

073-38—March 2, 1973

**CIVIL AND CRIMINAL COURT OF RECORD  
JUDGES' ASSOCIATION**

**DISPOSITION OF FUNDS UPON DISSOLUTION**

*To: W. Rogers Turner, Presiding Judge, Division B, Orange County Criminal Court of Record, Orlando*

*Prepared by: Rebecca Bowles Hawkins, Assistant Attorney General*

**QUESTION:**

May funds in the treasury of the Civil and Criminal Court of Record Judges' Association of Florida derived from assessment of annual dues as paid for by the respective county commissions of the state be legally transferred to the treasury of the Circuit Judges' Conference of Florida upon the dissolution of the Civil and Criminal Court of Record Judges' Association of Florida, pursuant to the implementation of new Art. V of the State Constitution?

**SUMMARY:**

Upon dissolution, the funds of the Civil and Criminal Court of Record Judges' Association of Florida may be transferred to the treasury of the Circuit Judges' Conference of Florida.

I assume from your inquiry that the association is an unincorporated association composed of judicial officers and not an official agency of the state. Thus, the funds collected by the association are not public funds within the purview of §219.05(3), F. S., requiring the funds of a vacated county office to be transferred to the incoming officer. *Cf.* AGO 072-184, holding that the financial records of a nonprofit association of public officials are not within the purview of the public records law, §119.01, F. S.

As to funds of an unincorporated association, the general rule is that such funds should, upon its dissolution, be distributed pro rata among the members of the association, providing the rights of third persons have not intervened and the association does not partake of the nature of a charity. *See* 6 Am. Jur.2d *Associations and Clubs* §23, p. 449. Thus, upon the dissolution of the association, the funds remaining in its treasury could either be returned, pro rata, to the counties whose funds were contributed thereto, or may be transferred to the treasury of the Circuit Judges' Conference of Florida.

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**MINORS**

**EMPLOYMENT BY LIQUOR VENDORS**

*To: Robert M. Johnson, Representative, 74th District, Sarasota*

*Prepared by: Henry George White, Assistant Attorney General*

**QUESTION:**

Does §562.13, F. S., preclude the employment of on-stage entertainers, under the age of seventeen, in dinner theaters in which patrons are served alcoholic beverages?

**SUMMARY:**

Section 562.13, F. S., prohibits the employment of professional