

Florida's Local Professionalism Panels

By: Anna Wiand, Law Clerk

Have you ever wished for a way to mentor a wayward or unprofessional lawyer short of filing a formal grievance with The Florida Bar? Florida's newly created Local Professionals Panels may help fill this need.

The Florida Supreme Court directed circuit judges throughout the state to create local professionalism panels to address complaints of unprofessional attorney conduct including "substantial or repeated violations of the Oath of Admission to The Florida Bar, The Florida Bar Creed of Professionalism, The Florida Bar Ideals and Goals of Professionalism, The Rules Regulating The Florida Bar, or the decisions of The Florida Supreme Court." *In re Code for Resolving Professionalism Complaints*, 116 So. 3d 280, 282 (Fla. 2013). Since 2013, the Chief Judges of the 11 judicial circuits in the Middle District of Florida have issued administrative orders establishing Local Professionals Panels.

The Local Professionals Panels are peer review programs. Proceedings are conducted in a confidential, non-punitive fashion unless there is *per se* violation of Florida bar rules. If such a violation occurs, panels can refer the complaint to The Florida Bar's Attorney Consumer Assistance and Intake Program (ACAP). Otherwise, complaints of unprofessional attorney conduct are resolved through informal constructive and educational means without formal grievances and sanctions. The panels do not have the power to discipline and the attorney's participation is voluntary, but failure to participate is considered when determining if the complaint should be referred to the ACAP.

Each Circuit Court determines the composition of its panel. Selection of panel members and the operation of the panel may be delegated to others, including a local bar association. Panel members are leaders in their local legal communities already adept at guiding wayward attorneys on professionalism. Some Circuit Courts transitioned an existing peer review program into the Local Professionalism Panel while others created new panels. Panels have between 3 and 18 members. The members must be in good standing with The Florida Bar and, often, must have practiced for a designated number of years. Sometimes, a pool of attorneys from the local legal community is maintained for the Chairperson or Chief Judge to select from and task with resolving a complaint. Panel members and panel staff persons enjoy immunity from civil liability "for all acts performed in the course of their official duties." *In re: Amendment to the Code for Resolving Professionalism Complaints*, 2015 Fla. LEXIS 163, *2 (Fla. 2015).

Anyone may initiate a complaint but the process for submitting and resolving a complaint varies panel-by-panel and within each panel depending on whether the complainant is a judge or quasi-judicial officer, an attorney, a non-attorney, or the ACAP. Complaints must be in writing, and some panels provide a form or dictate page limitations. An incoming complaint first is reviewed to determine if it warrants consideration by the panel, referral to ACAP, or no action. If the conduct requires panel action, the Chairman contacts the attorney to explain why the conduct is an issue, outlines the panel's process, and invites the attorney to meet with the panel. The panel may ask the attorney to respond.

Depending on the local procedures and the severity of the conduct, the panel's interaction with the attorney may be as informal as a phone call or as formal as mediation between the referring party and responding attorney. The meetings usually are between the attorney and the panel members. If the attorney is a no-show, the panel still meets to consider the reported conduct and prepare a recommendation. The recommendation and a summary of the meeting are sent to the attorney.

The panel may recommend any non-disciplinary solution it deems appropriate or necessary. To provide the attorney with proper incentives for professional improvement, a panel may issue an oral or written decision with recommendations or guidelines, refer the attorney to a local mentorship program or mentor, refer the attorney to an ethics program or training, refer the attorney to a program for assistance with drug, alcohol and/or emotional problems, or refer the complaint to ACAP. The review and resolution of a complaint ideally takes less than two months and all records produced usually are destroyed once the complaint is resolved.

The Florida Bar maintains a list of contacts for each local professionalism panel: [www.floridabar.org/TFB/TFBResources.nsf/Attachments/F5D4864D5D5F543585257D3A0049BA96/\\$FILE/LocalProfessionalismPanelsCircuit_0220.pdf?OpenElement](http://www.floridabar.org/TFB/TFBResources.nsf/Attachments/F5D4864D5D5F543585257D3A0049BA96/$FILE/LocalProfessionalismPanelsCircuit_0220.pdf?OpenElement). The Bar also prepared a list of the local administrative orders establishing the panels: [www.floridabar.org/TFB/TFBResources.nsf/Attachments/D931C65DE938BBD685257BB2004D1663/\\$FILE/lpp_administrative_orders.pdf?OpenElement](http://www.floridabar.org/TFB/TFBResources.nsf/Attachments/D931C65DE938BBD685257BB2004D1663/$FILE/lpp_administrative_orders.pdf?OpenElement). Information on the panels in each of the 11 Judicial Circuits in the Middle District of Florida is provided below with brief, panel specific, instructions on submitting complaints.

Local Professionalism Panels in the Middle District of Florida

Fort Myers Division

12th Circuit - De Soto County

Submit complaints online at www.jud12.flcourts.org/Portals/0/LPPComplaint.aspx

Administrative Order: www.jud12.flcourts.org/Portals/0/PDF/AdminOrders/Section02/14-08-2.pdf

Additional Information: Office of Court Administration, Sarasota County, (941) 861-7800, www.jud12.flcourts.org/Home/Attorney/LocalProfessionalismPanel.aspx

20th Circuit - Charlotte, Collier, Glades, Hendry & Lee Counties

Submit complaints using the form provided at

www.ca.cjis20.org/home/main/professionalpeer.asp

Administrative Order: www.ca.cjis20.org/adminorder

Additional Information: Ita M. Neymotin, Esq., Regional Counsel, Chair of the Local Professionalism Panel, 2000 Main Street, Ste. 500, Fort Myers, FL 33901-5501, Phone: 239-533-1500, Fax: 239-533-1501, e-mail: ineymotin@flrc2.org, www.ca.cjis20.org

Jacksonville Division

3rd Circuit - Columbia, Hamilton & Suwannee Counties

Submit complaints via letter or email. Complaints from attorneys and non-attorneys are limited to 10 pages inclusive of exhibits.

Administrative Order: www.jud3.flcourts.org/AdminOrders/All/2013-011-Third%20Circuit%20Professionalism%20Panel%20and%20Committee.pdf

Additional Information: Tina Seifert, (386) 243-8247, tseifert@seifertlaw.net, www.jud3.flcourts.org

4th Circuit - Clay, Duval & Nassau Counties

Submit complaints by mail to the Jacksonville Bar Association (1 Independent Dr., Ste. 2201, Jacksonville, FL 32202-5050) using the form provided online at www.jaxbar.org/wp-content/uploads/2014/04/Confidential-Referral-Form-for-Attorneys.pdf

Administrative Order: www.duvalclerk.com/adminOrders/Files/137990231.pdf

Additional Information: The Jacksonville Bar Association, (904) 399-4486, www.jaxbar.org/attorney-resources/attorney-professionalism/

5th Circuit - Citrus, Marion & Sumter Counties

Panels are established in each county. Submit complaints to the 5th Circuit's General Counsel Grace Fagan ((352) 754-4860 or (352) 253-1615, gfagan@circuit5.org).

Administrative Orders: 5th Circuit Order: www.circuit5.org/c5/wp-admin/ao/A2013-45.pdf

Citrus County Order: www.circuit5.org/c5/wp-admin/ao/C2013-46.pdf

Marion County Order: www.circuit5.org/c5/wp-admin/ao/M2013-49.pdf

Sumter County Order: www.circuit5.org/c5/wp-admin/ao/S2013-50.pdf

Additional Information: Judge Sue Robbins, Professionalism Committee Chair, (352) 401-7820, srobbins@circuit5.org, www.circuit5.org/c5/programs-services/professionalism-committee/

7th Circuit - Flagler, Putnam & St. Johns Counties

Submit complaints to the president of the county bar association using the form in the administrative order.

Flagler County Bar Association President:	Putnam County Bar Association President:	St. Johns County Bar Association President:
Ronald Hertel Chiumento, Selis & Dwyer, P.L. 145 City Place, Suite 301 Palm Coast, FL 32164 (386) 445-8900 rhertel@palmcoastlaw.com	Garry Wood Putnam County Bar Assn. P.O. Box 2112 Palatka , FL , 32178 (386) 326-3993 garrywood2011@hotmail.com	Alyssa Clayton Camper Attorney at Law PO Box 2175 St. Augustine, Florida 32085 (904) 201-1711 alyssacamper@camperlaw.com

Administrative Order: www.circuit7.org/Attorney%20Resources/P-2013-188-Local%20Professionalism%20Panel.pdf

Additional Information: www.circuit7.org/Attorney%20Resources/professionalism.html

8th Circuit - Baker, Bradford & Union Counties

Submit complaints using the form provided at circuit8.org/sites/default/files/Professionalism%20Referral%20Form.pdf

Administrative Order:

circuit8.org/web/ao/10%2002%20%28v2%29%28s%29%20Local%20Professionalism%20Panel-signed.pdf

Additional Information: Raymond F. Brady, (352) 373-4141, rbrady1959@gmail.com, www.circuit8.org/professionalism

Orlando Division

5th Circuit - Lake County

Panels are established in each county. Submit complaints to the 5th Circuit's General Counsel Grace Fagan ((352) 754-4860 or (352) 253-1615, gfagan@circuit5.org).

Administrative Orders: 5th Circuit Order: www.circuit5.org/c5/wp-admin/ao/A2013-45.pdf

Lake County Order: www.circuit5.org/c5/wp-admin/ao/L2013-48.pdf

Additional Information: Judge Sue Robbins, Professionalism Committee Chair, (352) 401-7820, srobbins@circuit5.org, www.circuit5.org/c5/programs-services/professionalism-committee/

7th Circuit - Volusia County

Use the form in the administrative order to submit complaints to the Volusia County Bar Association President (Michael Woods, michael.woods@CobbCole.com).

Administrative Order: www.circuit7.org/Attorney%20Resources/P-2013-188-Local%20Professionalism%20Panel.pdf

Additional Information: www.circuit7.org/Attorney%20Resources/professionalism.html

9th Circuit - Orange and Osceola Counties

Submit complaints to the Chief Judge using the referral form (www.ninthcircuit.org/about/programs/local-professionalism-committee). Referrals from attorneys and non-attorneys are limited to two pages exclusive of exhibits.

Administrative Order: www.ninja9.org/adminorders/orders/2014-07%20-%20order%20establishing%209th%20circuit%20professionalism%20panel.pdf

Additional Information: Lisandra Acosta, (407) 843-8880, www.ninthcircuit.org

18th Circuit - Brevard & Seminole Counties

Brevard and Seminole Counties each maintain a panel. Complaints are submitted to the Chief Judge or the county professionalism committee chair using the form in the administrative order.

Administrative Order: <http://brevardclerk.us/administrative-orders?ID=4be532fd-aa49-46a5-bd48-db92ccc9e7c8>

Additional Information: Chief Judge John Harris, (321) 617-7287, <http://brevardclerk.us>

Tampa Division

5th Circuit - Hernando County

Panels are established in each county. Submit complaints to the 5th Circuit's General Counsel Grace Fagan ((352) 754-4860 or (352) 253-1615, gfagan@circuit5.org).

Administrative Orders: 5th Circuit Order: www.circuit5.org/c5/wp-admin/ao/A2013-45.pdf

Hernando County Order: www.circuit5.org/c5/wp-admin/ao/H2013-47.pdf

Additional Information: Judge Sue Robbins, Professionalism Committee Chair, (352) 401-7820, srobbins@circuit5.org, www.circuit5.org/c5/programs-services/professionalism-committee/

6th Circuit - Pasco & Pinellas Counties

Complaints are initiated by contacting the contact attorney:

Pinellas County	Pasco County
North: Robert Dillinger, (727) 464-6516, Pd6@wearethehope.org or Andrew Sasso, (727) 725-4829, lexsb@aol.com South: Lee Rightmyer, (727) 821-7000, lrightmyer@cfjblaw.com	West: Larry Hart, (727) 847-2737, lhart@carlsonmeissner.com East: Chip Mander, (352) 567-0411, Arm4law@manderlawgroup.com ,

Administrative Order:

<http://www.jud6.org/LegalCommunity/LegalPractice/AOSAndRules/aos/2013PDFFiles/2013-075.pdf>

Additional Information: www.jud6.org

10th Circuit - Hardee & Polk Counties

Submit complaints via letter or email to the panel chairman. Complaints from attorneys and non-attorneys are limited to 10 pages inclusive of exhibits.

Administrative Order: www.jud10.flcourts.org/sites/all/files/docs/AO_1-48.0.pdf

Additional Information: K.C. Bouchillon, (863) 533-5525, kc@loblawyers.com, www.jud10.flcourts.org

12th Circuit - Manatee & Sarasota Counties

Submit complaints online at: www.jud12.flcourts.org/Portals/0/LPPComplaint.aspx

Administrative Order: www.jud12.flcourts.org/Portals/0/PDF/AdminOrders/Section02/14-08-2.pdf

Additional Information: Office of Court Administration, Sarasota County, (941) 861-7800, www.jud12.flcourts.org/Home/Attorney/LocalProfessionalismPanel.aspx

13th Circuit - Hillsborough County

Submit complaints via email to Local Professionalism Panel Chair (William Kalish, william.kalish@akerman.com).

Administrative Order: www.fljud13.org/Portals/0/AO/DOCS/S-2013-071.pdf

Additional Information: www.fljud13.org/Portals/0/Forms/pdfs/ProfessionalPanelBrochure.pdf