

IN THE TWENTIETH JUDICIAL CIRCUIT IN AND FOR THE STATE OF FLORIDA
CHARLOTTE COUNTY

ORDER APPOINTING CLERK AD INTERIM FOR CHARLOTTE COUNTY

WHEREAS, the Clerk of the Circuit Court in and for Charlotte County, Barbara T. Scott, has announced her resignation effective at the end of the day of November 30, 2008, via correspondence from Barbara T. Scott to the Governor of the State of Florida dated November 20, 2008; and

WHEREAS, the current term of office of Barbara T. Scott runs through January 5, 2009; and

WHEREAS, the legislature of the State of Florida enacted Florida Statute §28.09 as a mechanism to provide for the filling of a vacancy occurring in the office of the clerk of the circuit court until such time as the Governor has the opportunity to fill the vacancy; and

WHEREAS, that mechanism authorizes the judicial appointment of an interim clerk pending the Governor's own appointment of a person to fill the vacancy; and

WHEREAS, to date, the Governor has not appointed a person to fill the vacancy resulting from Barbara T. Scott's resignation, and, in light of the intervening Thanksgiving holiday, it is uncertain as to whether the Governor will have such an opportunity to do so prior to Monday, December 1, 2008; and

WHEREAS, James R. Masch is currently the Chief Deputy of Courts, Records and Administrative Services for the Clerk of the Circuit Court in and for Charlotte County and has served in this capacity since 2003; it is

ORDERED that, pursuant to the authority vested in me by Florida Statute §28.09, and as Chief Judge of the Twentieth Judicial Circuit, which includes Charlotte County, James R.

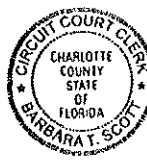
Masch, is appointed as Clerk Ad Interim for the remaining current term of office, effective December 1, 2008, and until such time as the Governor of the State of Florida makes his own appointment superseding this order, or as otherwise provided by General Law. As Clerk Ad Interim, James R. Masch shall assume and meet all responsibilities, duties, and conditions as provided for by the legislature under Florida Statute §28.09. This order is effective December 1, 2008, and, in the event that the Governor makes his own appointment to fill the vacancy prior to December 1, 2008, this order is to be deemed null and void in its entirety and shall have no effect. If no appointment is made by the Governor such as to supersede this order prior to January 6, 2009, this order shall automatically expire at the end of the current term of office of the Clerk of the Circuit Court in and for Charlotte County, which runs through January 5, 2009.

DONE AND ORDERED in chambers in Fort Myers, Lee County, Florida this 25th day of November, 2008.



G. Keith Cary
Chief Judge

History.- New.



Certified to be a true and correct copy of the original document on file.
 This copy has no redactions
 This copy has been redacted pursuant to rule:

Witness my hand and official seal this 26th day of Nov, 2008
BARBARA T. SCOTT, Clerk of Circuit Court
By Marie Churchill Deputy Clerk

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