor: James Scott, Assistant District Attorney (907) 465-3620; Judge: Trevor N. Stephens

State v. Richard Smith - Felony Drug Possession. Case: 1KE-2002-444 CR, Ketchikan Superior Court. Prosecutor: James Scott, Assistant District Attorney (907) 465-3620; Judge: Trevor N. Stephens

State v. Christopher Waddell - Felony Drug Possession. Case 1KE-2002-611 CR, Ketchikan Superior Court. Prosecutor: James Scott, Assistant District Attorney (907) 465-3620; Judge: Trevor N. Stephens

State v. Murphy Charles - Boating While Intoxicated. 1KE-02-892 CR, Ketchikan District Court. Prosecutor: Stephen R. West, Assistant District Attorney (907) 225-6128; Judge: Kevin G. Miller

State v. Clifford Barnes - Sexual Assault. Case 1KE-2002-348 CR, Ketchikan Superior Court. Prosecutor: Stephen R. West, Assistant District Attorney (907) 225-6128; Judge: Michael A. Thompson

Bench Trials where I was Hearing Officer:

Currently, I handle about 500 cases each month where most litigants are not

represented by an attorney. Here are the six most recent cases involving attorneys.

2015-1194 DR HG: DOR/Laura Benson v. Jason DeGroat (Heard September 22, 2015 - Marion County). Counsel for DOR: Jonathan Wershow (352) 378-2541; Counsel for Respondent: Christina D'Amato-Miller (352) 671-9997.

2013-4428 DR HC: DOR/Christina Bianculli-Deriso v. Joseph Deriso (Heard September 15, 2015 - Marion County). Counsel for DOR: Jonathan Wershow (352) 378-2541; Counsel for Petitioner: Karen Lewis, PO Box 1102, Tampa FL 33601 (813) 223-7474.

2008-DR-2595: DOR/Heather Ivanyi v. Juan Ivanyi (Heard September 9, 2015 - Citrus County). Counsel for DOR: Jodi Zakaria (352) 344-3463; Counsel for Respondent: Joseph Indelicato (352) 344-1443.

2010-DR-3342: DOR/Heather Webster v. Stephen Trimper (Heard September 9, 2015 - Citrus County). Counsel for DOR: Jodi Zakaria (352) 344-3463; Counsel for Respondent: Samuel Bennett, Esq., PO Box 136147, Clermont FL 34713 (352) 221-0971.

2003-3198 DR HC: DOR/Shawn Sheppard v. Richard Britt (Heard September 1, 2015 - Marion County). Counsel for DOR: Jonathan Wershow (352) 378-2541; Counsel for Respondent: Christopher Dunham, Esq. (352) 433-2219.

2006-3959 DR HC: DOR/Carmen Rivera v. Michael Colon (Heard September 1, 2015 - Marion County). Counsel for DOR: Jonathan Wershow (352) 378-2541; Counsel for Respondent: Summer Nichols 4604 Atlantic Blvd, Suite 9, Jacksonville FL 32207 (904) 322-7702.

- 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).

Some support cases are settled or heard pursuant to an agreement. Here are the names and telephone numbers of the DOR attorneys in both Marion and Citrus Counties who have settled cases before me.

Counsel for DOR in Citrus County: Alfred Deutschman, Jodi Zakaria, and Stephen Barbieri - All at (352) 344-3463.

Counsel for DOR in Marion County: Jonathan Wershow and Kathryn Tancig - Both at (352) 378-2541.

Before becoming a Judicial Hearing Officer, I settled criminal cases with the Alaska Public Defender Office. The District Attorneys with whom I settled cases are listed below.

District Attorney Stephen R. West - (907) 225-6128; District Attorney James Scott - (907) 465-3620; District Court Judge Daniel B. Schally (Former Assistant District Attorney) (907) 835-2266.

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

- 27d. During the last five years, how frequently have you appeared in Court?
12 average times per month
- 27e. During the last five years, if your practice was substantially personal injury, what percentage of your work was in representation of plaintiffs?
_____ % Defendants? _____ %
28. If during any prior period you have appeared in court with greater frequency than during the last five years, indicate the period during which this was so and give for such prior periods a succinct statement of the part you played in the litigation, numbers of cases and whether jury or non-jury.

From 1993-2003, as an Assistant Public Defender, I appeared in court on a daily basis. I represented clients at first appearances, bail review/bond hearings, plea hearings, evidentiary hearings, jury trials, non-jury trials, sentencing hearings, probation hearings, Child in Need of Aid (Dependency) placement hearings, disposition hearings, termination of parental rights trials, delinquency placement hearings, delinquency trials, and mental health commitment hearings. My case load varied from 50-200 cases/month.

29. For the cases you have tried to award in arbitration, during each of the past five years, indicate whether you were sole, associate or chief counsel. Give citations of any reported cases.
30. List and describe the six most significant cases which you personally litigated giving case style, number and citation to reported decisions, if any. Identify your client and describe the nature of your participation in the case and the reason you believe it to be significant. Give the name of the court and judge, the date tried and names of other attorneys involved.

State of Alaska v. Joshua Rowden, 1KE-03-703 CR . I represented Joshua Rowden, a 16-year-old boy charged as an adult with Murder in the First Degree for the death of his girlfriend's baby. This case is significant because it demonstrates that our criminal justice system is vital to protect our citizens and ensure fair prosecution of crimes. Jury trials are, perhaps, the best avenue to overcome a rush to judgment. This was a high profile case in a small town. This case taught me that I could learn a lot about any subject. I studied child development of newborns and teenagers, Emergency Room procedures, and meningitis infections. After all of the evidence was in, Mr. Rowden was acquitted of 'shaking the baby' to death because evidence showed the child died as a result of a serious infection. Ketchikan Superior Court. Judge Larry R. Weeks. Trial: April 2003. Prosecutor: Stephen R. West, District Attorney (907) 225-6128; Co-Defense Counsel: Susan M. Crocker, Assistant Public Defender (508) 428-0879.

State of Alaska v. Clifford Barnes, 1KE-02-348 CR. I represented Clifford Barnes who was charged with Sexual Assault in the Second Degree for alleged non-consensual sex with a female. The case is significant because it illustrates the importance of our jury system. Sexual assault cases are difficult to settle, and many involve a 'he said-she said' set of circumstances. Sex-related cases often include mandatory prison terms and permanent designations such as 'sexual offender' if convicted. A jury of Mr. Barnes' peers, including a police officer's wife and a Catholic priest, were able to render a just verdict. Ketchikan Superior Court, Judge Michael A. Thompson. Trial: June 2002. Prosecutor: Stephen R. West, District Attorney (907) 225-6128.

State of Alaska v. Brian Gilson, 1KE-01-1107 CR. I represented Brian Gilson charged with Sex Assault in First Degree for alleged non-consensual relations with his former girlfriend. This case is significant because I learned to be tenacious. Without hard work and diligent efforts, I would not have discovered the former girlfriend's glamour photos and romantic notes to Mr. Gilson. Like the Barnes case referenced above, this case was also a high risk trial with potentially serious personal and legal consequences. Ketchikan Superior Court, Judge Michael A. Thompson. Trial: December 2001. Prosecutor: Stephen R. West, District Attorney (907) 225-6128.

State of Alaska v. Art Shayen, 1KE-99-159CR. I represented Art Shayen accused of Sexual Abuse of a Minor in the Second Degree for allegedly touching a sleeping 7 year old boy. This case is significant because it shows that not all cases can be resolved.

Two separate juries were deadlocked. The prosecution was disappointed, believing Mr. Shayen was guilty. Mr. Shayen was disappointed that a cloud of suspicion remained over his head. Ketchikan Superior Court, Judge Thomas M. Jahnke. Trials: June 1999; Sept. 1999. Prosecutor James Scott, District Attorney (907) 465-3620.

State of Alaska v. Gary Brown 1KE-96-343 CR. I represented Gary Brown who was charged with Murder for 'playing chicken' with vehicles on a frozen lake. This case is significant because it demonstrates the need for sentencing alternatives. Mr. Brown was given an alternative sentence after his case was referred to Alaska's Three Judge Panel. It took a lot of investigation and research at each level of the case, but the result was a fair alternative sentence (i.e. serving jail periodically during the winters and allowing Mr. Brown to continue his logging job in the summer, support his family and live in company housing.) Superior Court in Craig, Alaska, Judge Michael A. Thompson. Trial: Sept. 1996. Prosecutor Stephen R. West, District Attorney (907) 225-6128.

State v. Lester Booth, 1KE-93-96 CR. I represented Lester Booth who was charged simultaneously with Assault in the Fourth Degree in state court and Assault and Battery in Metlakatla Tribal Court. This case is significant because it demonstrates that there is always more to the story than what the court may know. As a young attorney, this case taught me that legal research is vital to all case preparation. Without an investigation revealing the two cases proceeding at the same time in two courts, neither the Court nor the prosecution may have known. The appeal is reported at 903 P.2d 1079 (Alaska App. 1995). Ketchikan District Court, Judge George Gucker. Trial: April 1993. Prosecutor Stephen West, District Attorney (907) 225-6128

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.

The attached Report and Recommendation was written entirely by me.

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.

No

- 32b. List any prior quasi-judicial service:

<i>Dates</i>	<i>Name of Agency</i>	<i>Position Held</i>
2006-present	Fifth Circuit	Judicial Hearing Officer

Types of issues heard: Child support establishment, modification and enforcement

- 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.

1. Jodi Zakaria, Esq., 217 N. Apopka Ave., Inverness FL 34450; (352) 344-3463

2. Jonathan Wershow, Esq., 208 SE 1st St., Gainesville FL 32601; (352) 378-2541

3. Scott Kibler, Esq., 110 N. Apopka Ave., Inverness FL 34450; (352) 341-6719

4. Kathryn Tancig, 208 SE 1st St., Gainesville FL 32601; (352) 378-2541

4. Jessica Brar, Esq., 4830 NW 43rd St., Apt J138, Gainesville FL 32601; (352) 215-9056

5. Christina D'Amato Miller, Esq., 1012 E. Silver Springs Blvd., Suite B8, Ocala FL 34470; (352) 671-9997

6. Stephen Barbieri, Esq., 217 N. Apopka Ave., Inverness FL 34450 (352) 246-8352

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

I currently hear about 500 child support matters each month in Marion and Citrus Counties. From 2006-2010, I heard over 1,000 cases each month in Hernando, Lake, Citrus, Sumter, and Marion counties (statistically, the busiest hearing officer in the State of Florida).

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

(iv) List citations or styles and describe the five most significant cases you have tried or heard. Identify the parties, describe the cases and tell why you believe them to be significant. Give dates tried and names of attorneys involved.

Catherine Eason v. DOR/Jackie Eason, Marion County Case 2006-5950 DR HC. This case is significant because it involved the interplay between federal and state law with respect to DOR's involvement in cases. Neither party had ever received public assistance benefits, but Mrs. Eason sought DOR's help to enforce the child support order. Later, Mr. Eason sought DOR's help to modify the support order. Mrs. Eason objected. My order defined enforcement in terms of DOR cases and addressed the issue of standing. Heard Aug. 5, 2014. Attorney for DOR: Jonathan Wershow; Attorney for Petitioner: Frank Lawson.

DOR/Traci Rogers v. Timothy Rogers, Marion County Case 2012-3705 DR HC. This case is significant for its procedural issue. Timothy Rogers filed an Answer and Counter Petition to address a parenting plan in a DOR case. Although, I do not have authority to address parenting plan issues, there are no rules prohibiting a counter-petition to be filed in a support case. This case demonstrates how

different judges and different circuits can come to different conclusions. Heard: May 7, 2013. Attorney for DOR: Jonathan Wershow; Attorney for Ms. Rogers: Anne Raduns; Attorney for Mr. Rogers: Christina D'Amato Miller.

DOR/Chastity Luke v. Timothy Luke: Marion County Case 2011-5183 DR HG: This order is significant because it demonstrates that laws are constantly changing. Prior to 2010, this child support obligation would have been calculated once for four children. Instead, under the current law, child support obligation was calculated based upon the split custoday arrangement, with the amount changing as each child emancipates, resulting in increases and decreases over the next 10 years. Heard January 24, 2012; Attorney for DOR: Jonathan Wershow.

DOR/Carolyn Weed v. Ira Weed: Marion County Case 2010-4003 DR HK. This case is significant because it is a reminder that many people live much of their lives without ever coming to court. Our Court System is here to resolve those disputes that cannot otherwise be resolved. These parties and their attorneys argued for two years about child support and arrears before final resolution in court. Heard December 4, 2012. Attorney for DOR: Jonathan Wershow; Attorney for Respondent: Steven D. Turnage; Attorney for Petitioner: Todd Hopson.

DOR/Debra Milam v Chelsea Howell, Marion Case 2008-5582 DR HJ. This case involved a mildly retarded woman and the issue of whether income could be imputed to her. This case is significant because it dealt with a "gray" area in terms of imputing income. Hearing: Sept. 7, 2010. Attorney for DOR: Jonathan Wershow; Attorney for Respondent: Gregory Tucci.

(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.

No

(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.

No

BUSINESS INVOLVEMENT:

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

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

Yes.

Adjunct Professor, Business Law. University of Alaska Southeast, Ketchikan Campus, Summer 1996

2005-2006: Independent Contractor for New York Times. Correspondent for Ocala Star Banner, Neighbors Section. I wrote articles about local people for publication in the newspaper.

- 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.

N/A

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.

N/A

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, twice I have been an unnamed party in a class action lawsuit. One against VISA for miscalculating foreign money exchanges during the mid-1990s. I could not find the actual case number or court, but I do recall getting a settlement check for approximately \$25.00. The second case was against American Express for foreign currency fee charges. Robert Ross et.al. v. American Express Co., et al., Southern District of New York. Disposition: On June 14, 2013, I received a check for \$8.23.

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.

The following articles were published in the Ocala Star Banner newspaper:

"37 Gallons!" published Oct. 4, 2006

<http://www.ocala.com/article/20061004/FEATURES09/210040311>

"Saving Lives!" published Sept. 20, 2006

<http://www.ocala.com/article/20060920/FEATURES09/209200311>

"Moving on" published Aug. 23, 2006

<http://www.ocala.com/article/20060823/FEATURES09/208230310>

" 'Golden' Scouts!" published Aug. 9, 2006

<http://www.ocala.com/article/20060809/FEATURES09/208090312>

"Finders, Keepers" published July 26, 2006

<http://www.ocala.com/article/20060726/FEATURES09/207260308>

"Peaceful Control" published July 12, 2006

<http://www.ocala.com/article/20060712/FEATURES09/207120356>

" 'Magic' Ring!" published June 27, 2006

<http://www.ocala.com/article/20060627/FEATURES09/206270315>

"Soar Like an Eagle" published June 14, 2006

<http://www.ocala.com/article/20060614/FEATURES09/206140305>

"Class of 1941" published May 31, 2006

<http://www.ocala.com/article/20060531/FEATURES09/205310302>

"Eagle Scout" published May 17, 2006

<http://www.ocala.com/article/20060517/FEATURES09/205170303>

"Tons of Talent" published May 3, 2006

<http://www.ocala.com/article/20060503/COMMUNITY03/60505001>

"Quilt Raffle" published April 19, 2006

<http://www.ocala.com/article/20060419/NEWS/204190308>

"History Project" published April 5, 2006

<http://www.ocala.com/article/20060405/NEWS/204050306>

"Cookie Champ" published March 22, 2006

<http://www.ocala.com/article/20060322/NEWS/203220308>

"Base Camp Bobcat" published March 8, 2006

<http://www.ocala.com/article/20060308/NEWS/203080311>

"Soccer Champ" published Feb. 22, 2006

<http://www.ocala.com/article/20060222/NEWS/202220309>

"Special Teacher" published Feb. 8, 2006

<http://www.ocala.com/article/20060208/NEWS/202080309>

"Eyes on the Goal" published Jan. 11, 2006

<http://www.ocala.com/article/20060111/NEWS/201110309>

"Holiday Art" published Dec. 14, 2006

<http://www.ocala.com/article/20051214/NEWS/212140306>

"Green Thumb" published Nov. 30, 2005

<http://www.ocala.com/article/20051130/NEWS/211300302>

"Sweetheart!" published Nov. 16, 2005

<http://www.ocala.com/article/20051116/NEWS/211160310>

"Term of Duty" published Nov. 2, 2005

<http://www.ocala.com/article/20051102/NEWS/211020306>

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

Certificate of Appreciation presented by Ocala Lions Club, April 30, 2015

Outstanding Volunteer, Boy Scout Troop 172, June 3, 2013

Certificate of Appreciation presented by Marion County Legal Support Association
September 21, 2011

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

Alaska to Florida: Criminal Law and Child Support. Presented to Ocala Lions Club on April 30, 2015, in Ocala Florida. Interesting stories from Alaska and Florida Courts.

Top 10 Questions About Child Support: Presented to Certified Family Mediators for Continuing Mediation Education (CME) credits on November 14, 2013, in Inverness, Florida. An overview of child support law, issues and calculations.

Case Law Update: Presented to Certified Family Mediators for Continuing Mediation Education (CME) credits on November 14, 2013, in Inverness, Florida. An overview of recent legislative changes in all areas of Family Law.

The New IWO: Changes to Income Withholding for Child Support. Presented to Family Case Managers at their statewide meeting on January 4, 2013, in Tampa, Florida. An overview in the federal changes to the Income Withholding Order.

Continuing Judicial Education: Child Support 101 (2.0 CJE credit hours approved). Training provided to Judges of the Fifth Circuit in 2011-2012. This CJE provided a basic overview of child support, guideline calculations, enforcement, when mandatory findings are required, and recent legislative changes.

Continuing Legal Education: Child Support From Initial Pleading to Final Order and Beyond (CLE Course #77741; 2.0 CLE credit hours). Presented on Sept. 21, 2011 in Ocala, Florida. An in-depth, 2 hour powerpoint presentation covering a case from initial pleading through final judgment and enforcement, including recent legislative changes.

Top 10 Questions Regarding Child Support: Presented to the Citrus FLAG meeting on May 13, 2011 in Inverness, Florida. A 50-minute powerpoint presentation on the recent legislative changes and appellate decisions regarding child support.

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

PROFESSIONAL AND OTHER ACTIVITIES:

48a. List all bar associations and professional societies of which you are a member and give the titles and dates of any office which you may have held in such groups and committees to which you belonged.

Florida Bar; Alaska Bar; Marion County Bar Association; Citrus County Bar Association
D.R. Smith American Inns of Court (2011-present)

Fifth Judicial Circuit Professionalism Committee (2013-present)

Fifth Circuit Professionalism Committee: Family Law Presentation Subcommittee (2013-present)

Florida Family Law Section; General Magistrates Committee (2012-present)

Former membership includes: Florida Bar Association Young Lawyers Division; Alaska Bar Fee Arbitration Panel; American Bar Association; National Association of Criminal Defense Lawyers; Ketchikan Bar Association

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.

Girl Scouts of America, Community Chair (9/2013-6/2015); Regional Delegate (2013-2015); Service Unit Secretary (2010-2011); Troop Leader (2007-present), Committee Member (2007-2009)

Boy Scouts of America, Troop 172, Committee Member (2008-2011); Assistant Scoutmaster (2011-present)

48c. List your hobbies or other vocational interests.

Family, travel, and photography

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.

No

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

While in private practice, I assisted with an occasional pro bono case through my firm in Anchorage Alaska (1990-1992). As a public defender and Judicial Hearing Officer, I was and continue to be prohibited from engaging in pro bono work.

SUPPLEMENTAL INFORMATION:

49a. Have you attended any continuing legal education programs during the past five years?

If so, in what substantive areas?

Yes.

Service Members Civil Relief Act Overview, September 25, 2015

Legal Ethics 2.0MG: Potential Pitfalls, February 12, 2015

2015 Marital & Family Law Review Course, January 2015

CLE Potpurri - DR Smith Inns of Court, November 2014-April 2015

Florida Bar Ethics Update, October 14, 2014

Child Support Issues and Role of Department of Revenue, March 2014

2014 Marital and Family Law Certification Review Course, January 31-February 1, 2014

2014 Fifth Circuit Conference on Professionalism, April 4, 2014

2013 College of Advanced Judicial Studies, May 8-9, 2013

2013 Florida Chapter of the Association of Family and Conciliation Courts, March 14-16, 2013

2013 Marital and Family Law Certification Review Course, January 26, 2013

2012 Case Law Update, October 24, 2012

2012 Marital and Family Law Certification Review, January 28, 2012

Foolish Games (Family Law), Sept 9, 2011

Fifth Circuit Conference on Professionalism, June 3, 2011

Family Case Law Update, Nov. 30, 2010

8th Annual Family Law Conference, March 3, 2010

- 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?

Yes. Family Law; Case law/Legislative updates; Corporations

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

In May 2013, I attended the College of Advanced Judicial Studies.

In January 2008, I attended the Florida Judicial College.

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

I understand and fully appreciate what an amazing privilege it is to serve the people of the Fifth Circuit from the bench. For the past nine years, I have been entrusted to hear cases, resolve disputes and solve problems. I never take for granted that my position is a privilege and that I am here to serve the people.

I have been an attorney for 25 years. As a young attorney, I learned that there is no substitution for hard work. Working diligently enabled me to negotiate and try cases, keep up with changes in the law, and successfully advocate for my clients. I have practiced in many areas of law, including civil, criminal and family, in both private practice and in the public sector.

As an associate in private practice, I practiced labor law (representing school district employees in labor related issues), litigated federal construction contract disputes, and learned about municipal bonds. As a public defender, I represented people accused of crimes, parents whose children were removed from their care, children who were delinquent, and mentally unstable persons. As a staff attorney, I researched a variety of civil and criminal issues. As a judicial hearing officer, I have researched and heard cases involving a variety of family issues.

Since my appointment as a Judicial Hearing Officer in 2006, my focus has changed from being an advocate to being a fact-finder and problem solver. Child support court is a small part of our judicial system, but the issues are often very important to the people who appear before me. I still work hard and I still keep up with the changes in the law. I try to follow the law despite the emotions attached to the testimony. I work hard to provide access to all persons who need the assistance of the Court.

In the last nine years of judging, I have tried to exemplify the best qualities a judge can have. I love the law, practice patience, and provide equal access to the courts for many people of the Fifth Circuit. I try to issue firm but fair rulings. I try everyday to be equitable, fair and do what is best for the parties and the children involved.

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.

Fifth Circuit Judicial Nominating Commission, 2011, 2013, 2014

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

Some ask, "What do I HAVE to do?" while others seek out challenges by asking "What MORE can I do?" As a person, as an attorney and as a judicial officer, I have always asked "What MORE can I do?" I strive to do as much as I possibly can, and in the most efficient way. For example, I have established a Pro Se docket to resolve issues that cannot be heard on the regular dockets. Instead of trying to hand this work over to others, I have embraced the opportunity to hear more cases and make our court system more accessible to those we serve. I feel blessed every day because I am able to solve problems for the people of the Fifth Circuit. I would consider it an honor and privilege to continue to serve the people in the role of a Circuit Court Judge. I would not just do what I 'have' to, but would continue to strive to do whatever I can to serve the people of the Fifth Circuit.

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 Sue Robbins, Circuit Court Judge, 110 NW 1st Ave., Ocala FL 34475; (352) 401-7820.

Jodi Zakaria, Esq., 217 N. Apopka Ave., Inverness, FL 34450; (352) 344-3463.

Jonathan Wershow, Esq., 208 SE 1st St., Gainesville FL 32601; (352) 378-2541.

The Honorable Lisa Herndon, Circuit Court Judge, 110 NW 1st Ave., Ocala FL 34475; (352) 401-7815.

The Honorable Brenda Coleman, General Magistrate, 110 NW 1st Ave., Ocala FL 34475; (352) 401-7830.

Kathryn Tancig, Esq., 208 SE 1st St., Gainesville FL 32601; (352) 378-2541.

Scott Kibler, Esq., 110 N. Apopka Ave., Inverness FL 34450; (352) 341-6719.

Jessica Brar, Esq., 4830 NW 43rd St., Apt. J138, Gainesville FL 32601; (352) 215-9056.

Lt. Joe Wright, Marion County Sheriffs Office, 110 NW 1st Ave., Ocala FL 34475; (352) 402-6007.

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(I), 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 30 day of September, 2015.

Barbara Kissner Kwatkosky
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	59,983.65		
List Last 3 years	76,330.08	74,768.55	74,518.56

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	42,927.93		
List Last 3 years	55,239.29	52,985.54	53,410.41

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

Current year to date	n/a		
List Last 3 years	n/a	n/a	n/a

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

Current year to date	n/a		
List Last 3 years	n/a	n/a	n/a

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

PART A – NET WORTH

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

My net worth as of Sept 30, 2015 was \$334,348.00.

PART B - ASSETS

HOUSEHOLD GOODS AND PERSONAL EFFECTS:

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

The aggregate value of my household goods and personal effects (described above) is \$ 20,713

ASSETS INDIVIDUALLY VALUED AT OVER \$1,000:

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

VALUE OF ASSET

DESCRIPTION OF ASSET (specific description is required – see instructions p. 3)	VALUE OF ASSET
House (Address EXEMPT: 3509 SE 33 rd Court, Ocala	63,318
Retirement Account/State of Florida	83,004
Retirement Account/State of Alaska	212,000
Bank Accounts (Wells Fargo)	19,100
Florida Prepaid Accounts (3)	35,558
IRA (Wells Fargo)	5,000

PART C - LIABILITIES

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

NAME AND ADDRESS OF CREDITOR

AMOUNT OF LIABILITY

NAME AND ADDRESS OF CREDITOR	AMOUNT OF LIABILITY
Citibank Mortgage	78,683
Honda Financial	15,250

JOINT AND SEVERAL LIABILITIES NOT REPORTED ABOVE:

NAME AND ADDRESS OF CREDITOR

AMOUNT OF LIABILITY

NAME AND ADDRESS OF CREDITOR	AMOUNT OF LIABILITY

PART D - INCOME

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

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

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

NAME OF SOURCE OF INCOME EXCEEDING \$1,000	ADDRESS OF SOURCE OF INCOME	AMOUNT
State of Florida	Tallahassee FL	\$76,330.08

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

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

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

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

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

OATH

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

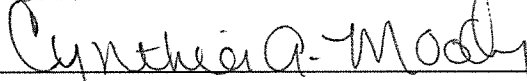


SIGNATURE

STATE OF FLORIDA

COUNTY OF Marion

Sworn to (or affirmed) and subscribed before me this 1st day of Oct, 2015 by Barbara Kienel-Kwiatkosky



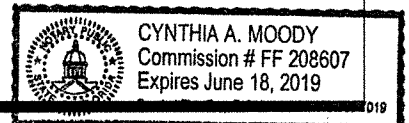
(Signature of Notary Public—State of Florida)

Cynthia A. Moody

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

Personally Known OR Produced Identification

Type of Identification Produced _____



INSTRUCTIONS FOR COMPLETING FORM 6:

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

PART A – NET WORTH

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

To total the value of your assets, add:

- (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: September 30, 2015

JNC Submitting To: _____

Name (please print): Barbara Kissner Kwatkosky

Current Occupation: Judicial Hearing Officer

Telephone Number: [REDACTED] Attorney No.: 675229

Gender (check one): Male Female

Ethnic Origin (check one): White, non Hispanic

Hispanic

Black

American Indian/Alaskan Native

Asian/Pacific Islander

County of Residence: Marion

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.

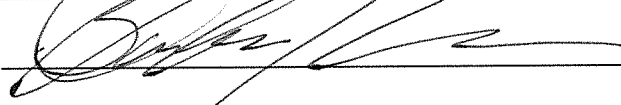
CONSUMER'S AUTHORIZATION FOR FDLE
TO OBTAIN CONSUMER REPORT(S)

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:

Barbara Kissner Kwatkosky

Signature of Applicant:



Date: 9/30/15