

IN THE SUPREME COURT OF FLORIDA

THE FLORIDA BAR,

Complainant,

v.

ERIC ROBERT STANCO,

Respondent.

Supreme Court Case  
No. SC-

The Florida Bar File Nos.  
2017-10,559 (20B)  
2017-10,561 (20B)  
2018-10,325 (20B)

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**CONDITIONAL GUILTY PLEA FOR CONSENT JUDGMENT**

Respondent, Eric Robert Stanco, files this Conditional Guilty Plea for Consent Judgment, pursuant to Rule 3-7.9 of the Rules Regulating The Florida Bar.

1. Respondent was admitted to The Florida Bar on November 20, 2006, and is subject to the jurisdiction of the Supreme Court of Florida.
2. Twentieth Judicial Circuit Grievance Committee B found probable cause for this proceeding.
3. Respondent tenders this Conditional Guilty Plea for Consent Judgment voluntarily. Respondent has had the opportunity to be represented by counsel of his choice and has chosen to be represented by Edward L. Larsen.

4. The parties stipulate to the following facts:

On November 18, 2016, Respondent's membership in The Florida Bar became delinquent due to his failure to pay the costs of a diversion to The Florida Bar's Ethics School. Respondent was not initially aware of his delinquency. Respondent continued to practice law until learning of his delinquency on January 20, 2017. Upon learning of his delinquency, Respondent ceased practicing law and notified his then-current clients

On or about January 20, 2017, Respondent paid the cost of his diversion and submitted a petition to have his delinquent status removed. As part of the petition, Respondent was required to state whether he had practiced law during the delinquency. Respondent stated that he had not practiced law since learning of his delinquency. When informed that his certification was incomplete, Respondent submitted a revised petition which stated that he had not practiced Florida law or rendered advice on matters of Florida law "immediately upon notice that [he] had been designated delinquent."

The Bar's Compliance Coordinator contacted Respondent and advised that the petition would not be accepted as submitted. That same day, Respondent submitted a revised petition that stated, "I have not practiced Florida law or rendered advice on matters of Florida law since having notice of my delinquency designation by the Bar."

The Bar's Compliance Coordinator advised Respondent that the revised petition was also unacceptable and that, to be approved, the petition needed to contain the form language, unchanged. That same day, January 20, 2017, Respondent submitted a second revised petition, which included the form language, "During this delinquency period, I have not practiced law or rendered advice on matters of Florida law."

On October 31, 2017, Respondent's membership in The Florida Bar again became delinquent due to failure to pay his annual membership fees. Respondent was late to pay his dues because of delayed cash flow resulting from health problems and other issues. On November 23, 2017, Respondent paid his membership fees, including late fee. At the time he paid his dues, Respondent was unaware that his failure to pay had resulted in his being placed on delinquent status and that he needed to submit a petition in addition to paying the dues. However, due to other factors, Respondent had not been practicing law from prior to his delinquency and did not resume practicing until November 29, 2017, six days after payment of his annual dues.

On November 29, 2017, The Florida Bar contacted Respondent and advised that his November 23 payment could not be processed without a petition for removal of the delinquent status. Respondent submitted a petition that day. On December 7, 2017, The Florida Bar advised Respondent that his petition could not

be processed due to his failure to check a box in paragraph 5(a) regarding CLE status. Respondent submitted a corrected petition the next day, and the delinquency was removed on January 5, 2018. Respondent had practiced law between November 29, 2017, (when he paid his membership fees) and January 5, 2018 (when the delinquency was officially removed). Due to issues of health, personal matters, and interruptions due to Hurricane Irma, Respondent's practice during this period was far less than full-time.

Respondent did not respond to initial inquiries from the Bar on three separate grievances filed against him and failed to appear, without notice or excuse, for a live hearing before the grievance committee. After the hearing, however, Respondent contacted the committee, apologized for missing the hearing, and submitted affidavits admitting the conduct at issue in each of the proceedings. Respondent requested the opportunity to appear for a hearing at a future meeting, but the committee declined the request.

5. Respondent offers the following additional information in mitigation:

Respondent acknowledges that he violated the Rules listed below and acknowledges that the information offered does not excuse his conduct.

Respondent states that he is truly embarrassed and humiliated by his actions and omissions.

Respondent further acknowledges and states that ignorance, inadvertence, extenuating circumstances, and/or good intentions are no excuse for violating the Rules Regulating The Florida Bar. Respondent acknowledges that the oath he took included obligations to know the Bar Rules and to research any Rules or procedures he may not fully understand. Further, Respondent understands that practicing law in Florida, or any jurisdiction, is a privilege, not a right. Respondent understands and agrees that his misconduct requires additional punishment beyond the humiliation he has brought upon himself. He understands that his breach of the Rules contributes to undermining the public's confidence in the legal profession and, in turn, our system of justice.

Respondent has been practicing law since 1989 (since 2006 in Florida) and is admitted in five state bars and 17 federal courts throughout the United States. Respondent has not been subject to discipline in Florida or any other jurisdiction.

During the year 2017, Respondent went through an extremely tumultuous dissolution of marriage. The breakup of the marriage included violent episodes in which Respondent fled the marital home for his own safety and during which his then-wife broke valuable objects in the home and damaged the house. Respondent states that he was also the victim of a hacking of his firm's computer system with the destruction of hundreds of files, instigated by his then-wife. Respondent finalized a divorce in March 2018.

During the period of the tumultuous end of his marriage, Respondent began suffering serious health problems. Respondent suffered a heart attack in August 2017, and had major surgery addressing his heart issues in August and October of 2017. Respondent was again hospitalized in November 2017 due to a severe allergic reaction to iodine used in a diagnostic test for his heart.

In early September 2017, Hurricane Irma made landfall in Collier County and caused severe damage to Respondent's home and office. Power was not restored to Respondent's office for several weeks. The disruption to his practice contributed to the financial issues which resulted in Respondent's late payment of his annual dues in 2017.

Respondent had been under the care of a psychologist for clinical depression after his divorce from his first marriage in 2010. By late 2016, Respondent deemed himself in good mental health and discontinued his counseling and medication. In 2018, Respondent realized that his depression had returned and sought treatment. Respondent has signed a Clinical Rehabilitation Contract with Florida Lawyers Assistance, Inc. and is being seen by an FLA-recommended professional who is treating Respondent with counseling and medication.

6. As a result of the foregoing conduct, Respondent has violated the following Rules Regulating The Florida Bar:

- a. Rule 1-3.5 (delinquent membership);

- b. Rule 4-5.5(a) (practicing while delinquent);
  - c. Rule 4-8.4(g) (failure to respond to Bar grievance).
7. The parties agree to the following discipline for Respondent:
- a. 10-day suspension,
  - b. Beginning the day after the suspension, probation for a period of one-year, concurrent with a contract with Florida Lawyers' Assistance, Inc. ("FLA"). Respondent agrees to enter into a contract with FLA for a term and under such conditions as FLA may recommend.
8. The Florida Bar has approved this proposed plea in the manner required by Rule 3-7.9.
9. If this plea is not 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.
10. If this plea is approved, then Respondent agrees to pay all reasonable costs associated with this proceeding, pursuant to Rule 3-7.6(q), in the amount of \$1,420.75. These costs will be due within 30 days of the final Order. Respondent agrees that if the costs are not paid within 30 days of the final Order, Respondent will be required to 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 any

bankruptcy proceeding. Respondent will be deemed delinquent and ineligible to practice law pursuant to Rule 1-3.6 if the costs are not paid within 30 days of the final Order, unless an extension is granted by The Florida Bar.

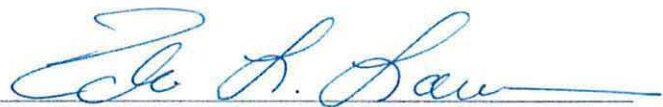
11. Respondent acknowledges the obligation to pay the costs of this proceeding and acknowledges that payment is evidence of strict compliance with the conditions of a disciplinary order or agreement and is also evidence of good faith and fiscal responsibility. Respondent understands that failure to pay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

Dated this 4<sup>th</sup> day of April, 2019.



Eric Robert Stanco, Respondent  
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[erstanco@suretylaw.com](mailto:erstanco@suretylaw.com)

Dated this 5<sup>th</sup> day of April, 2019.

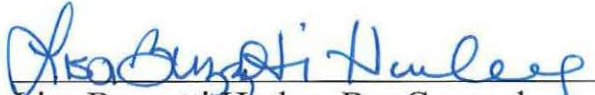


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Dated this 29<sup>th</sup> day of April, 2019.



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