

Supreme Court of Florida

THURSDAY, DECEMBER 9, 2021

CASE NO.: SC21-1675

Lower Tribunal No(s).:
2021-30,198 (5A) (CES)

THE FLORIDA BAR

vs. MELANIE L. JOHNSON

Petitioner(s)

Respondent(s)

The Petition for Emergency Suspension filed pursuant to Rule 3-5.2 of the Rules Regulating the Florida Bar is approved and it is hereby ordered that Respondent is suspended from the practice of law until further order of this Court. Respondent is hereby ordered to:

A. Immediately:

1. Accept no new clients from the date of this Court's order of emergency suspension;

2. Initiate no litigation on behalf of clients from the date of this Court's order of emergency suspension;

3. Provide a copy of this Court's order of emergency suspension to all courts, tribunals, or adjudicative agencies before which Respondent is counsel of record; all state, federal, or administrative bars of which Respondent is a member; all clients; all co-counsel; and all opposing counsel, as required by Rule

Regulating the Florida Bar 3-5.1(h). Respondent shall also fully comply with Rule Regulating the Florida Bar 3-6.1, if applicable;

4. Cease withdrawing or disbursing any money from any trust account or other financial institution account holding funds of clients or third parties in Respondent's possession in connection with legal representation or funds of third parties in connection with Respondent's service as a fiduciary including, but not limited to, personal representative, guardian, or trustee, until further order of this Court, a judicial referee appointed by this Court, or by order of the circuit court in an inventory attorney proceeding instituted under Rule Regulating the Florida Bar 1-3.8;

5. Not transfer any ownership of any real or personal property purchased in whole or in part with funds of clients or third parties in connection with legal representation or with funds of third parties in connection with Respondent's service as a fiduciary including, but not limited to, personal representative, guardian, or trustee, without approval of this Court, a judicial referee appointed by this Court, or by order of the circuit court in an inventory attorney proceeding instituted under Rule Regulating the Florida Bar 1-3.8;

6. Deposit any fees or other sums received in connection with the practice of law or employment as a personal representative, guardian, or trustee, by the Respondent on or after the date of this Court's order of emergency suspension into a

specified trust account from which withdrawal may only be made by order of this Court, a judicial referee appointed by this Court, or by order of the circuit court in an inventory attorney proceeding instituted under Rule Regulating the Florida Bar 1-3.8;

7. Provide a copy of this Court's order of emergency suspension to all banks and financial institutions where the Respondent maintains any account holding funds of clients or third parties in Respondent's possession in connection with representation or funds of third parties in connection with Respondent's service as a fiduciary including, but not limited to, personal representative, guardian, or trustee;

8. Comply with, and provide all documents and testimony responsive to, a subpoena from the bar for trust account records and any related documents necessary for the bar to conduct a trust account audit;

9. The referee appointed in these proceedings is hereby authorized to determine entitlement to funds in any trust accounts frozen as a result of an order entered in this matter; and

10. Turn over to any successor the complete financial records of any estate, guardianship, or trust in which Respondent served as a fiduciary on the successor's appointment; and

11. Cease holding out as a Florida Bar member or lawyer and eliminate all indicia of Respondent's status as a Florida Bar member or lawyer on websites, social media, telephone listings,

stationery, checks, business cards, office signs, email address, and any other indicia of Respondent's status as a Florida Bar member or lawyer; and

B. Within 30 days from the date of this Court's order of emergency suspension Respondent shall:

1. Cease all practice of law in Florida;
2. Withdraw from representation of all clients;
3. Wind down all pending matters;
4. Cease acting as a fiduciary, including, but not limited to, personal representative for any estate, guardian for any ward, and trustee for any trust;

5. Provide Staff Counsel with an affidavit listing all of the following that Respondent notified of this Court's order of emergency suspension: all courts, tribunals, or adjudicative agencies of which Respondent is a member; all state, federal, or administrative bars of which Respondent is a member; all clients; all co-counsel; and all opposing counsel.

6. Provide bar counsel in this case with an affidavit listing each bank or financial institution Respondent provided with a copy of this Court's order of emergency suspension; and

7. Notify bar counsel in this case of the receipt and location of any fees or other sums received in connection with the practice of law or in connection with Respondent's service as a fiduciary, including, but not limited to, personal representative,

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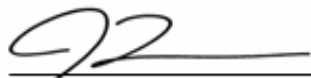
guardian, or trustee, received by Respondent after issuance of this Court's order of emergency suspension.

Not final until time expires to file motion for rehearing, and if filed, determined. The filing of a motion for rehearing shall not alter the effective date of this suspension.

CANADY, C.J., and POLSTON, LABARGA, LAWSON, MUÑIZ, COURIEL, and GROSSHANS, JJ., concur.

A True Copy

Test:



John A. Tomasino
Clerk, Supreme Court



as

Served:

ASHLEY TAYLOR MORRISON
MELANIE L. JOHNSON
PATRICIA ANN TORO SAVITZ