

**SEVENTH JUDICIAL CIRCUIT
LOCAL PROFESSIONALISM PANEL
OPERATING PROCEDURES**

A. Creation of a Local Professionalism Panel:

1. The Local Professionalism Panel (“Panel”) provides a voluntary informal peer-to-peer mentoring process for addressing instances of unprofessional conduct separate and apart from instances of misconduct that require the formal grievance process. This mentoring process does not replace the Florida Rules of Professional Conduct formal disciplinary process for addressing violations of those rules as set out in the Rules Regulating The Florida Bar.
2. The Chief Judge will determine the total number of members to serve on the Panel, will appoint the members and the Chairperson of the Panel, and will appoint members to fill vacancies on the Panel.
3. The Panel shall perform all responsibilities established by the Supreme Court of Florida in the Code for Resolving Professionalism Referrals.
4. The Panel shall meet as necessary to fulfill its responsibilities.

B. Purpose of the Local Professionalism Panel:

The Panel is independent of The Florida Bar and is intended to informally resolve referrals of claimed unprofessional conduct by lawyers practicing in the Seventh Judicial Circuit. The process is voluntary, and respondent attorneys are to be addressed in a peer-to-peer mentoring approach in an informal, non-punitive, educational, and constructive manner. Claimed unprofessional conduct addressed by the Panel is separate and apart from instances of misconduct that require utilizing the formal grievance process.

The Panel does not replace the Florida Rules of Professional Conduct or the formal disciplinary process for a violation of those rules as set out in Chapter 3 of the Rules Regulating The Florida Bar. Rather, the Panel will receive, screen, and act on referrals of unprofessional conduct and address those referrals informally, if possible, or refer the case to The Florida Bar for a formal investigation.

“Unprofessional conduct” means a violation of the Standards of Professionalism found in the Oath of Admission to The Florida Bar, The Florida Bar Creed of Professionalism, the Professionalism Expectations, and the Rules Regulating The Florida Bar.

C. Procedures: The below procedures shall generally govern the proceedings of the Panel.

1. Referral by Judicial Officer or Quasi-Judicial Officer:

When any Judge, Magistrate, or Hearing Officer within the Seventh Judicial Circuit determines that an attorney has engaged in unprofessional conduct, the matter may be

referred to the Panel by that Judge, Magistrate, or Hearing Officer, or by the Chief Judge.

Once a referral has been received and screened by the Panel, the Chair may address a letter on behalf of the Panel to the respondent attorney, inviting that attorney to meet with the Panel on a specific date and time.

2. Referral by Attorney: If an attorney observes conduct on the part of another attorney that he or she believes, in good faith, is inconsistent with the Standards of Professionalism, the referring attorney may request that the Panel consider the matter by submitting a completed Referral Form by e-mail to lpp@circuit7.org.
3. Referral by Non-Attorney: If a non-attorney is directly and adversely affected by conduct on the part of an attorney that is inconsistent with the Standards of Professionalism, that person may request the Panel to consider the matter by submitting a completed Referral Form via e-mail to lpp@Circuit7.org. Attachments of no more than 15 pages may accompany the Referral Form. The Chair may request additional documents as necessary. The Chair will address a letter to the attorney involved notifying the attorney of the referral, and may invite the attorney to submit a response or meet with the Panel on a date and time specified.
4. Referral by the Florida Bar's Attorney Consumer Assistance and Intake Program (herein after "ACAP"): The Panel may accept referrals sent by ACAP. The Chair will review the referral, will notify the respondent attorney of the referral, and may invite the attorney to submit a response or meet with the Panel on a date and time specified.
5. Referrals to and from The Florida Bar:

Minor or isolated instances of unprofessional conduct may be addressed through the informal process of the Panel. When unprofessional conduct is substantial or repeated, the Panel may refer to The Florida Bar for a disciplinary investigation into whether the formal disciplinary process should be initiated.

The Florida Bar may refer a claim to the Panel if The Florida Bar determines that prosecution through its disciplinary process is not warranted and that the Panel can effectively handle the referral through its informal process. This includes cases referred to The Florida Bar by the Panel if upon review The Florida Bar determines that disposition is more effectively handled by the Panel.

6. Letters Sent by Panel to Respondent Attorney: Any letter sent by the Panel to the respondent attorney requesting that the attorney appear before the Panel must identify the conduct alleged to be unprofessional. The letter should also advise the attorney that the Panel meeting is a voluntary and non-disciplinary proceeding. The letter must include a complete reference to the standards the attorney is alleged to have violated.
7. Meetings: The Chair, or the Chair together with the other Panel members, may meet with the respondent attorney at the date and time specified in the letter to discuss the

- attorney's conduct and how the attorney can act in the future to be consistent with the Standards of Professionalism. The Chair may send a letter to the attorney summarizing the Panel's decision.
8. Time: The Panel shall endeavor to resolve all referrals within forty-five (45) days of receiving the referral.
 9. Panel's Resolution of Referral: After conferring and conducting an investigation, the Panel members may proceed to resolve the issues in an informal, non-punitive, educational, and constructive manner intended to provide the respondent attorney with an incentive for self-improvement. Ways to do this include, but are not limited to:
 - a. The Chair may issue an oral or written decision to the respondent attorney.
 - b. The Panel may refer the respondent attorney to "The Florida Bar's Ethics School," which is an eight-hour ethics course, or any course(s) deemed appropriate.
 - c. The Panel, in appropriate circumstances, may refer the respondent attorney to the Florida Lawyers Assistance Program or other similar, appropriate program(s) for assistance with alcohol, drug, and/or emotional problems.
 - d. The Panel has the discretion to direct any referrals to ACAP depending on the nature and severity of the allegations contained in the referral.
 - e. Participation and successful completion of the Panel's recommendations is voluntary. However, if the respondent attorney fails to follow the recommendations of the Panel, the Panel may refer the attorney to The Florida Bar.
 10. The Chief Judge will receive copies of all referrals and decisions of the Panel. The Chief Judge and the Chair may communicate with one another about any referral as either of them deem necessary or appropriate.
 11. Records Retention: All records will be destroyed within thirty (30) days of the conclusion of the Panel's resolution of the referral and after the respondent attorney has satisfactorily documented completion of the Panel's recommendations. However, in the event the Panel refers the attorney to The Florida Bar, the Panel will retain its records pertaining to the referral pending conclusion of proceedings before The Florida Bar.
 12. Confidentiality: Rule 3-7.1 of the Rules Regulating the Florida Bar sets out the guidelines for confidentiality in disciplinary investigations and proceedings.
 13. Statement of Confidentiality: All Panel members, the referring party, and the respondent attorney shall sign a statement acknowledging that all information disclosed during the Panel process is confidential and shall not be disclosed to anyone except other Panel members, the referring party, and the respondent attorney.