

IN THE SUPREME COURT OF FLORIDA

CASE NO.: SC18-149

THE FLORIDA BAR,

Petitioner,

vs.

L.T. Case Nos.: 20174035(11B) and
20174045(11B)

TIKD SERVICES LLC, A Foreign
Limited Liability Company,

and

CHRISTOPHER RILEY,
individually and as Founder of,
TIKD SERVICES LLC,

Respondents.

**MOTION OF THE CENTER FOR PUBLIC INTEREST LAW &
CONSUMERS FOR A RESPONSIVE LEGAL SYSTEM FOR
LEAVE TO FILE AMICUS BRIEF IN SUPPORT OF RESPONDENTS**

Pursuant to Florida Rule of Appellate Procedure 9.370, the Center for Public Interest Law (CPIL) and Consumers for a Responsive Legal System (Responsive Law) respectfully seek leave to appear as amici curiae in support of Respondents, and as grounds therefor, state as follows:

1. This case is before this Court on review of the Report of the Referee and Recommended Judgment of Circuit Court Judge Teresa Pooler, finding that Respondents do not engage in unlicensed practice of law and recommending that

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this Court dismiss all claims against Respondents with Prejudice and enter judgment in favor of Respondents.

2. CPIL is a nonprofit, nonpartisan, academic center of research, teaching, learning, and advocacy in regulatory and public interest law based at the University of San Diego School of Law. Since 1980, CPIL has worked to protect and advance a government that is transparent, ethical, and accountable. CPIL's expertise on state regulation of business, professions, and trades has long been relied upon by legislatures, the executive branch, and the courts regulating licensed professionals. CPIL analyzes the intersection of regulatory law and antitrust law as a major part of its academic study and consumer advocacy. CPIL publishes the California Regulatory Law Reporter *available at* <https://digital.sandiego.edu/crlr/>. Price Professor of Public Interest Law Robert Fellmeth is the Executive Director of CPIL. He is the former State Bar Discipline Monitor of California charged with studying the discipline system of its State Bar, serves as an expert witness on legal ethics, and is a former state and federal antitrust prosecutor. He is co-author of *California White Collar Crime and Business Litigation*, Thomas A. Papageorge & Robert C. Fellmeth, *California White Collar Crime and Business Litigation* (Tower Publishing, 5th ed. 2016).

3. Responsive Law is a national nonprofit organization working to make the civil legal system more affordable, accessible, and accountable to its users.

Responsive Law has testified on regulatory issues affecting users of the legal system to dozens of state bars and legislatures as well as to the American Bar Association. Since its founding in 2010, Responsive Law has championed innovation in the legal system by supporting lawyers, firms, courts, and schools moving toward that goal. Tom Gordon, the Executive Director of Responsive Law, was included in the 2017 Fastcase 50, a list of law professionals who made important, yet unacknowledged, contributions to the legal field, for his unwavering advocacy of legal access and consumer rights. He serves on the Future of Lawyering Committee for the Association of Professional Responsibility Lawyers, which explores the impact of evolving technology on access to justice and the delivery of legal services. He was a member of the American Bar Association's working group on Resolution 10A.

4. CPIL and Responsive Law have a strong interest in the Court's resolution of this matter. CPIL and Responsive Law are organizations focused on consumer protection and identifying anticompetitive and protectionist behavior among licensed professionals. This case involves an issue of the public's access to justice, through the use of a service which connects consumers to lawyers who are ready and able to assist with particular legal problems. Legal matching services have the potential to narrow the access to justice gap that consumers face.

5. The CPIL and Responsive Law proposed amicus brief will address how over-regulating or banning emerging legal technology and business models like

TIKD harms consumers by exacerbating their inability to access or afford legal aid and is in direct opposition to Florida's prioritization of access to justice.

6. The proposed amicus brief can assist in the disposition of the case because CPIL and Responsive Law are both nonprofit, nonpartisan organizations with expertise in attorney regulation across the country. CPIL and Responsive Law Amici's proposed amicus brief can provide a broader perspective on regulatory trends and the current state of the legal services market that draws on CPIL and Responsive Law's expertise in identifying anticompetitive and protectionist behavior among licensed professionals.

7. Undersigned counsel has conferred with counsel for all parties. Respondents do not oppose this motion; while The Florida Bar takes no position.

WHEREFORE, the CPIL and Responsive Law Amici respectfully move this Court for leave to appear as amici curiae in support of Respondents TIKD Services, LLC & Christopher Riley.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that the foregoing was filed with the Clerk of Court and served electronically via the Florida Courts E-Portal System to the following parties on this 1st day of July, 2019.

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