

IN THE SUPREME COURT OF FLORIDA  
(Before a Referee)

THE FLORIDA BAR,

Complainant,

vs.

Supreme Court Case No. SC08-2197  
TFB File No. 2008-31,536 (05A)

SYBIL YVETTE SIVIC,

Respondent.

**REPORT OF REFEREE RECOMMENDING  
DIVERSION TO A PRACTICE AND PROFESSIONALISM  
ENHANCEMENT PROGRAM**

I. **RECOMMENDATION:** Pursuant to Rules Regulating The Florida Bar 3-5.3(h)(1), the referee adopts the parties conditional agreement for diversion to a practice and professionalism enhancement program, a copy of which is attached hereto and incorporated herein.

II. **PURPOSE AND PROGRAMS WHICH ARE RECOMMENDED:** The purpose of diversion is to assist the respondent in the future avoidance of the situations summarized below. The following program(s) is recommended:

Florida Lawyers Assistance, Inc.

III. **NARRATIVE SUMMARY:** Respondent was arrested on charges of driving while under the influence of alcohol while entering the grounds of the Marion County Jail. Respondent was adjudicated guilty of a second degree misdemeanor and was placed on probation for 12 months. Respondent ultimately was sentenced to 150 days in the county jail.

IV. **COSTS:** The respondent shall pay the following costs:

Administrative costs pursuant to R. Regulating Fla. Bar 3-7.6(q)(1)(I)	\$ 1,250.00
---	-------------

Miscellaneous Costs: Investigator Costs	\$ <u>140.00</u>
--	------------------

<b>TOTAL COSTS</b>	<b>\$ 1,390.00</b>
--------------------	--------------------

Costs shall be due to The Florida Bar within 30 days from acceptance of this diversion recommendation.

Additional costs which may be required:  
FLA, Inc. Registration Fee \$250.00  
FLA, Inc. Monitoring Fee \$100.00 per month

V. **EFFECT OF DIVERSION:** Diversion to a practice and professionalism enhancement program shall close this disciplinary file without the imposition of a disciplinary sanction and diversion shall not constitute a record of professional misconduct. If respondent successfully completes the diversion recommended hereunder, this disciplinary file shall remain closed.

VI. **EFFECT OF FAILURE TO COMPLETE DIVERSION PROGRAM:** Failure of the respondent to successfully complete all requirements of the practice and professionalism enhancement program(s) to which the respondent is referred shall:

- (a) constitute a waiver of the right to an evidentiary hearing herein;
- (b) result in the entry of a finding of minor misconduct predicated upon the facts set forth in section I above;
- (c) constitute a waiver of any right to reject or appeal the imposition of minor misconduct; and
- (d) require respondent, upon reasonable notice, to appear before the board of governors for imposition of the admonishment of minor misconduct and payment of costs stated herein.

DATED this \_\_\_\_ day of \_\_\_\_\_, 2008.

---

James P. Nilon  
Referee

Original to Supreme Court with Referee's original file.

Copies of this Report of Referee only to:

Jan K. Wichrowski, Bar Counsel, The Florida Bar, 1200 Edgewater Drive, Orlando, FL 32804

Syvil Yvette Sivic, Respondent, The Sivic Law Firm, PO Box 772671, Ocala, FL 34477-2673

Kenneth Lawrence Marvin, Staff Counsel, The Florida Bar, 651 East Jefferson Street,  
Tallahassee, FL 32399-2300.