

IN THE SUPREME COURT OF FLORIDA
(Before a Referee)

FILED

SID J. WHITE

FEB 23 1984

CLERK, SUPREME COURT

By _____
Chief Deputy Clerk

THE FLORIDA BAR,)
Complaintant,)
vs.)
JUDY DALE SHAPIRO,)
Respondent.)
-----)

Case No. 64,439

(1083C18)

REPORT OF REFEREE

I. Summary of Proceedings: Pursuant to the undersigned being appointed as referee to conduct disciplinary proceedings herein according to Article XI of the Integration Rule of The Florida Bar, a hearing was held on February 3, 1984. The Pleadings, Notices, Motions, Orders and Exhibits all of which are forwarded to the Supreme Court of Florida with this report, constitute the record in this case.

The following attorneys appeared for the parties:

For The Florida Bar: David G. McGunegle, Esq.
Branch Staff Counsel

For the Respondent: Edward R. Shohat, Esq.

II. Findings of Fact as to Each Item of Misconduct of which the Respondent is Charged: After considering the pleadings and evidence before me, pertinent portions of which are commented on below, I find, as to the single count Complaint:

A JOINT STIPLUATION OF FACTS was received in evidence, offered by both parties. The original of which is part of this record.

This stipulation contains the facts which were before the referee.

III. Recommendation as to whether the Respondent should be found

guilty: I recommend that the Respondent be found guilty and specifically that she be found guilty of violating the following Integration Rules of the Florida Bar and/or Disciplinary Rules of the Code of Professional Responsibility, to wit:

Article XI, Rule 11.02(3)(a)
and
1-102(a)(4)
and
1-102(a)(5)

IV. Recommendation as to Disciplinary measures to be applied:
I recommend that the respondent be suspended from the practice of law for a period of ninety (90) days to be followed by a two (2) year period of probation.

The foregoing recommendation as to discipline are in accord with the parties' stipulation, which, as noted above, sets forth the facts which the parties agree constitutes a prima facie case of the violations enumerated in the previous paragraph of this report.

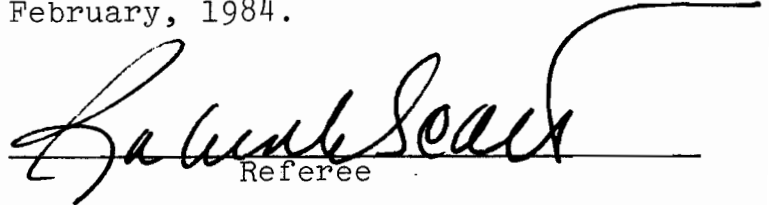
As no terms and conditions of probation are set forth in the parties' JOINT STIPULATION OF FACTS, the following are the recommendations of the referee regarding terms of probation:

1. Respondent will confine her professional undertakings to civil, as opposed to criminal, matters.
2. Respondent participate in the Guardian-ad-Litem program of the Eleventh Judicial Circuit and expend 250 hours, in the two year period of probation, as an attorney guardian-ad-Litem for an abused, neglected or otherwise dependent child. See Fla.R.Juv.P. 8.300(b), et seq.

V. Personal History and Past Disciplinary Record: All matters considered by the referee were set forth in the parties' stipulation.

VI. Statement of costs and manner in which cost should be taxed:
The parties' stipulation was silent regarding costs; however, if costs were reasonably incurred by The Florida Bar, they should be taxed against respondent.

DATED this 20th day of February, 1984.


Referee

copies to:

David G. McGunegle, Esq.
Bar Counsel

Edward R. Shohat, Esq.
Attorney for respondent

Staff Counsel
The Florida Bar