



UPL

Referee Manual

Prosecutions For Civil Injunctive Relief

A GUIDE FOR
FLORIDA BAR UNLICENSED PRACTICE OF LAW PROCEEDINGS
FOR INJUNCTIVE RELIEF CONDUCTED PURSUANT TO
THE RULES REGULATING THE FLORIDA BAR

Revised February 2020



THE FLORIDA BAR

DIRECTORY OF BRANCH OFFICES

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I. PURPOSE

The purpose of this guide is to provide Referees with information pertinent to the performance of a Referee's duties in Unlicensed Practice of Law (UPL) proceedings seeking injunctive relief.

This guide is designed to summarize the procedures and rules in UPL proceedings seeking injunctive relief. It is not all inclusive and is not meant to substitute for the reading of the basic rules and laws governing UPL proceedings seeking injunctive relief. This manual does not discuss UPL proceedings for indirect criminal contempt.

A review of the following materials may assist you in your duties:

[Rules Regulating The Florida Bar, Chapter 10 – Rules Governing the Investigation and Prosecution of the Unlicensed Practice of Law](#)

Case law found in Westlaw's Key Number System, headnote, "[Attorney and Client](#)."

Citations to "Rule 10-xxx" in this manual are to the Rules Regulating The Florida Bar, Chapter 10 - Rules Governing the Investigation and Prosecution of the Unlicensed Practice of Law.

II. JURISDICTION

Under [Article V, Section 15, of the Florida Constitution](#), the Supreme Court of Florida has exclusive jurisdiction to regulate the admission of persons to the practice law and the discipline of persons admitted. (All references herein to "the Supreme Court" will mean the Supreme Court of Florida.) Pursuant to the provisions of [Article V, Section 15](#), the Supreme Court has the inherent jurisdiction to prohibit the unlicensed practice of law. [Rule 10-1.1](#).

The Florida Bar, as an official arm of the Supreme Court, is charged with the duty of considering, investigating, and seeking the prohibition of matters pertaining to the unlicensed practice of law and with the prosecution of alleged offenders. [Rule 10-1.2](#). [Chapter 10 of the Rules Regulating The Florida Bar](#) governs the investigation and prosecution of the unlicensed practice of law. [Rule 10-7.1](#) and the Florida Rules of Civil Procedure govern proceedings before a Referee for civil injunctive relief.

III. PROCEEDINGS BEFORE CASE IS REFERRED TO REFEREE

Prior to filing a Petition Against the Unlicensed Practice of Law, a recommendation to institute litigation must be accepted by the Standing Committee on UPL and the Board of Governors of The Florida Bar through a designated reviewer. [Rules 10-3.2](#) and [10-6.3\(c\)](#).

Once a litigation recommendation is accepted, UPL Staff Counsel drafts a Petition Against The Unlicensed Practice of Law. The petition is filed in the Supreme Court. The petition is filed in the name of The Florida Bar and sets forth the facts constituting the unlicensed practice of law with reasonable clarity in non-technical language. [Rules 10-7.1\(a\)](#) and [10-7.1\(b\)\(1\)](#).

Upon consideration of the petition, the Supreme Court issues an Order to Show Cause directing the Respondent to file a written answer to the petition within 20 days of service. [Rule 10-7.1\(b\)\(2\)](#). Service of the petition and Order to Show Cause is arranged by the Supreme Court and monitored by UPL Counsel. The Respondent may file a motion to dismiss prior to or at the time of filing the answer. [Rule 10-7.1\(b\)\(2\)](#).

If no response or defense is filed, the allegations of the petition are taken as true, and the Supreme Court may either decide the case on its merits or refer the petition to a Referee for further proceedings. [Rule 10-7.1\(b\)\(4\)](#). If a response or defense filed by a Respondent raises no issue of material fact, the Supreme Court may grant summary judgment. [Rule 10-7.1\(b\)\(5\)](#). The Supreme Court may also, upon its motion or the motion of any party, enter a judgment on the pleadings or refer questions of fact to a Referee for determination. [Rule 10-7.1\(b\)\(6\)](#).

In appointing a Referee, the Supreme Court will generally direct the chief judge of the circuit where the Respondent resides or where the offense was committed to designate a judge to act as Referee. (A sample Administrative Order from the chief judge of the circuit court appointing a Referee is attached as [Form 1](#).)

IV. TRIAL BY REFEREE

Proceedings before a Referee are in accordance with the following procedures:

A. Venue

The proceedings are held in either the county where the Respondent resides or where the alleged offense was committed as designated by the Supreme Court. [Rule 10-7.1\(c\)\(1\)](#).

B. Case Management Conference

The Referee is to conduct a case management conference within 60 days of the order assigning the case to the Referee. The purpose of the conference is to set the schedule for the proceedings, including discovery deadlines and a final hearing date. The Referee enters an order reflecting the schedule determined at the conference, and if civil penalties are requested, the order will include notice to the Respondent that the Respondent has the burden to show an inability to pay a civil penalty. [Rule 10-7.1\(c\)\(2\)](#).

C. Subpoenas

Witness subpoenas may be issued by the Referee upon request of a party. The subpoena will run in the name of the Supreme Court. Failure or refusal to comply with a subpoena is a contempt of court and is punishable by the Supreme Court or by any circuit court where the action is pending or where the contemnor may be found. [Rule 10-7.1\(c\)\(3\)](#).

D. Discovery

The Florida Rules of Civil Procedure, including those provisions pertaining to discovery not inconsistent with [Rule 10-7.1](#), apply to proceedings before the Referee. A Referee may exercise the powers and jurisdiction generally reposed in a trial court under the Florida Rules of Civil Procedure. [Rule 10-7.1\(c\)\(4\)](#).

E. Filing of Pleadings

All pleadings filed after the Referee is appointed and until the Referee's recommendation is sent to the Supreme Court, although styled "In The Supreme Court of Florida," are filed with the Referee rather than the Supreme Court or the local circuit court. Arrangements should be made with the Referee's judicial assistant for the filing of pleadings. The Florida Bar may amend its petition once as of right within 60 days after the filing of the order of reference to a Referee. [Rule 10-7.1\(c\)\(4\)](#).

F. Review of Interlocutory Rulings

A petition to the Supreme Court for review of interlocutory rulings of the Referee may be filed within 30 days after entry of the complained of ruling. The party seeking review must file a supporting brief and a transcript containing conformed copies of pertinent portions of the record with the Supreme Court. Any opposing party may file a responsive brief and appendix containing any additional portions of the record deemed pertinent within ten days thereafter. The petitioner may file a

reply brief within five days of the date of service of the opposing party's responsive brief. Any party may request oral argument at the time a brief is filed or due. Interlocutory review does not stay the cause before the Referee unless the Referee or the Supreme Court on its own motion or upon motion of a party orders otherwise. [Rule 10-7.1\(c\)\(5\)](#).

G. Award of Civil Penalties

The Florida Bar may request the award of civil penalties. The penalties may not exceed \$1,000 per incident of UPL. Except in cases where there is a stipulation, the Respondent has the burden to show an inability to pay the civil penalty. This is done by filing an affidavit containing the statutory financial information required to be submitted to the clerk of court when determining indigent status. The affidavit must be signed under oath and under penalty of perjury. In determining indigent status, the Referee will consider the applicable statutory criteria used by the clerk of court when determining indigent status and the applicable statutory factors considered by the court when reviewing that determination. [Rule 10-7.1\(d\)\(1\) and \(4\)](#). See [section 57.082, Fla. Stat.](#), for the applicable statutory criteria. See also [Application for Determination of Civil Indigent Status](#).

V. CONFIDENTIALITY

The UPL record, as defined in [Rule 10-8.1\(b\)](#), is deemed public. [Rule 10-8.1\(e\)\(4\)](#). Any requests for the record should be forwarded to UPL Staff Counsel.

VI. STIPULATIONS

A case may be settled without a hearing if the parties enter into a stipulation. A motion to approve the stipulation and the stipulation are filed with the Referee. If the Referee approves the stipulation, then the stipulation, the record, and a report by the Referee are filed with the Supreme Court for final approval and entry of an injunction. [Rule 10-7.1\(d\)\(5\)](#). (See [Form 3](#) and [Form 4](#) of this manual as examples of a Stipulation and Motion to Approve Stipulation. See [Form 5](#) for example of Referee's Recommendations and Report in a case where a stipulation is accepted.)

VII. REFEREE'S REPORT

Pursuant to [Rule 10-7.1\(d\)](#), at the conclusion of the hearing, the Referee files a written report with the Supreme Court, stating the following:

- findings of fact
- conclusions of law
- a statement of costs incurred and recommendations as to the manner

- in which costs should be taxed as provided in [Rule 10-7.1\(d\)\(2\)](#)
- a recommendation for final disposition of the case, which may include the imposition of a civil penalty not to exceed \$1000.00 per incident, as provided in [Rule 10-7.1\(d\)\(1\)](#). If the Referee recommends the imposition of a civil penalty, then the Referee's report must also state the Referee's finding regarding the Respondent's ability to pay a civil penalty. [Rule 10-7.1\(d\)\(4\)](#).
 - the report may recommend that the Respondent be ordered to pay restitution. In determining the amount of restitution, the Referee will consider testimony and/or any documentary evidence that shows the amount complainant(s) paid to Respondent, including cancelled checks, credit card receipts, receipts from Respondent and any other documentation evidencing the amount of payment. [Rule 10-7.1\(d\)\(3\)](#).

If the Referee recommends the imposition of restitution, costs, or a civil penalty, the Respondent shall pay the award in the following order: restitution, costs, civil penalty. [Rule 10-7.1\(d\)\(6\)](#). (See [Form 6](#) for example of Referee's Report.)

VIII. PREPARATION OF THE RECORD AND INDEX OF RECORD

The record consists of all items properly filed in the case including pleadings, recorded testimony, if transcribed, exhibits in evidence, and the report of the Referee. The Referee, with the assistance of bar counsel, prepares the record, certifies that the record is complete, serves a copy of the index of record on the Respondent and The Florida Bar, and files the record with the office of the clerk of the Supreme Court of Florida. [Rule 10-7.1\(e\)\(1\) and \(2\)](#). See [Form 7](#) in this manual for Sample Index of Record with Certification.

To prepare the record and index of record, all record items should be assembled, placed in chronological order, and separated by index dividers with numbered tabs. Correspondence can be grouped together in chronological order under one tab. In the index of record, each item of the record is sequentially numbered and is listed in chronological order with the date filed. Each record item's index number and tab number should be the same.

IX. FILING THE REFEREE'S REPORT

The Referee's report and the original record are filed with the Supreme Court. Copies of the Referee's report and the index of record are served upon all parties by the Referee at the time the report is filed with the Court. [Rules 10-7.1\(d\)\(1\) and \(e\)\(2\)](#).

The address for mailing the Referee's report and original record to the Supreme Court:

Clerk's Office
Supreme Court of Florida
500 S. Duval Street
Tallahassee, FL 32399-1927

Pursuant to a Supreme Court Administrative Order, all Referee reports must also be submitted electronically to the Court by e-mailing the report to e-file@flcourts.org in Microsoft Word format. The subject line of the e-mail must contain the Supreme Court case number. The document must be e-mailed the same day the report is served on the parties. A copy of the Referee's report should also be sent to:

Unlicensed Practice of Law Counsel
The Florida Bar
651 East Jefferson St.
Tallahassee, Florida 32399-2300

[Rule 10-7.1\(e\)\(3\)](#) provides that the Respondent and The Florida Bar may seek to supplement the record or have items removed from the record by filing a motion with the Referee for such purpose, within 15 days of the service of the index. A Referee's denial of a motion to supplement the record or to remove an item from the record may be reviewed by the Supreme Court upon the request of a party. The party must file the request with the Supreme Court within 30 days of the denial. [Rules 10-7.1\(c\)\(5\), \(e\)\(3\), and \(f\)\(1\)](#).

X. PROCEEDINGS AFTER REFEREE'S REPORT SUBMITTED

Any aggrieved party may file an objection to the report of the Referee with the Supreme Court within 30 days of the filing of the Referee's report. A brief in support of the objection may be filed at the time of filing the objection. Responsive and reply briefs may also be filed. Oral argument will be allowed at the Supreme Court's discretion. [Rule 10-7.1\(f\)\(1\)](#).

XI. FINAL ORDER

Upon the expiration of time allotted to file objections to the Referee's report, the Supreme Court reviews the report of the Referee as well as any briefs or objections filed either in support of or in opposition to the Referee's report. After this review, the Supreme Court determines as a matter of law whether the Respondent has engaged in the unlicensed practice of law, whether to enjoin Respondent's activities, whether to award costs, whether to award a civil penalty, whether to order the payment of restitution, and whether to grant further relief. [Rule 10-7.1\(f\)\(2\)](#).

XII. FORMS

Form 1 (Administrative Order Appointing Referee)

IN THE CIRCUIT COURT _____ JUDICIAL CIRCUIT
IN AND FOR _____ COUNTY, FLORIDA
ADMINISTRATIVE ORDER NO.

RE: APPOINTMENT OF THE HONORABLE _____

AS REFEREE IN UNLICENSED PRACTICE OF LAW ACTION

The Chief Justice of the Supreme Court of Florida has designated the chief judge of this circuit to appoint a Referee to preside in an unlicensed practice of law action brought by The Florida Bar under Chapter 10 of the Rules Regulating the Florida Bar. By power vested in the chief judge under Florida Rule of Judicial Administration 2.215(b)(2), the Honorable _____ is appointed as Referee in the matter of _____, Supreme Court Case No. _____.

The Honorable _____, as Referee, is vested with all the powers and prerogatives conferred by the Constitution, laws of the State of Florida, and the Rules Regulating The Florida Bar, concerning a Referee for the Supreme Court in an unlicensed practice of law matter.

Online resources are available for judges serving as Referees in proceedings involving disciplinary action against attorneys, and the unlicensed practice of law. The resources offered at <https://www.flcourts.org/Publications-Statistics/Judiciary-Education/Bar-Referee-Information> provide detailed information on the role of a Bar Referee in each of these proceedings and should be reviewed prior to handling this case.

It is ORDERED in _____, _____ County, Florida on this _____ day of _____.

Chief Judge

Form 2 (Order Setting Case Management Conference)

IN THE SUPREME COURT OF FLORIDA
(Before a Referee)

The Florida Bar,

Petitioner,

Supreme Court Case No.

The Florida Bar File No.

v.

_____,

Respondent.

_____ /

ORDER SETTING CASE MANAGEMENT CONFERENCE

Pursuant to Rule 10-7.1(c)(2) of the Rules Regulating The Florida Bar, it is
ORDERED:

A Case Management Conference is set for [DATE & TIME] at the
[LOCATION]. The time allocated for the hearing is [LENGTH OF TIME].

It is Respondent's burden to show an inability to pay the civil penalty
requested by The Florida Bar. Respondent may meet this burden by filing an
Affidavit for Determination of Civil Indigent Status with the undersigned. An
affidavit which may be used for this purpose is available [here](#).

DONE AND ORDERED in Chambers at [CITY], this [DAY] day of
[MONTH], [YEAR].

Referee

Copies to:

_____, Respondent/Counsel for Respondent via e-mail

Primary E-mail:

Secondary E-mail:

_____, Bar Counsel

Primary E-Mail:

Secondary E-Mail:

_____, UPL Counsel

Primary E-Mail:

Form 3 (Stipulation Filed by the Parties)
IN THE SUPREME COURT OF FLORIDA

The Florida Bar,
Petitioner,

Supreme Court Case No.
The Florida Bar File No.

v.

_____,
Respondent.

_____ /

STIPULATION

WHEREAS, Petitioner, The Florida Bar, on _____ filed a Petition Against The Unlicensed Practice of Law charging that certain activities of Respondent, constituted the unlicensed practice of law; and

WHEREAS, the Supreme Court of Florida on [DATE] issued an order to show cause; and

WHEREAS, The Florida Bar and Respondent are willing to settle and conclude this matter if the Supreme Court of Florida will agree to the settlement and enter the injunction set forth below, The Florida Bar and Respondent jointly stipulate and agree as follows:

1. That Respondent, at all times material herein, was not and is not a member of The Florida Bar, and was not licensed to engage in the practice of law

Respondent Initials

Bar Counsel Initials

in the State of Florida.

2. That Respondent agrees that an injunction shall issue enjoining

Respondent from:

[INFORMATION SUPPLIED BY BAR COUNSEL]

3. Respondent agrees to make restitution to _____ for \$_____ by money order or cashier's check within 30 days of the date of the Supreme Court of Florida's final order in this cause. The money order or cashier's checks are to be payable to _____ and mailed to The Florida Bar, UPL Dept., _____. The Florida Bar will forward the restitution payment to _____.

4. Respondent agrees that failure to pay restitution will constitute a material breach of the stipulation and could result in The Florida Bar's filing of a Petition for Indirect Criminal Contempt under Rule 10-7.2 of the Rules Regulating The Florida Bar.

5. Respondent agrees to pay the following costs incurred by The Florida Bar in the investigation of this matter:

COST TYPE	AMOUNT
Investigative Costs: The Florida Bar investigators - Hours	
Investigative Costs: The Florida Bar Investigators - Mileage	

Respondent Initials

Bar Counsel Initials

COST TYPE	AMOUNT
Service of Process	
Court Reporter Fees:	
TOTAL COSTS:	

6. Respondent agrees to pay the \$_____ in costs by money order or cashier's check payable to The Florida Bar within 30 days of the Supreme Court of Florida's approval of this stipulation.

7. Respondent acknowledges and agrees that The Florida Bar is a governmental unit, that the costs imposed against [HIM/HER] herein are sufficiently, for the purpose of bankruptcy law, in the nature of a fine, forfeiture or penalty and, therefore, are not dischargeable.

8. WHEREFORE, Respondent hereby agrees that [HE/SHE] is prohibited by Florida law from engaging in the unlicensed practice of law in accordance with the terms of the foregoing stipulation. This stipulation will apply with equal force to any business or businesses that Respondent opens or operates in Florida, and to all current and future employees and/or independent contractors affiliated with Respondent. Further, it applies to Respondent individually, even if

Respondent Initials

Bar Counsel Initials

employed by another similar business.

9. If Respondent engages in any conduct enjoined herein, [HE/SHE] may be found in indirect criminal contempt of the Supreme Court of Florida for the unlicensed practice of law in this state.

DATE _____

[NAME OF BAR COUNSEL]
Bar Counsel
Florida Bar No.
The Florida Bar
[ADDRESS]
[TELEPHONE]
Primary E-Mail:
Secondary E-Mail:

DATE _____

[RESPONDENT]
[ADDRESS]
[TELEPHONE NUMBER]
Primary E-Mail:
Secondary E-Mail:

Respondent Initials

Bar Counsel Initials

Form 4 (Motion to Approve Stipulation)

IN THE SUPREME COURT OF FLORIDA

The Florida Bar,
Petitioner,

Supreme Court Case No.
The Florida Bar File No.

v.

_____,
Respondent.

_____ /

MOTION TO APPROVE STIPULATION

Petitioner, The Florida Bar, by and through undersigned local counsel, hereby files its motion for the Court to approve the stipulation entered into between the parties and, in support thereof, states as follows:

1. The cause was referred to this court as Referee by the Florida Supreme Court by Order dated [DATE].
2. The parties subsequently agreed to enter into a written stipulation resolving the disputes among the parties.
3. The original stipulation attached to this Motion is submitted for the Court's approval.

WHEREFORE, Petitioner, The Florida Bar, requests that this Court approve the stipulation and [OTHER RELIEF REQUESTED IF ANY INCLUDING COSTS AND ISSUANCE OF AN INJUNCTION].

/s/ _____
[NAME OF BAR COUNSEL]
Bar Counsel
Florida Bar No.
The Florida Bar
[ADDRESS]
[TELEPHONE]
Primary E-Mail:
Secondary E-Mail:

CERTIFICATE OF SERVICE

I hereby certify that the foregoing has been furnished by regular U.S. Mail to the Honorable _____, Referee, at _____ and by e-mail to _____; and a copy has been furnished to _____ [RESPONDENT/RESPONDENT'S ATTORNEY], [ADDRESS] via e-mail at _____; and a copy has been sent to [UPL COUNSEL], The Florida Bar, 651 E. Jefferson Street, Tallahassee, Florida 32399-2300 via e-mail at _____, on [DATE].

/s/ _____
[BAR COUNSEL]

Form 5 (Report of Referee When a Stipulation is Filed)

IN THE SUPREME COURT OF FLORIDA

The Florida Bar,

Supreme Court Case No.

Petitioner,

The Florida Bar File No.

v.

_____,

Respondent.

_____ /

REPORT OF REFEREE

I. SUMMARY OF PROCEEDINGS

Pursuant to the undersigned being duly appointed as Referee to conduct proceedings herein according to Rule 10-7.1(b)(6), Rules Regulating The Florida Bar, the following proceedings occurred:

[BRIEF SUMMARY OF PROCEDURAL HISTORY]. All of the aforementioned pleadings, attachments thereto, and exhibits received in evidence, and this report constitute the record in this case and are forwarded to the Supreme Court of Florida.

II. FINDINGS OF FACT AND CONCLUSIONS OF LAW

A. Jurisdictional Statement.

Respondent, at all times material herein, was not and is not a member of The Florida Bar, and was not therefore licensed to engage in the practice of law in the State of Florida.

B. Narrative Summary of Case.

[GIVE SUMMARY OF FACTS STIPULATED TO IN JOINT
STIPULATION IF ANY]

C. Conclusions of Law.

[DETAIL]

III. STIPULATION

The parties have entered into a joint stipulation and on [DATE] filed a Motion To Approve Stipulation with the undersigned Referee.

IV. RECOMMENDATIONS

The recommendations of the undersigned Referee are as follows:

That the stipulated settlement be approved by this Court.

That [RESPONDENT] be enjoined from the unlicensed practice of law as set forth in the stipulated injunction.

That [RESPONDENT] be ordered to pay a monetary penalty of \$[AMOUNT] as set forth in the stipulated injunction.

That [RESPONDENT] be ordered to pay restitution as set forth in the stipulated injunction.

That the costs of this proceeding be taxed against Respondent.

V. STATEMENT OF COSTS AND MANNER IN WHICH COSTS SHOULD BE TAXED

I find the following costs were reasonably incurred by The Florida Bar:

COST TYPE	AMOUNT
Investigative Costs	\$
Court Reporter Fees	\$
Copy Costs	\$
Telephone Charges	\$
Fees for Translation Service	\$
Witness expenses, including travel & out-of-pocket expenses	\$
Travel & out-of-pocket expenses of the Referee	\$
Any other costs which may properly be taxed in civil litigations	\$
TOTAL	\$

It is recommended that such costs be charged to Respondent and that interest at the statutory rate shall accrue and be payable beginning 30 days after the judgment in this case becomes final.

Dated this [DAY] day of [MONTH], [YEAR].

/s/ [NAME OF REFEREE]
Referee

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that the foregoing Report of Referee has been filed via e-mail to e-file@fl-courts.org, with copies to [RESPONDENT] by regular U.S. Mail and via e-mail at _____; to [BAR COUNSEL] at [ADDRESS] and via e-mail at _____ and upl@floridabar.org; and to [UPL Counsel] The Florida Bar, 651 E. Jefferson Street, Tallahassee, Florida 32399-2300 and via e-mail at _____ on this [DAY] day of [MONTH], [YEAR].

/s/ [NAME OF REFEREE]

Referee

Form 6 (Report of Referee When a Stipulation Has Not Been Filed)

IN THE SUPREME COURT OF FLORIDA

The Florida Bar,

Supreme Court Case No.

Petitioner,

The Florida Bar File No.

v.

_____,

Respondent.

_____ /

REPORT OF REFEREE

I. **SUMMARY OF PROCEEDINGS**

Pursuant to the undersigned being duly appointed as Referee to conduct proceedings herein according to Rule 10-7.1(b)(6), Rules Regulating The Florida Bar, the following proceedings occurred:

[BRIEF SUMMARY OF PROCEDURAL HISTORY]. All of the aforementioned pleadings, attachments thereto, and exhibits received in evidence, and this report constitute the record in this case and are forwarded to the Supreme Court of Florida.

II. **FINDINGS OF FACT AND CONCLUSIONS OF LAW**

A. **Jurisdictional Statement.**

Respondent, at all times material herein, was not and is not a member of The Florida Bar, and was not therefore licensed to engage in the practice of law in the State of Florida.

B. Narrative Summary of Case.

[INSERT SUMMARY OF FACTS]

C. Findings of Fact and Conclusions of Law.

In regard to each of the counts described above, the Referee makes the following findings of fact and conclusions of law:

COUNT I

Detail.

COUNT II

Detail.

III. RECOMMENDATIONS

Based upon the foregoing findings of fact, it is the recommendation of the undersigned Referee as follows:

That [RESPONDENT] be found to have engaged in the unlicensed practice of law in the State of Florida.

That [RESPONDENT] be restrained and enjoined from engaging in the following activities:

- (1) [List activities]

(2) From otherwise engaging in the practice of law in the State of Florida until such time as Respondent is duly licensed to practice law in this state.

That [RESPONDENT] be ordered to pay restitution as follows:

NAME	AMOUNT	DATE TO BE PAID
	\$	

It is further recommended that Respondent be ordered to provide a monthly written report to the UPL Department of The Florida Bar detailing the complainant(s) to who restitution has been made and the amounts paid.

That the costs of this proceeding be taxed against Respondent.

That a monetary penalty of \$[AMOUNT] which is equal to \$1,000.00 per incident of unlicensed practice of law be imposed against Respondent.

IV. STATEMENT OF COSTS AND MANNER IN WHICH COSTS SHOULD BE TAXED

I find the following costs were reasonably incurred by The Florida Bar:

COST TYPE	AMOUNT
Investigative Costs	\$
Court Reporter Fees	\$
Copy Costs	\$
Telephone Charges	\$
Fees for Translation Service	\$
Witness expenses, including travel & out-of-pocket expenses	\$

COST TYPE	AMOUNT
Travel & out-of-pocket expenses of the Referee	\$
Any other costs which may properly be taxed in civil litigations	\$
TOTAL	\$

It is recommended that such costs be charged to Respondent and that interest at the statutory rate shall accrue and be payable beginning 30 days after the judgment in this case becomes final.

Dated this [DAY] day of [MONTH], [YEAR].

/s/ _____
[NAME OF REFEREE]

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that the foregoing Report of Referee has been filed via e-mail to e-file@fl-courts.org, with copies to [RESPONDENT] by regular U.S. Mail and via e-mail at _____; to [BAR COUNSEL] at [ADDRESS] and via e-mail at _____ and upl@floridabar.org; and to [UPL Counsel] The Florida Bar, 651 E. Jefferson Street, Tallahassee, Florida 32399-2300 and via e-mail at _____ on this [DAY] day of [MONTH], [YEAR].

/s/ _____
[NAME OF REFEREE]

Form 7 (Index of Record with Certification)

IN THE SUPREME COURT OF FLORIDA

The Florida Bar,

Supreme Court Case No.

Petitioner,

The Florida Bar File No.

v.

_____,

Respondent.

_____ /

INDEX OF RECORD WITH CERTIFICATION

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CERTIFICATION OF RECORD

I certify that this record is complete, and a copy of the Index of Record has been provided to all parties listed below, on this ____ day of [Month], [Year].

/s/ _____
[NAME OF REFEREE]

Copies to:

_____, Respondent/Counsel for Respondent via e-mail

Primary E-mail:

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