

IN THE SUPREME COURT OF THE
STATE OF FLORIDA

INQUIRY CONCERNING A JUDGE,
THE HONORABLE KENNETH L. HOSFORD
JQC No. 2023-539

SC23-539

STIPULATION

In this disciplinary proceeding, the Investigative Panel of the Florida Judicial Qualifications Commission and Liberty County Judge Kenneth L. Hosford, present the following stipulation to this Court pursuant to Article V, Section 12 of the Florida Constitution and Rule 6(k) of the Florida Judicial Qualifications Commission's Rules.

1. A Notice of Investigation dated August 15, 2023 was served on Judge Hosford informing him of an inquiry, and inviting his response to allegations that he violated the Code of Judicial Conduct. On September 14, 2023, in Orlando, Florida, the Investigative Panel of the Commission conducted a hearing at which Judge Hosford appeared, with counsel, and testified under oath. At the conclusion of that hearing the Investigative Panel concluded by a majority vote of its members that probable cause existed for the filing of Formal Charges pursuant to FJQC Rule 6(f).
2. The allegations in the Notice of Formal Charges describe an inappropriate *ex-parte* communication that Judge Hosford conducted with an attorney. During

that conversation, he made other inappropriate comments that could suggest a bias.

3. By way of this Stipulation, Judge Hosford admits and acknowledges that his conduct as alleged in the Notice of Formal Charges and discussed in the Commission's Findings and Recommendation of Discipline, being concurrently filed, was inappropriate and should not have occurred. He further admits and acknowledges that his conduct violated Canons 1, 2A, 2B, 3A, 3B(2), 3B(7), 3B(9), 3B(10), and 3E(1) of the Code of Judicial Conduct.
4. Shortly after the *ex-parte* conversation, Judge Hosford consulted with his Chief Judge and initiated a self-report of the matter to the Commission. Upon being presented with the Notice of Investigation, Judge Hosford took immediate responsibility for his conduct, both in his written response, and during his sworn testimony before the Commission. Judge Hosford has admitted that his conduct was inappropriate and violated the Canons and cooperated with the Commission during its investigation.
5. Judge Hosford has been a member of The Florida Bar since 1983 and has served as the Liberty County Judge since 1997. He has no previous disciplinary record with The Florida Bar and has never been previously disciplined as a judge.
6. Guided by the circumstances set forth above, the Investigative Panel and Judge Hosford have reached an agreement on what both believe is the

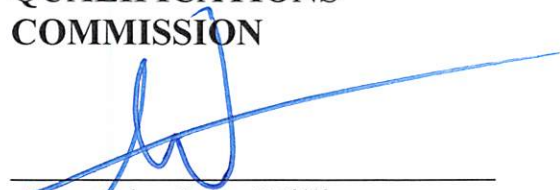
appropriate discipline under these circumstances; a public reprimand, a thirty day suspension without pay, a \$2,000 fine, a recusal period from presiding over certain cases, six additional CLE ethics credits, written apologies to persons involved, and the institution of additional safeguards to prevent future reoccurrences. The Investigative Panel has concurrently filed a Findings and Recommendation of Discipline with the Court, and Judge Hosford does not contest those Findings and Recommendations. Judge Hosford, further, waives a plenary hearing before the Hearing Panel of the Florida Judicial Qualifications Commission, if the Court accepts this recommendation.

7. The parties acknowledge and understand that this Stipulation and attached Findings and Recommendations of Discipline are subject to the review and approval of this Court. The parties acknowledge and understand that this Stipulation and Findings and Recommendations of Discipline may be rejected by the Court, and in that event this matter may be returned to the Hearing Panel for a final plenary hearing. In such event, the parties agree that neither the Stipulation nor the attached Findings and Recommendations of Discipline are admissible in that hearing for any purpose. The parties further agree that none of the negotiations related to this Stipulation are admissible for any purpose.
8. The parties agree that oral argument before this Court is not necessary in light of the record, the nature of the charges, the contents of this Stipulation, and

the concurrently filed Findings and Recommendation of Discipline. As previously noted, Judge Hosford waives his right to further hearings if the recommendation is accepted.

Dated this 25th day of October, 2023.

**INVESTIGATIVE PANEL OF
THE FLORIDA JUDICIAL
QUALIFICATIONS
COMMISSION**



Alexander John Williams
Florida Bar No. 99225
PO Box 14106
Tallahassee, FL 32317
awilliams@floridajqc.com
GENERAL COUNSEL TO FJQC

/s/ Kenneth L. Hosford

Hon. Kenneth L. Hosford
LIBERTY COUNTY JUDGE

Scott K. Tozian

Scott Tozian
Florida Bar No. 253510
Smith Tozian Daniel & Davis, P.A.
109 N Brush St Ste 200
Tampa, FL 33602-4116
stozian@smithtozian.com
COUNSEL FOR JUDGE HOSFORD