

Fulford, Millie

From: Stillman, Kerrie
Sent: Tuesday, October 7, 2025 9:31 AM
To: Robert Burns
Subject: RE: Continued Delay in Randy Fine Probable Cause Hearings – Complaint Nos. 24-037, 24-134, 24-135, and Case No. 22-079

Mr. Burns,

Thank you for your email.

The timeline requirements set forth in Section 112.324, F.S., had an effective date of October 1, 2024 (See Section 12.324(3)(k), F.S.,) and are applicable to complaints filed beginning on that date. Because your complaint was filed prior to the enactment of that legislation, the timeframes are not applicable.

Nevertheless, the Commission has actively been working to schedule the matter for consideration and will notify you as soon as it is scheduled.

Sincerely,

Kerrie Stillman
Executive Director
Florida Commission on Ethics

From: Robert Burns <rwburns3rd@gmail.com>
Sent: Wednesday, September 24, 2025 1:08 PM
To: Stillman, Kerrie <STILLMAN.KERRIE@leg.state.fl.us>; jphilipson@gunster.com
Cc: Fulford, Millie <FULFORD.MILLIE@leg.state.fl.us>; Press@myfloridalegal.com; Office of Senator Burgess <BURGESS.DANNY.WEB@flsenate.gov>; media@eog.myflorida.com
Subject: Continued Delay in Randy Fine Probable Cause Hearings – Complaint Nos. 24-037, 24-134, 24-135, and Case No. 22-079

Dear Ms. Stillman and Chairman Philipson,

I am writing to express my deep concern about the chronic prolonged continuances in the consolidated complaints I filed against Congressman Randy Fine (Complaint Nos. **24-037, 24-134, and 24-135**) as well as the complaint previously filed by Jennifer Jenkins (Case No. **22-079**), in which probable cause was already found years ago but remains unresolved.

The probable cause hearings in my cases were originally scheduled for **January 6, 2025**, then reset to several times, but have once again continued indefinitely. These delays are inconsistent with the clear mandates of **§ 112.324(3), Florida Statutes**, and **Rules 34-5.004 and 34-5.006, Florida Administrative Code**, which require investigations to begin within 30 days, reports to be completed within 150 days (with only limited extensions), and probable cause hearings to be scheduled promptly at the next available executive session. The rules also explicitly allow these proceedings to move forward even **when the respondent is not personally present**, so long as their attorney appears.

The Commission itself has gone through several changes in chairs and membership, during which Congressman Fine was afforded the unprecedented opportunity to request—and have considered—another probable cause hearing even after probable cause had already been found. Compounding this, the proceedings have been delayed so long that the ethics laws governing standing to file a complaint (which Fine himself voted to change) have since been amended. As a result, there is now the disturbing possibility that portions of the findings in the Jenkins case (Case No. 22-079) could be dismissed, as this Commission appears to be applying those changes retroactively.

It has been argued by Congressman Fine’s counsel that these hearings cannot proceed while Congress is in session. That argument is misplaced. The U.S. Constitution’s legislative privilege (Article I, Section 6) protects members of Congress from arrest in civil matters during session, but it does not exempt them from administrative or disciplinary proceedings such as those before this Commission. Moreover, Rule 34-5.006, F.A.C. expressly allows probable cause hearings to go forward without the respondent personally present, so long as counsel appears on their behalf. Accordingly, the fact that Congress is in session does not constitute “good cause” for indefinite continuances, and reliance on that excuse directly undermines the Commission’s statutory duty to conduct timely probable cause determinations. It should also be noted that even when Congress was in recess, this Commission had scheduled meetings yet Fine’s cases were not agenda’d for those meetings, nor was there a written request from his counsel for a continuance during those times.

Despite those rules, Congressman Fine has now been granted **unusual, unprecedented exceptions**, stalling these proceedings indefinitely. During this time, he has held **three separate public offices**, advancing to higher levels of government, while still engaging in many of the same behaviors alleged in these complaints. To many observers, including myself as a complainant, this creates the appearance that one individual is effectively beyond the reach of Florida’s ethics laws.

The broader consequence is equally concerning: if high-profile officeholders can indefinitely delay probable cause hearings on clear technicalities, while rules exist to prevent exactly that, the public perception is that the Commission is ineffective—or even pointless. That perception undermines the very trust the Commission was created to protect.

I respectfully request:

1. A written explanation for the repeated continuances of Complaint Nos. 24-037, 24-134, 24-135, and Case No. 22-079, including the basis for granting them in light of the Commission’s rules.
2. Clarification of why the rules allowing hearings to proceed in the absence of the respondent have not been applied.
3. A firm date for the probable cause hearings in these matters.

At stake here is not simply the resolution of these particular complaints, but public confidence in whether Florida's ethics laws are enforced fairly and consistently, without regard to political position or influence.

Thank you for your prompt attention to this matter.

Sincerely,

Robert Burns

Fulford, Millie

From: rcoates rcoateslaw.com <rcoates@rcoateslaw.com>
Sent: Friday, May 16, 2025 2:42 PM
To: Fulford, Millie
Cc: mcoates rcoateslaw.com
Subject: Congressman Fine - Continuance

Ms. Fulford,

As we discussed, the US House of Representatives will be in Session on Friday, June 6, 2025. As such, under the US Constitution, Congressman Fine's hearings scheduled for June 6, 2025 must be continued.

If you have any questions, let me know.

Richard E. Coates
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