

IN THE SUPREME COURT OF FLORIDA  
(Before a Referee)

THE FLORIDA BAR,  
Complainant,

v.

LORA S. SCOTT,  
Respondent.

Supreme Court Case  
No. SC21-190

The Florida Bar File  
No. 2020-30,156 (9D)

Received, Clerk, Supreme Court

MAY 20 2021

CONDITIONAL GUILTY PLEA FOR CONSENT JUDGMENT

COMES NOW, the undersigned respondent, Lora S. Scott, and files this Conditional Guilty Plea pursuant to Rule 3-7.9 of the Rules Regulating The Florida Bar.

1. Respondent is, and at all times mentioned herein was, a member of The Florida Bar, subject to the jurisdiction of the Supreme Court of Florida.

2. Respondent is acting freely and voluntarily in this matter and tenders this plea without fear or threat of coercion. Respondent is represented by counsel in this matter.

3. As to The Florida Bar File No. 2020-30,156 (9D), there has been a finding of probable cause by the grievance committee.

4. The disciplinary measures to be imposed upon respondent are as follows:

- A. Ten-day suspension from the practice of law.
- B. Payment of the disciplinary costs.

5. Respondent acknowledges that, unless waived or modified by the Court on motion of respondent, the Court order will contain a provision that prohibits respondent from accepting new business from the date of the order or opinion and shall provide that the suspension is effective 30 days from the date of the order or opinion so that respondent may close out the practice of law and protect the interest of existing clients. During the period of suspension, respondent agrees to eliminate all indicia of respondent's status as an attorney on social media, telephone listings, stationery, checks, business cards office signs or any other indicia of respondent's status as an attorney, whatsoever. Respondent will no longer hold herself out as a licensed attorney.

6. The following allegations provide the basis for respondent's guilty plea in this matter:

A. On July 15, 2015, Mr. Strong hired respondent to represent him in a family law matter.

B. On July 17, 2015, respondent filed her notice of appearance on behalf of Mr. Strong, In re: The Former Marriage of Strong and Strong, Case No. 2014-DR-000213, in the Circuit Court of the Fifth Judicial Circuit in and for Sumter County, Florida.

C. On June 26, 2017, opposing counsel filed a motion to compel responses to the request for production. Mr. Strong failed to respond to the request for production and to the motion to compel.

D. At a hearing on July 5, 2017, attended by both Mr. Strong and respondent, the court ordered Mr. Strong to provide the documents in response to the outstanding discovery requests. Thereafter, Mr. Strong did not comply with the discovery requests as ordered by the court.

E. On August 23, 2017, opposing counsel filed a motion for contempt due to Mr. Strong's failure to timely respond to discovery.

F. On October 11, 2017, the court signed an order requiring Mr. Strong to respond to the motion for contempt within 20 days from the date of the order. Respondent failed to respond to the motion for contempt.

G. On November 16, 2017, opposing counsel filed a motion for an order to show cause and civil contempt due to Mr. Strong and respondent's failure to comply with the court's orders.

H. On January 9, 2018, the court issued an order to respond to an emergency motion for referral to family counseling and modification of time sharing filed by opposing counsel. In its order, the court reminded Mr. Strong and respondent that a response was

required within ten days and failure to comply could result in sanctions. Respondent did not file a response to the court's order. Mr. Strong provided a courtesy copy of his pro se objection to the motion for referral to family counseling and modification of time sharing to the court and opposing counsel. Mr. Strong's response was treated as a nullity because respondent was still counsel of record.

I. On January 12, 2018, respondent filed a motion to withdraw noting medical problems within respondent's family that impaired her ability to continue the representation, among other issues. Though the caption of respondent's motion reflected Case No. 2014-DR-000213, the motion was filed in a related Case No. 2016-DR000515. Respondent's motion to withdraw was not granted at that time and respondent did not set the matter for a hearing.

J. On February 12, 2018, respondent filed a supplemental motion to withdraw requesting an expansion of time and filed Mr. Strong's consent to the withdrawal. In the supplemental motion, respondent noted several issues, including medical issues in respondent's family and a conflict of interest that impaired her ability to continue representing Mr. Strong. On February 14, 2018, and February 15, 2018, the respondent emailed with the judicial assistant regarding the proposed Order granting the withdrawal. However,

respondent's supplemental motion to withdraw was not granted at that time and respondent failed to set the matter for a hearing.

K. On March 1, 2018, opposing counsel noticed respondent of a hearing set for March 21, 2018, to address outstanding motions including opposing counsel's motion for contempt and for order to show cause. At that time, however, respondent was unaware of the notice of hearing as she was travelling to the emergency room with her husband. Respondent was then out of the office for several days while her husband was in the hospital.

L. At the hearing on March 21, 2018, respondent advised the court that she was initially unaware of the court's order, dated October 11, 2017, that required a response. Respondent admitted that she did not timely provide Mr. Strong with a copy of the motion for contempt, the court's order requiring a response, or the court's subsequent order requiring a response. Respondent also acknowledged that she failed to timely advise Mr. Strong of the court's orders. Respondent asked the court not to hold Mr. Strong in contempt.

M. Respondent informed the court that her family members suffered serious medical issues during this time, and in October 2017, she discussed the necessity of hiring new counsel with Mr.

Strong. Respondent also advised the court that she had filed motions to withdraw with the belief they would be granted. Additionally, respondent acknowledged that she failed to timely advise Mr. Strong of the March 21, 2018 hearing.

N. The court found Mr. Strong in contempt and ordered him to serve five days of incarceration in the Sumter County Jail with a purge if he provided the outstanding discovery within 30 days. Ultimately, Mr. Strong did not serve any jail time.

O. The court awarded attorney's fees to opposing counsel in the amount of \$750.00 and costs in the amount of \$75.00 for which respondent and Mr. Strong were held jointly liable. Respondent and Mr. Strong subsequently paid these attorney's fees and costs as ordered by the court.

P. On May 3, 2018, the court signed an order granting respondent's motion to withdraw.

7. The following Rules Regulating The Florida Bar provide the basis for the discipline to be imposed in this matter: 4-1.1 (Competence); 4-1.3 (Diligence); 4-1.4(a), (b) (Communication); 4-1.7(a)(2) (Conflict of Interest; Current Clients); 4-1.16(a)(2) Declining or Terminating Representation); 4-3.2 (Expediting Litigation); 4-3.4(c), (d) (Fairness to Opposing Party and Counsel); and, 4-8.4(d) (Misconduct).

8. In mitigation, respondent did not have a dishonest or selfish motive [Florida Standards for Imposing Lawyer Sanctions 3.3(b)(2)]; respondent's family members were suffering severe medical issues during the time that the misconduct occurred [3.3(b)(3)]; she was forthcoming with the bar [3.3(b)(5)]; respondent was sanctioned by the court [3.3(b)(11)]; and, she expressed remorse and freely admitted the misconduct to the trial court at a hearing [3.3(b)(12)]. In aggravation, respondent has a prior public reprimand [3.2(b)(1)]; and, she has substantial experience in the practice of law, admitted in 2006 [3.2(b)(9)].

9. The Florida Bar has approved this proposed plea in the manner required by Rule 3-7.9.

10. If this plea is not finally approved by the referee and the Supreme Court of Florida, then it shall be of no effect and may not be used by the parties in any way.

11. If this plea is approved, then respondent agrees to pay all reasonable costs associated with this case pursuant to Rule 3-7.6(q) in the amount of \$2,392.10. These costs are due within 30 days of the Court order. Respondent agrees that if the costs are not paid within 30 days of this Court's order becoming final, respondent shall pay interest on any unpaid costs at the statutory rate. Respondent further agrees not to attempt to discharge the obligation for payment of the bar's costs in any future

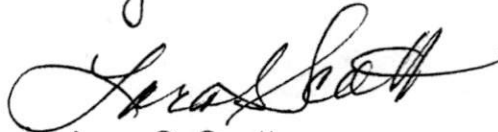
proceedings, including but not limited to, a petition for bankruptcy.

Respondent shall be deemed delinquent and ineligible to practice law pursuant to Rule 1-3.6 if the cost judgment is not satisfied within 30 days of the final Court order, unless deferred by the Board of Governors of The Florida Bar.

12. Respondent acknowledges the obligation to pay the costs of this proceeding and that payment is evidence of strict compliance with the conditions of any disciplinary order or agreement and is also evidence of good faith and fiscal responsibility. Respondent understands that failure to pay the costs of this proceeding may reflect adversely on any reinstatement proceedings or any other bar disciplinary matter in which respondent is involved.

13. This Conditional Guilty Plea for Consent Judgment fully complies with all requirements of the Rules Regulating The Florida Bar.

Dated this 17<sup>th</sup> day of May, 2021.



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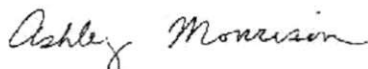


Dated this 17 day of May, 2021.



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Dated this 17th day of May, 2021.



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