

IN THE SUPREME COURT OF FLORIDA

THE FLORIDA BAR,
Complainant,

Supreme Court Case
No. SC-

v.

The Florida Bar File Nos.
2019-10,210 (6B)
2020-10,380 (6B)

ALLISON A BELCHER,
Respondent.

_____ /

CONDITIONAL GUILTY PLEA FOR CONSENT JUDGMENT

The undersigned respondent, Allison A. Belcher, 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 currently the subject of Florida Bar disciplinary matters which have been assigned The Florida Bar File Nos. 2019-10,210 (6B) and 2020-10,380(6B). As to both disciplinary matters, there has been a finding of probable cause by the Grievance Committee.

3. Respondent is acting freely and voluntarily in this matter and tenders this Plea without fear or threat of coercion. Respondent is represented in this matter.

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

A. A 30-day suspension from the practice of law.

B. Completion of The Florida Bar's Ethics School and Trust Accounting Workshop within 6 months of the Court's order approving this consent judgement. Respondent shall pay the \$750.00 fee associated with these workshops.

C. Payment of the bar's costs in the disciplinary matter.

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.

6. The following allegations and rules provide the basis for respondent's guilty plea and for the discipline to be imposed in this matter:

The Florida Bar File No. 2019-10,210 (6B): On May 12, 2008, respondent began working for Ayo and Iken PLC as an associate attorney. On June 8, 2014, Mr. Michael Sunzeri contacted Ayo and Iken PLC through a contact form on the firm's website. Mr. Sunzeri eventually arranged a

free, initial consultation with respondent that occurred via telephone on June 11, 2014. On June 27, 2014, respondent e-mailed Mr. Sunzeri a proposed retainer agreement. Respondent subsequently represented Mr. Sunzeri in Pasco County Case No. 2014DR003906DRWS. Respondent failed to inform Ayo and Iken of the representation. Mr. Sunzeri provided respondent with the filing fees in cash. Respondent failed to deposit the funds in trust and instead deposited the cash in her personal account. Respondent then paid the filing fee with a personal credit card. On January 7, 2016, the court entered an Order of Dismissal due to respondent's failure to comply with Case Management Orders dated February 18, 2015, August 6, 2015, and December 1, 2015. On January 8, 2016, respondent emailed Mr. Sunzeri and indicated that the matter would be dismissed if respondent did not sign or provide certain documents to respondent. Respondent failed inform Mr. Sunzeri of the court's January 7, 2016, order. In March of 2016, Mr. Sunzeri discovered the matter was dismissed while visiting the Pasco County Courthouse. On October 24, 2017, respondent filed an identical petition on behalf of Mr. Sunzeri in Hernando County.

The Florida Bar File No. 2020-10,380 (6B): On or about November 2018, respondent failed to supervise an employee engaged in impermissible solicitation via Facebook. Respondent's firm responded to

social media posts of individuals seeking legal counsel. In the posts, respondent's firm failed to indicate that the post was an advertisement or indicate that the communication should be disregarded if the individual had already retained counsel. In November 2018, after retaining an advertising firm to advertise on respondent's behalf, respondent contacted The Florida Bar Ethics Hotline to inquire as to ethical considerations involving communicating/advertising with prospective clients on social media. Respondent did believe in good-faith that her firm was complying with Ethics Opinion A-00-1, and clearly had a misunderstanding of the advertising requirements after her call with the ethics hotline. Upon notice of her non-compliance, respondent took all necessary steps to ensure compliance.

Based upon the foregoing, respondent admits to violation of the following Rules Regulating The Florida Bar: 4-1.3 (Diligence); 4-1.4 (Communication); 4-5.3(b) (Responsibilities Regarding Nonlawyer Assistants- Supervisory Responsibility); 4-5.3(c) (Responsibilities Regarding Nonlawyer Assistants-Ultimate Responsibility of Lawyer); 4-7.12(a) (Required Content- Name and Office Location); 4-7.18(a) (Direct Contact With Prospective Clients- Solicitation); 4-7.18(b) (Direct Contact With Prospective Clients- Written); 4-8.4(a) (Misconduct – a lawyer shall not

violate or attempt to violate the Rules of Professional Conduct, knowingly assist or induce another to do so, or do so through the acts of another); 5-1.1(a) (Nature of Money or Property Entrusted to Attorney); 5-1.1(b) (Application of Trust Funds or Property to Specific Purpose).

7. The following aggravation is applicable in this matter: substantial experience in the practice of law; respondent was admitted to The Florida Bar in 2000 [Standard 3.2(b)(9)].

8. The following mitigation is applicable in this matter: absence of a prior disciplinary record [Standard 3.2(b)(1)]; absence of a dishonest or selfish motive [Standard 3.2(b)(2)]; and full and free disclosure to the bar or cooperative attitude toward the proceedings [Standard 3.2(b)(5)]. Respondent indicated she planned to take the matter at reduced fee or pro bono due to Mr. Sunzeri's situation. The client, Mr. Sunzeri, is satisfied with respondent's services in the matter.

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 Board of Governors of The Florida Bar 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 \$1,321.50. Respondent also agrees to pay Ethics School and Trust Accounting Workshop registration fee of \$750.00. 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 will reflect adversely on 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 23 day of September, 2022.



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Dated this 26th day of October, 2022.



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Dated this 8 day of December, 2022.



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