

IN THE SUPREME COURT OF FLORIDA
(Before a Referee)

THE FLORIDA BAR,

IN RE:

Case No. SC09-623

TFB No. 2009-10,971 (13E) (HRE)

PETITION FOR REINSTATEMENT
OF LINDA THOMPSON,

Petitioner.

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REPORT OF REFEREE

I. Summary of Proceedings: The undersigned was duly appointed to serve as Referee in this proceeding. Accordingly, a final evidentiary hearing was scheduled for August 3, 2009. At the August 3 hearing, the parties announced the terms of a proposed stipulation for the reinstatement of Petitioner. I recommend approval of the reinstatement of Petitioner subject to the conditions set forth herein, to which the parties stipulated their agreement at the August 3 hearing. All papers filed by the parties and this Report are forwarded to the Supreme Court of Florida and constitute the record of this proceeding.

The following attorneys appeared as counsel for the parties:

For The Florida Bar: Troy Matthew Lovell

For Petitioner: *pro se*

II. Findings of Fact: After considering all the pleadings and evidence before me, pertinent portions of which are commented on below, I find that the Petitioner should be reinstated to the practice of law, subject to the conditions set forth below.

III. Stipulation of Summary Proceedings: Petitioner and The Florida Bar stipulate to the issue of reinstatement, including conditions thereon and costs as permitted by Rule 3-7.10(g)(4), Rules Regulating The Florida Bar, and state:

A. The Florida Bar completed its discovery of the Petition for Reinstatement of Linda Thompson and was unable to discover any evidence on which denial of reinstatement

may be based.

- B. No person has provided any evidence to The Florida Bar on which denial of Petitioner's reinstatement may be based.
- C. The Designated Reviewer and Staff Counsel have approved a Stipulation for Reinstatement, including conditions to be imposed thereon.
- D. All of the elements for reinstatement as required under the Supreme Court's decision in Petition of Wolf, 257 So. 2d 547 (Fla. 1972) have been met, which include: (1) strict compliance with the specific conditions of the disciplinary order, such as payment of costs as was required in this instance; (2) evidence of unimpeachable character and moral standing in the community; (3) clear evidence of a good reputation for professional ability; (4) evidence of a lack of malice and ill feeling by the Petitioner toward those who by duty were compelled to bring about the disciplinary proceeding; and (5) personal assurances, supported by corroborating evidence, revealing a sense of repentance, as well as a desire and intention of the Petitioner, to conduct herself in an exemplary fashion in the future.

IV. Recommendation as to Reinstatement: After completion of discovery, and after independent verification of the information presented by the Petitioner's Petition for Reinstatement, The Florida Bar having been unable to discover any evidence upon which denial of reinstatement may be based, and no other person having come forward with contrary evidence in response to The Florida Bar's publications, and in further consideration of The Florida Bar's counsel having obtained the approval of the Designated Reviewer and Staff Counsel to The Florida Bar, the stipulation of the parties is hereby accepted. The Referee, therefore, recommends reinstatement of the Petitioner, subject to the conditions set forth below.

V. Recommendations as to Special Conditions or Probation:

I recommend, and the parties agree, that Petitioner's reinstatement be subject to the following probationary conditions:

A. Petitioner shall maintain strict compliance with the terms of her payment plan with The Florida Bar for disciplinary costs and reimbursement of the Clients' Security Fund, as said plan may be modified from time to time.

B. Within 30 days of the final order of reinstatement, Petitioner shall submit to an evaluation by Florida Lawyers Assistance, Inc., to determine whether FLA recommends any additional treatment or monitoring of Petitioner. Petitioner agrees to comply with all recommendations of FLA. Petitioner further agrees to waive confidentiality with any doctor, counselor, or other professional in order to permit FLA to conduct its evaluation and, if applicable, monitoring or further treatment.

C. For 18 months following reinstatement, Petitioner shall be supervised by an attorney mentor who shall meet with Petitioner to ensure and shall provide written confirmation to The Florida Bar on a quarterly basis, beginning 90 days after the final order of reinstatement, that Petitioner is meeting her professional obligations and maintaining her sobriety. Petitioner intends to begin employment with the Public Defender of the Thirteenth Judicial Circuit and shall request the Public Defender to nominate a supervising mentor for Petitioner. The mentor shall confirm receipt of the final order of reinstatement and Report of Referee setting forth the mentor's responsibilities. In the event that Petitioner ceases employment with the Public Defender, she shall inform The Florida Bar in writing and shall identify a new attorney mentor, subject to the approval of The Florida Bar.

VI. Personal History and Past Disciplinary Record:

Date of Birth: October 6, 1955

Date Admitted to Bar: October 6, 1989

Prior Discipline: March 16, 2006 – 2-year Suspension

VII. Statement of Costs and Manner in Which Costs Should Be Taxed: I find the following costs were reasonably incurred by The Florida Bar:

Administrative Costs pursuant to (Rule 3-7.6(q)(1)(I))(SC09-644)	\$1,250.00
Florida Bar Counsel Expenses	89.75

Court Reporter's Fee	225.00
Florida Bar Miscellaneous Expenses	242.90
TOTAL COSTS:	\$1,807.65
LESS DEPOSIT	<u>(500.00)</u>
 BALANCE DUE:	 \$1,307.65

It is apparent that other costs have or may be incurred. It is recommended that all such costs and expenses, together with the foregoing itemized costs, be charged to the Petitioner and that interest at the statutory rate shall accrue and be payable beginning 30 days after the judgment in this case becomes final unless a waiver is granted by the Board of Governors of The Florida Bar.

Dated this 10th day of August, 2009.

s/John C. Lenderman
John C. Lenderman, Referee

Copies:

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