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BEFORE THE FLORIDA JUDICIAL QUALIFICATIONS COMMISSION
STATE OF FLORIDA

INQUIRY CONCERNING A JUDGE SC13-1333

LAURA M. WATSON, NO. 12-613
_____/

FLORIDA JUDICIAL QUALIFICATIONS COMMISSION'S
RESPONSE TO JUDGE WATSON'S REQUEST FOR ORAL ARGUMENT

The Florida Judicial Qualifications Commission ("JQC"), by and through its undersigned counsel, hereby files its Response to Judge Watson's Request for Oral Argument (hereinafter "Request for Oral Argument").

INTRODUCTION

As an initial matter, Judge Watson's Request for Oral Argument is untimely and should be denied on that basis alone. Specifically, Fla. R. App. P. 9.320 provides that "[a] request for oral argument shall be a separate document **served by a party not later than the time the last brief of that party is due**." By Order dated August 11, 2014, this Court granted Judge Watson an extension of time through and including August 21, 2014, within which to serve her Reply to the JQC's Reply Brief. In its Order, the court specifically noted that "NO FURTHER EXTENSIONS OF TIME WILL BE GRANTED TO JUDGE WATSON FOR THE FILING OF [HER] REPLY TO THE REPLY." (emphasis in original) Thus, in accordance with Rule 9.320, coupled with this Court's August 21, 2014 Order, Judge Watson's request for oral argument should have been served no later than

August 21, 2014. Her Request for Oral Argument was not served until October 23, 2014, and is, therefore, clearly untimely.

As to the merits of her Request for Oral Argument, Judge Watson argues in paragraph 3 that:

> In its Reply Brief, the JQC conceded, for the first time, that Judge Watson did not violate the Code of Judicial Conduct. Thus, its recommendation of removal from office for present unfitness to serve is based solely upon prejudicial conduct from nearly a decade ago that constitutes an alleged violation of the Rules Regulating the Florida Bar.

See Response at p.2.

Judge Watson's assertion that the JQC "conceded" for the first time **in its Reply Brief** that she did not violate the Code of Judicial Conduct is both wrong and, more importantly, inconsequential. First, as the JQC acknowledged in its Reply Brief, although the Hearing Panel did not find Judge Watson guilty of violating the Code of Judicial Conduct, it did find her guilty of violating several Rules Regulating the Florida Bar. *See* JQC's Reply Brief at 30-31; *see also* Hearing Panel's Recommendation at 31-32. The Hearing Panel's finding that Judge Watson violated the Rules Regulating the Florida Bar is a sufficient basis for the JQC to have recommended discipline in this case. *See In re Henson*, 913 So. 2d 579, 588 (Fla. 2005) ("Misconduct committed by an attorney who subsequently becomes a judge falls within the subject matter jurisdiction of the Florida Supreme

Court and the JQC, no matter how remote."); *see also In re Davey*, 645 So. 2d 398 (Fla. 1994) (same and citing collection of cases for proposition that prejudicial conduct may be used as a basis for discipline of a judge).

Accordingly, the reason proffered by Judge Watson for the necessity of oral argument, *e.g*. the JQC's so-called expansion of its jurisdiction over her, is illusory. The JQC's exercise of jurisdiction in this case was constitutionally authorized and is wholly consistent with the precedent of this Court. Of course, should the Court believe oral argument would assist in its disposition of this matter for reasons other than those articulated by Judge Watson in her Request for Oral Argument, the JQC stands ready to oblige.

CONCLUSION

For the reasons set forth above, the JQC respectfully prays that Judge Watson's Request for Oral Argument be denied.

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing **FLORIDA JUDICIAL QUALIFICATIONS COMMISSION'S RESPONSE TO JUDGE WATSON'S REQUEST FOR ORAL ARGUMENT** has been furnished by **E-Mail** on this 28th day of October, 2014 to the following:

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