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FILED

SID J. WHITE

AUG 2 1984

IN THE SUPREME COURT OF FLORIDA

THE FLORIDA BAR,
Complainant,

CONFIDENTIAL CLERK, SUPREME COURT
By [Signature]
Supreme Court Case No. Chief Deputy Clerk

v.

JON JAY FERDINAND,
Respondent.

The Florida Bar File No. 17F84F38

PETITION FOR APPROVAL OF CONDITIONAL GUILTY
PLEA FOR CONSENT JUDGMENT AND ENTRY
OF FINAL ORDER OF DISCIPLINE

The Florida Bar respectfully requests this Honorable Court to approve the attached Conditional Guilty Plea for Consent Judgment in accordance with the terms of said Plea and says:

1. On or about June 8, 1984, The Florida Bar received the attached Conditional Guilty Plea for Consent Judgment, which was signed by Jon Jay Ferdinand, the Respondent, and his counsel. The original of said plea is attached hereto and incorporated herein.

2. By signing the attached Conditional Guilty Plea for Consent Judgment, the Respondent has agreed to be disciplined by a Public Reprimand, to be issued by the Supreme Court of Florida and published in the Southern Reporter, and to be placed on probation for a period of one (1) year. The probation will consist of retention of the services of a certified public accountant at Respondent's expense. The accountant is to review Respondent's trust account records and submit monthly reports to the Branch Staff Auditor of The Florida Bar, stating whether Respondent is in substantial compliance with the current rules promulgated by this Court as they relate to trust accounts. The monthly report of the certified public accountant is to include monthly reconciliations of Respondent's trust account. In addition, the Respondent is to appear before the Board of Governors of The Florida Bar for administration of this Public Reprimand. Further, the Respondent has agreed to pay the costs of these proceedings in the amount of Three Hundred Forty-Two Dollars and Eighty-Five Cents (\$342.85) within thirty (30) days of the Court's final order approving this Plea.

3. Respondent has acknowledged that his course of conduct was violative of Disciplinary Rules 1-102(A) (4) (engaging in conduct involving dishonesty, fraud, deceit or misrepresentation) and 9-102 (withdrawing funds from trust account when the right of the lawyer or law firm to receive same is disputed by the client) of the Code of Professional Responsibility and Article XI, Rule 11.02(4) (failing to apply money entrusted to an attorney for a specific purpose) of the Integration Rule of The Florida Bar .

4. On or about May 22, 1984, Grievance Committee "F" of the Seventeenth Judicial Circuit found probable cause that the Respondent had violated the above referenced rules .

5. The finding of probable cause by the Grievance Committee and the submission of this Plea occurred prior to adoption , by the Court on June 28, 1984, of proposed amendments to the Integration Rule. Said case was styled The Florida Bar In Re: Amendment To Article XI, Florida Bar Integration Rule (Rules Of Discipline) and assigned Supreme Court Case No. 64,520. The order adopting the amendments made them effective 12:01 A.M., July 1, 1984 but did not state that they would be retroactive in effect to Pleas already tendered . Accordingly, it is requested that this Plea be processed directly by the Court under the rules in effect when probable cause was found and the Plea submitted, without appointment of a referee .

6. On July 20, 1984, the Board of Governors of The Florida Bar voted to accept and approve the Respondent's Conditional Guilty Plea for Consent Judgment .

7. Respondent is currently practicing law in Fort Lauderdale, Florida; is thirty-six (36) years of age; and was admitted to the practice of law in Florida on October 25, 1974. The records of The Florida Bar do not reflect any prior disciplinary sanctions being imposed upon Respondent .

WHEREFORE, The Florida Bar respectfully requests this Court approve

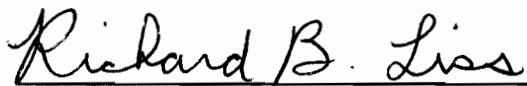
the attached Conditional Guilty Plea for Consent Judgment and enter a final order of discipline consistent with the terms of said plea, whereby the following discipline shall be imposed:

A. That the Respondent, Jon Jay Ferdinand, shall receive a public reprimand from this Court to be published in the Southern Reporter and that Respondent be required to appear before the Board of Governors of The Florida Bar for administration of the public reprimand,

B. That Respondent be placed on probation for a period of one (1) year and as a condition of said probation be required to retain the services of a certified public accountant at his own expense, who will review Respondent's trust account records and submit monthly reports to the Branch Staff Auditor of The Florida Bar. The reports will state whether Respondent is in substantial compliance with the current rules promulgated by this Court as they relate to trust accounts and will provide a monthly reconciliation of Respondent's trust account, and

C. That Respondent be ordered to pay the costs incurred by The Florida Bar in the prosecution of this case in the amount of Three Hundred Forty-Two Dollars and Eighty-Five Cents (\$342.85), said costs to be paid within thirty (30) days of this Court's final order.

Respectfully submitted,



RICHARD B. LISS

Bar Counsel

The Florida Bar

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JOHN F. HARKNESS, JR.

Executive Director

The Florida Bar

Tallahassee, FL 32301-8226

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Staff Counsel
The Florida Bar
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(904) 222-5286

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Petition For Approval of Conditional Guilty Plea For Consent Judgment and Entry of Final Order of Discipline has been sent to Harris K. Solomon, Attorney for Respondent, 2881 E. Oakland Park Blvd., Suite 202, Fort Lauderdale, Florida 33339-1022 and to John T. Berry, Staff Counsel, The Florida Bar, Tallahassee, Florida 32301-8226 by regular U.S. Mail this 31ST day of JULY, 1984.



RICHARD B. LISS