



LOCAL PROFESSIONALISM PANEL REPORT FORM

Chief Judge of Circuit:	Judge J. Frank Porter
Name of Submitter:	Tamara Holliday
Date:	12/12/23

***Reports must be filed by June 15 and December 15 each year.**

SC 2023-0884 - Appendix A Code for Resolving Professionalism Referrals 3.7 Reporting

- a) Each LPP must file a written report with the chief judge of its circuit, the Florida Supreme Court, and The Florida Bar identifying all professionalism referrals received against a member of The Florida Bar in June and December of each calendar year.
- b) The biannual reports must include the following information for each referral for the six (6) calendar months preceding the month in which the report is due:
 - 1. The date of the referral;
 - 2. The circuit in which the issue arose;
 - 3. A short summary detailing the substance of the referral;
 - 4. The relationship of the respondent voluntarily participated in the process;
 - 5. Whether or not the respondent voluntarily participated in the process;
 - 6. The resolution, if any, of the referral; and
 - 7. Whether there were previous referrals against the respondent.
- c) The reports must not include identifying information for the respondent or the party who submitted the referral.

INFORMATION FOR SUBMITTERS

1. **Purpose and Use:** This form collects information about your Circuit's Local Professionalism Panel and its activity for the last six (6) months. This form also asks for updates to the contact information for your Local Professionalism Panel. The information about your Circuit's Local Professionalism Panel will be used to update the Center's Local Professionalism Panel contact list, as well as to gauge how each Circuit is carrying out panel activities.
2. **Reporting Period:** Reports must be filed by June 15th and December 15th and include information for the six (6) calendar months preceding the month in which the report is due.
3. **Where to Submit:** Submit this form and any attachments by email to cfp@floridabar.org or by regular mail to:

The Florida Bar
Henry Latimer Center for Professionalism
651 E. Jefferson Street
Tallahassee, FL 32399

4. **Questions:** Direct all questions about this form to cfp@floridabar.org.

June Reports should include information from January 1 to June 15.
December Reports should include information from June 16 to December 15.

LOCAL PROFESSIONALISM PANEL QUESTIONS

Please complete the information below regarding any activity within your Local Professionalism Panel. Additional pages may be attached as needed.

- 1. Please describe the process by which complaints are addressed.** You may attach a link to the complaint form or link to where information is located on your website that advises the consumers, attorneys, and judges how to file a complaint.

<https://www.ca.cjis20.org/pdf/RefFormPeerRvComm.pdf>

The Twentieth Judicial Circuit Professionalism Committee was established for the purpose of promoting and encouraging professionalism within the legal community. The Chief Judge of the Twentieth Judicial Circuit is the Chair of the Professionalism Committee, and the members include judges, representatives from our local bar associations and legal community, and representatives from the State Attorney's Office, the Public Defender's Office and the Office of Regional Counsel. All five counties of our Circuit are represented: Lee, Collier, Charlotte, Hendry, and Glades counties.

The non-judicial members of the Professionalism Committee also serve on the Twentieth Judicial Circuit Local Professionalism Panel. The Local Professionalism Panel addresses complaints of unprofessional behavior of attorneys practicing within our communities. This is not a disciplinary process and does not address alleged violations of the Rules Regulating the Florida Bar, but rather is designed to be educational in nature and only addresses allegations of unprofessionalism that do not rise to the level of a violation of the Rules Regulating the Florida Bar. Referrals to the Local Professionalism Panel may be submitted by licensed attorneys, Judges, or others.

Alternatively, complaints alleging unprofessionalism may be filed with the Florida Bar Attorney Consumer Assistance and Intake Program (ACAP). More information about The Florida Bar's ACAP can be found by visiting the ACAP Website or by calling the ACAP Hotline at (866) 352-0707.

Referral form attached.

- 2. Please describe what types of professionalism issues are seen most often in this Circuit?**

The majority of our complaints deal with unprofessional conduct, rude, discourteous, disruptive, disrespectful, honesty, integrity, and candor issues.

REFERRAL FORM
TO THE LOCAL PROFESSIONALISM PANEL
OF THE TWENTIETH JUDICIAL CIRCUIT

1. **Referring Attorney, Judge, or Other Person:**

Your Name: _____

Bar Number: [if applicable] _____

Your Address: _____

Telephone No.: _____

e-mail: _____

2. **Attorney Being Referred:**

Name of Attorney: _____

Bar Number: [if known] _____

Address: _____

Telephone No.: _____

e-mail: _____

NOTE THIS IS NOT A DISCIPLINARY PROCEEDING

3. **Alleged Noncompliance (check one):**

____ Twentieth Judicial Circuit's Standards of Professional Courtesy and Conduct for Lawyers.
Standards involved: _____

____ The Florida Bar's Professionalism Expectations.
Expectation Involved: _____

____ Other: _____

Briefly describe the facts and circumstances of the alleged conduct which does not, in your opinion, comply with the above Standards or Expectations. Use the back of this form or attach additional pages if necessary. Please try to be brief and non-judgmental. Please list and attach any papers requiring consideration or needed for clarification of the allegations discussed. Please state the specific provision(s) involved. Please note that referrals may be subject to public record disclosure under Florida law.

Signed: _____

Date: _____

3. What are believed to be the causes of professionalism issues within your Circuit?

Causes for the legal profession's increase in incivility in the profession are numerous and have been studied for ages. However, in our circuit, we see that miscommunication between opposing counsel and a lack of understanding of where the line unprofessional behavior was crossed is common.

4. How often does your Circuit's Local Professionalism Panel meet?

Quarterly.

5. Please describe any training provided to committee members.

Still awaiting further instruction as to the availability of training resources to be developed by Florida Bar staff in the Lawyer Regulation Division.

6. How is your Circuit's Local Professionalism Panel promoted?

The Twentieth Judicial Circuit Professionalism Committee currently includes representatives of our local bar associations, Inns of Court, State Attorney, Public Defender, and Regional Counsel, who have all promoted the Panel through those organizations and through educational professionalism CLE programs. Articles promoting the Panel and providing redacted summaries of action taken in response to referrals have been published in the local bar journal.

7. Please provide information regarding all complaint intake for the appropriate dates. If filing in June, the information should be from January 1st – June 15th. If filing in December, the information should be from June 16th – December 15th.

1.

Date of Referral: July 19, 2023	Circuit in which issue arose: 20th
Short Summary detailing the substance of the referral	
A defendent in a small claims case found a Judge to be "demeaning, arrogant, and condescending" towards him durning court proceedings. He further stated that the Judge was " insolent, sarcastic and deprecating - trying to shame and humiliate me at every opportunity".	
The relationship of the respondent to the person submitting the referral.	
Complaintant was the defendent in case that the Judge presided over.	
Whether or not the respondent voluntarily participated in the process.	
This case was found to be outside of the panel's purview, as the complaint was against a judge.	
The resolution, if any, of the referral;*	
The complaintant was advised to contact the Florida Judicial Qualifications Commission for further action.	
Whether there were previous referrals against the respondent	
No.	

8. **Please provide the contact information for all current panel members.** Please include: name(s), email(s), address(es), and phone number(s), and title if applicable.

Name	Title/Firm	Email	Address	Phone Number
See Attached				

The Florida Bar will publish on its website the LPP biannual reports. The Chief Judge, or the Chief Judge's designee, will publish on the judicial Circuit's website the LPP biannual reports from that Circuit.

TWENTIETH JUDICIAL CIRCUIT
LOCAL PROFESSIONALISM PANEL MEMBERS¹ & DIRECTORY

(As of January 2023)

Ita M. Neymotin, Esq., Regional Counsel, Chair of the Local Professionalism Panel

2101 McGregor Blvd., Ste. 101, Fort Myers, FL 33901
Phone: 239-208-6925 • Fax: 239-963-1534 • e-mail: ineymotin@flrc2.org

Tiffany Pereira, Esq., Representing the Lee County Bar Association

P.O. Box 1059, Fort Myers, FL 33902-1059
Phone: 239-332-1181 • e-mail: tiffany@thepereiralawfirm.com

Jamie B. Schwinghamer, Esq., Representing the Collier County Bar Association

Roetzel & Andress, LPA
999 Vanderbilt Beach Road, Suite 401, Naples, FL 34108-3515
Phone: 239-213-3887 • e-mail: jschwinghamer@ralaw.com

Christopher Frohlich, Esq., Representing the Charlotte County Bar Association

Frohlich, Gordon & Beason, PA
18401 Murdock Circle, Unit C
Port Charlotte, FL 33948-1026
Phone: 941-979-9010 • Fax: 941-979-9250 • e-mail: chrisfrohlich@gfblawfirm.com

Abraham R. Thornburg, Esq., Representing the Hendry/Glades Counties Bar Association

Office of the State Attorney
P.O. Box 399, Fort Myers, FL 33902-0399
Phone: 863-612-4942 • e-mail: athornburg@sao.cjis20.org

Amira D. Fox, Esq., State Attorney

P.O. Box 399, Fort Myers, FL 33902-0399
Phone: 239-533-1101 • Fax: 239-533-1150 • e-mail: afox@sao.cjis20.org

Kathleen A. Smith, Esq., Public Defender

P.O. Box 1980, Fort Myers, FL 33902-1980
Phone: 239-533-2911 • Fax: 239-485-2525 • e-mail: kathleens@pd.cjis20.org

Ty Roland, Esq., Representing the Calusa American Inn of Court (Lee County)

Aloia, Roland & Lubell, LLP
2254 First Street, Fort Myers, FL 33901-2960
Phone: 239-791-7950 • Fax: 239-791-7951 • e-mail: troland@floridalegalrights.com

Rachael Loukonen, Esq., Representing the Michael R.N. McDonnell Inn of Court (Collier County)

Cheffy Passidomo, P.A.
821 Fifth Avenue South, Naples, FL 34102
Phone: 239-261-9300 • Fax: 239-261-9782 • e-mail: rloukonen@napleslaw.com

Jason H. Korn, Esq., Member-At-Large

Cohen & Grigsby, P.C.
9110 Strada Place, Ste. 6200, Naples, FL 34108-2396
Phone: 239-390-1914 • Fax: 239-390-1901 • e-mail: jkorn@cohenlaw.com

¹ See Administrative Order 2.20, In re: Standards of Professional Courtesy and Conduct and Establishment of Local Professionalism Panel.