

## OPENING STATEMENT

- Good afternoon
- After conducting a **preliminary investigation** into allegations of **impeachable offenses** committed by Circuit Judge Mark Hulseby of the 4<sup>th</sup> Judicial Circuit, Duval County, I was prepared, today, to **recommend consideration of articles of impeachment at the committee's earliest convenience.**
- Last Friday, January 20, 2017, we discreetly interviewed witnesses at the Duval County Courthouse.
- As a result of those interviews, along with media reports and information obtained from the JQC, I submit that the evidence would show that the following misdemeanors in office had been committed:

## 1. JUDGE MARK HULSEY

- Nonfeasance – was unprepared for criminal cases, including death penalty trial; failed to timely issue orders on postconviction motions; failed to allow attorneys to make argument at hearing; ■  
■
- b. Malfeasance – yelled at his JA after she didn't tell the JQC things he wanted her to; had his JA do numerous personal tasks for him, affecting her ability to complete her assigned work; ■  
■ attempted to engage in *ex parte* communications with the State; directed 2 JAs to perform re-election campaign while at work; listed an endorser on his re-election campaign materials, who had declined to be an endorser; failed to obtain written consent from other endorsers; omitted piece of property he owns on his financial disclosure
- c. Failure to maintain a professional environment free from abuse – degraded attorneys; required formality unnecessary and disruptive to court proceedings; changed the start time of court without notifying counsel and then berated counsel for being late
- d. Status of JQC case – pending for evidentiary hearing on June 12, 2017

# The Rules



## Florida House of Representatives

2016–2018

Richard Corcoran, Speaker

House Rules Adopted November 22, 2016

Joint Rules Adopted November 22, 2016

As Corrected by Direction of the Clerk of the House

Edition 1

January 5, 2017

- d. Invidious discrimination;
- e. Solicitation or acceptance of campaign contributions or expenditure of campaign funds in a manner that violates any law or binding rule of conduct, or acquiescence in such conduct by an agent of the candidate's campaign;
- f. Any act contrary to the peace and dignity of the State of Florida; or
- g. Gross failure to discourage such conduct by subordinates or by other officers subject to impeachment.

(b) For purposes of this rule:

(1) "Sexual harassment" means engaging in a sexual or romantic relationship with any person other than one's spouse if such person is a subordinate or an employee of a subordinate or an employee of a colleague officer or any related conduct that would be grounds for dismissal if committed by a state employee in any state agency or legislative or judicial body. It also includes solicitation of such relationship. For purposes of this definition, "colleague officer" means:

- a. For a statewide elected officer, any other statewide elected officer.
- b. For any other constitutional officer, any constitutional officer serving the same county, circuit, or district.

(2) "Breach of peace" means any act or conduct that seriously endangers or disturbs public peace and order, including, but not limited to, any act of unjustified violence against any person or property and malicious destruction of property.

(3) "Gross failure to discourage" means having actual knowledge of wrongful conduct of another person and neglecting to admonish appropriate behavior of such person, covering up inappropriate behavior of such person, failing to exercise vested authority to correct or discipline inappropriate behavior of such person, or failing to report inappropriate behavior of such person when there is a duty to report.

### ***19.2—Procedure***

The House may act in session upon any resolution of impeachment filed in the House, notwithstanding any deadline for filing substantive resolutions, or may proceed on any complaint against an officer subject to impeachment in accordance with Rule 18.

### ***19.3—Impeachment Managers***

When the House is in recess or not in session, the Speaker may appoint a replacement for any impeachment manager appointed by the House if the manager neglects or cannot perform the duties of a manager or if the manager resigns. The Speaker shall be the sole judge of such matters subject only to an

appeal to the House filed with the Clerk during a legislative session if filed within 48 hours after the Clerk publishes such replacement appointment.