

IN THE CIRCUIT COURT OF THE FIFTEENTH JUDICIAL  
CIRCUIT IN AND FOR PALM BEACH COUNTY, FLORIDA

ADMINISTRATIVE ORDER NO. 2.105-11/23\*+

IN RE: FIFTEENTH CIRCUIT PROFESSIONALISM PANEL

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*History of Promoting Professionalism in Fifteenth Judicial Circuit*

In May of 1990, The Florida Bar Board of Governors approved Ideals and Goals of Professionalism, hereinafter referred to as the "*Ideals*." In June of 1990, the Palm Beach County Bar Association Board of Directors approved Standards of Professional Courtesy ("*1990 Standards*") to educate attorneys unfamiliar with the customary practices in Palm Beach County. The *1990 Standards* were endorsed by the Judges of the Fifteenth Judicial Circuit.

In 1997, the Chief Judge of the Fifteenth Judicial Circuit by administrative order created a Professionalism Council to meet with and counsel attorneys whose conduct appeared to violate the *Ideals* and/or the *1990 Standards*. The Professionalism Council was the precursor to the entity subsequently ordered by the Florida Supreme Court to be created, now known as the "Local Professionalism Panel" or "LPP."

*Florida Supreme Court's Order Emphasizing Professionalism and Fifteenth Judicial Circuit's Continued Adherence to Professionalism*

On June 11, 1998, the Chief Justice of the Florida Supreme Court issued an administrative order directing the Chief Judge of each circuit to create and maintain in continuous operation a Circuit Committee on Professionalism. The Chief Judge of the Fifteenth Judicial Circuit designated the Professionalism Committee of the Palm Beach County Bar Association as the Circuit Professionalism Committee.

In September 2007, the Board of Directors of the Palm Beach County Bar Association approved revised Standards of Professional Courtesy ("*2007 Standards*"). In October 2007, the judges of the Fifteenth Judicial Circuit and Palm Beach County voted and approved the *2007 Standards*.

In September 2011, the Florida Supreme Court added the civility provision in the Oath of Admission to the Florida Bar. *In re Oath of Admission to The Florida Bar*, 73 So.3d 149 (Fla. 2011).

*Florida Supreme Court's 2013 Opinion Adopting a Code for Professionalism Complaints*

On June 6, 2013, the Supreme Court of Florida adopted a Code for Resolving

Professionalism Complaints, which the Court adopted in 2013 and later amended twice. *See In re Code for Resolving Professionalism Complaints*, 116 So. 3d 280 (Fla. 2013); *In re Amend. Code for Resolving Professionalism Complaints*, 156 So. 3d 1034 (Fla. 2015); *In re Amend. Code for Resolving Professionalism Complaints*, 174 So. 3d 995 (Fla. 2015). In June of 2013, the Fifteenth Judicial Circuit amended its Administrative Order to reconstitute the Professionalism Council as the Professionalism Panel.

*Florida Supreme Court's 2023 Opinion Adopting a Code for Professionalism Referrals*

In May 2021, The Florida Bar created the Special Committee for the Review of Professionalism in Florida (“Special Committee”). The Special Committee’s key focus was the 2013 Code as amended in 2015. As a result of the Special Committee’s work and proposals to the Florida Supreme Court, on July 6, 2023, the Florida Supreme Court replaced the 2013 Code with a new code, the Code for Resolving Professionalism Referrals (“2023 Code”). *In Re: Code for Resolving Professionalism Referrals and Amendments to Rule Regulating the Florida Bar 6-10.3*, 367 So. 3d 1184 (Fla. 2023). In addition to replacing the 2013 Code, the Florida Supreme Court amended the Professionalism Expectations and Bar Rule 6-10.3(b).

**NOW, THEREFORE**, pursuant to the authority conferred by Florida Rule of General Practice & Judicial Administration 2.215, and in compliance with the Florida Supreme Court’s 2023 Opinion adopting the *2023 Code*, it is **ORDERED** as follows:

1. **LPP Creation**: The Fifteenth Judicial Circuit Local Professionalism Panel (“LPP”) is hereby created and will be maintained in continuous operation to receive, screen, and act on any referrals of claimed unprofessional conduct and to resolve those referrals informally, if possible, or refer them to The Florida Bar, if necessary.
2. **LPP Purpose**: The LPP is an entity independent of The Florida Bar for the purpose of informally resolving referrals of claimed unprofessional conduct by lawyers practicing in this circuit, including appellate and transactional practice. The Florida Supreme Court states that the informal, peer-to-peer mentoring offered by LPPs can materially improve professionalism among Florida lawyers.
3. **LPP Composition**: The Chief Judge appoints the panel, which must include judges (current or senior, trial or appellate) and local attorneys who are in good standing with The Florida Bar and eligible to practice law from diverse areas of practice with varying levels of experience, but must have practiced law at least 5 years. The Chief Judge appoints the LPP Chair. The Chief Judge also appoints members as necessary to fill LPP vacancies.

As the Florida Supreme Court yielded to the Chief Judge the determination of number of members to serve on the LPP, the Fifteenth Judicial Circuit LPP will consist of nine (9) members, including the Chairperson. The current list of LPP members will be noticed on Circuit’s website and distributed to the Palm Beach County Bar Association.

4. **LPP Terms**: LPP members shall serve staggered 3-year terms. Each term begins on July 1 and runs through June 30 of the third year.

In order to facilitate staggered 3-year terms, the members of the first panel appointed under this administrative order will be appointed as follows:

3 members appointed with a term ending June 30, 2024

3 members appointed with a term ending June 30, 2025

2 members and the Chairperson appointed with a term ending in June 30, 2026

A member may be reappointed to serve 1 additional 3-year term, not to exceed 6 consecutive years.

5. **LPP Chair:** The Chairperson, or a member of the panel designated by the chair, shall attend any meetings as required and organized by The Florida Bar to discuss matters related to the LPP and the *2023 Code*.
6. **Solicitation for Interested Qualified Persons:** In order to comply with the *2023 Code*, Chief Judge or the Chief Judge's designee will solicit for interested, qualified persons to submit their name for consideration each year between June 1 and June 25 with the following information:

Name and Florida Bar Number

Statement of having practiced law at least 5 years

Area of practice or specialty

Identify past LPP service and/or professionalism training experience.

The Chief Judge or the Chief Judge's designee may seek input on the membership of the panel from the Palm Beach County Bar Association's Professionalism Committee. From those qualified to serve, the Chief Judge will select persons to fill any available position on the LPP.

7. **Education:** The Chief Judge will facilitate the promotion and education of the lawyers in the Fifteenth Judicial Circuit about the LPP through a Continuing Legal Education program about the role of the LPP. The members of the LPP will undergo training by experienced lawyers involved in The Florida Bar disciplinary process prior to serving on the panel.
8. **Meetings:** Meetings may be called by the Chairperson, the Chief Judge, or a majority of LPP panel membership. Notice of any meeting shall be given to each Panel member in such a manner deemed appropriate by the Chairperson. As such, e-mail or telephonic notice is specifically approved. Meetings may be held in person or by use of audio-video communication technology. A meeting may not be held unless at least five (5) members, including the chair, are in attendance.
9. **LPP Function:** This Administrative Order acknowledges and adopts the *2023 Code's* Sections Pertaining to Initiating Referrals, Processing Referrals, Immunity, Education,

Required Meetings, Confidentiality, Reporting, and Publishing Reports as set forth in the *2023 Code's* Sections 3.0 through 3.8.

10. **Amended Professionalism Expectations**: This Administrative Order appends the *2023 Code's* Appendix B, noting by underline the amendments to the Professionalism Expectations.
11. **Amended Rule 6-10.3**: This Administrative Order appends the 2023 Code's Appendix C, noting by underline the amendments to Rule 6-10.3 pertaining to continuing legal education standards.
12. **Appendices**: The *2023 Code*, the amended Professionalism Expectations, and amended Rule Regulating The Florida Bar 6-10.3 attached hereto in Appendices A, B, and C, apply to all counsel practicing law in this circuit and their staff, *pro se* litigants appearing before the courts of this circuit, and all persons entering an appearance before the courts of this circuit.
13. **Procedures**: The following procedures shall govern the proceedings of the LPP:
  - a. Any person may initiate an unprofessional conduct referral against a member of The Florida Bar through the Fifteenth Judicial Circuit's Local Professionalism Panel. The person initiating the referral shall complete a referral form and e-mail the completed form to the Chairperson of the LPP. The e-mail shall not consist of more than 10 pages inclusive of exhibits.
  - b. The Chairperson of the LPP shall review the referral and notify the Respondent Attorney of the referral. The Chairperson shall notify the Respondent Attorney that the LPP is established for the purpose of informally resolving referrals of claimed unprofessional conduct by lawyers practicing in the Fifteenth Judicial Circuit. The Respondent Attorney shall also be advised that the role of the LPP is independent of The Florida Bar. The Chairperson of the LLP may request a response from the Respondent Attorney and may discuss the referral with the referring party/witnesses.
  - c. If the Chairperson finds that the matter justifies referral to the LPP, then the Chairperson shall invite the Respondent Attorney in writing to meet at a time and place specified. The purpose of the meeting will be to act on the referral of unprofessional conduct and to attempt to resolve the conduct or behavior alleged to be unprofessional. The LPP may consider recommendations of ethics classes, Florida Lawyers Assistance, mentoring opportunities, or other non-punitive or educational programs that may assist Respondent Attorney. However, the LPP shall have no authority to discipline Respondent Attorney.
  - d. If the LPP finds that Respondent Attorney engaged in substantial or repeated unprofessional conduct, the LPP may refer to The Florida Bar for a disciplinary investigation.

14. **Confidentiality**: Rule 3-7.1 of the *Rules Regulating the Florida Bar* provides the guidelines for confidentiality in disciplinary investigations and proceedings.

**DONE AND ORDERED** in Chambers, West Palm Beach, Palm Beach County, Florida on this 9 day of November 2023.



Glenn D. Kelley, Chief Judge

\*Supersedes Administrative Order 2.105-11/16

+Due to substantial revisions to prior administrative order, changes are not bolded