FLORIDA
COMMISSION ON ETHICS
JAN 07 2022
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BEFORE THE
STATE OF FLORIDA
COMMISSION ON ETHICS

In re: Colleen Reilly,

Complaint No. 15-085

Respondent.
_____/

JOINT STIPULATION OF FACT, LAW, AND RECOMMENDED ORDER

Respondent, Colleen Reilly, and the Advocate for the Florida Commission on Ethics enter into this Joint Stipulation of Fact, Law, and Recommended Order with respect to the above-styled Complaint. Subject to acceptance by the Commission on Ethics, the parties agree that they enter into this stipulated settlement in lieu of further hearings in this cause. The parties stipulate as follows:

STIPULATED FINDINGS OF FACT

1. At all times material to this Complaint, Respondent served as Interim Orange County Clerk of Courts and, therefore, is subject to the provisions of the Code of Ethics for Public Officers and Employees, Part III, Chapter 112.313(6), Florida Statutes.

2. On April 6, 2015, a sworn Complaint was filed with the Commission on Ethics alleging that Respondent violated the Code of Ethics.

3 Pursuant to Section 112.322, Florida Statutes, the Executive Director of the Commission on Ethics found that the Complaint was legally sufficient and on April 23, 2015, ordered a preliminary investigation of the Complaint for a probable cause determination of whether Respondent had violated the Code of Ethics. The Report of Investigation was released on September 4, 2015.

4. On October 28, 2015, the Commission on Ethics found probable cause to believe

Respondent violated Section 112.313(6), Florida Statutes.

The allegation is:

> Respondent violated Section 112.313(6), Florida Statutes, by obtaining substantial funds from Orange County, which she claimed as a severance package, while still employed as Interim, Orange County Clerk of Courts.

5. Respondent admits the facts as set forth in the Report of Investigation, which is specifically incorporated by reference in the Joint Stipulation and further advises that Respondent voluntarily returned the funds at issue to the Clerk of Court's Office nearly a year prior to the Complaint being filed with the Commission on Ethics.

6. During the pendency of this case, Respondent has moved to Texas and established herself in a non-public employment position. Indeed, the Interim Clerk of Courts position held by Respondent was the only public position ever held by Respondent. The parties were negotiating a settlement in good faith and, subsequently, held the matter in abeyance at the onset of the pandemic.

STIPULATED CONCLUSIONS OF LAW

7. Respondent is subject to the provisions of Part III, Chapter 112, Florida Statutes, the Code of Ethics for Public Officers and Employees.

8. The Commission on Ethics has jurisdiction over the Complaint as filed in this proceeding and over Respondent.

9. Respondent admits the allegation as set forth in paragraph four (4) of the Stipulated Findings of Fact above.

10. Respondent violated Section 112.313(6), Florida Statutes, by obtaining substantial funds from Orange County, which she claimed as a severance package, while still employed as Interim Orange County Clerk of Courts.

11. Respondent enters into this Stipulation with the understanding of the seriousness of the allegation and gives her assurance that this proceeding has affected the manner in which she conducts herself. Although she briefly served as a public official and has no intention of doing so in the future, this violation has had a profound impact on her life.

STIPULATED RECOMMENDED ORDER

12. The Advocate accepts Respondent's admission in this proceeding.

13. The Advocate and Respondent have entered into this Joint Stipulation and urge the Commission on Ethics to approve it in lieu of further hearings in this cause.

14. Therefore, the parties request and the Advocate recommends that:

(a) The Commission on Ethics approve this Joint Stipulation, embodying the stipulations, admissions, and recommendations of the parties;

(b) The Commission on Ethics enter a Final Order and Public Report finding that Respondent violated Section 112.313(6), Florida Statutes, and recommending:

(1) Public censure and reprimand of Respondent; and

(2) A civil penalty of $ 3,500.00

FURTHER STIPULATIONS

15. Respondent and the Advocate stipulate and covenant that they have freely and voluntarily entered into this Joint Stipulation of Fact, Law, and Recommended Order with full knowledge and understanding of its contents. Respondent and the Advocate further stipulate and covenant that this Joint Stipulation constitutes the full agreement of the parties and that there are no oral or written understandings between the parties other than those contained in this Stipulation of Fact, Law, and Recommended Order.

16. Respondent and the Advocate stipulate and covenant that, in consideration of the

provisions of this Joint Stipulation of Fact, Law, and Recommended Order, they accept and will comply with the above-referenced Final Order and Public Report of the Commission on Ethics.

17. Respondent and the Advocate stipulate that this Joint Stipulation of Fact, Law, and Recommended Order is submitted to the Commission on Ethics for its consideration and ratification. In the event that it is not approved by the Commission on Ethics as written, this document shall be of no purpose and effect and shall not be deemed an admission by Respondent.

18. Effective upon approval of this Joint Stipulation of Fact, Law, and Recommended Order by the Commission on Ethics, Respondent waives all time, notice, hearing rights, requirements, and entitlements, as to all subsequent hearings in this proceeding.

Signed, dated and entered into this 7th day of January, ~~2021~~ 2022.

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Colleen Reilly
Respondent