

IN THE SUPREME COURT OF FLORIDA

THE FLORIDA BAR,

Complainant,

v.

JAY S. SPECHLER,

Respondent.

Supreme Court Case
No. SC-

The Florida Bar File
No. 2019-50,148(17I)

_____/

**STIPULATION AS TO PROBABLE CAUSE, UNCONDITIONAL
GUILTY PLEA AND CONSENT JUDGMENT FOR DISCIPLINE**

JAY S. SPECHLER, respondent, having been fully advised of his procedural rights under the Rules Regulating The Florida Bar, hereby tenders this Stipulation as to Probable Cause, Unconditional Guilty Plea and Consent Judgment for Discipline pursuant to Rule 3-7.9(a), Rules of Discipline, and says:

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 a Florida Bar disciplinary matter which has been assigned The Florida Bar File No. 2019-50,148(17I).
3. Respondent waives his right to consideration by a grievance committee as provided for by Rule 3-7.4, Rules of Discipline, and hereby stipulates that probable cause for further disciplinary proceedings exists as to this matter.

4. Respondent admits that the following facts are true and accurate and stipulates as follow:

A. Respondent, Jay Spechler, served as a Broward County Judge for many years. Throughout that time, he maintained a close personal relationship with retired Broward County Judge Thomas Lynch and his family. The families were closely entwined in a positive relationship. During that time, retired Judge Thomas Lynch's son, Michael Lynch, was elected to the Broward bench. A rift occurred between the Spechlers and the Lynchs and the relationship ended. During the period after the relationship between the Spechlers and Lynchs soured, there were highly offensive anonymous statements posted on a courthouse blog in Broward County known as "JAAblog."

B. Some of the posts were directed toward respondent's wife and children. Respondent believed that the Lynchs and others were responsible for those posts. Respondent also posted negatively.

C. Ultimately, in an action that respondent believed was in defense of his family, he posted an anonymous statement that caused Judge Michael Lynch to contact the police, as it contained language that could be viewed as menacing toward Judge Michael Lynch. It was revealed that respondent was responsible for the menacing post. Respondent was not criminally charged.

D. Other than suspicions, respondent had no basis to conclude that Judge Michael Lynch had been the author of any posts. Judge Michael Lynch denies engaging in any posting activity.

E. Since this incident in June of 2018 the posting has ended.

5. In mitigation, respondent offers:

A. Respondent has devoted a good part of his life to public service as a Broward County Judge.

B. Respondent recognizes that he allowed his personal emotions which he deemed in defense of his family to overtake his better judgment.

C. Respondent is deeply sorry for his actions and regrets engaging in the conduct which occurred herein.

D. Respondent has a great respect for the judiciary and rule of law and realizes that he should have behaved more honorably.

E. At all times relevant, respondent was fully cooperative with The Florida Bar.

6. Respondent admits that by reason of the foregoing facts, he has violated R. Regulating Fla. Bar 3-4.3 [The standards of professional conduct required of members of the bar are not limited to the observance of rules and avoidance of prohibited acts, and the enumeration of certain categories of misconduct as constituting grounds for discipline are not all-inclusive nor is the failure to specify any particular act of misconduct be construed as tolerance of the act of misconduct. The commission by a lawyer of any act that is unlawful or contrary to honesty and justice may constitute a cause for discipline whether the act is committed in the course of the lawyer's relations as a lawyer or otherwise, whether committed within Florida or outside the state of Florida, and whether the act is a felony or a misdemeanor.].

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

A. Respondent shall receive a 45-day suspension;

B. Respondent did contact Florida Lawyers Assistance, Inc. (FLA, Inc.) at 800-282-8981 and scheduled an evaluation. Respondent did provide the Bar's headquarters office with proof that respondent has scheduled an evaluation. Respondent will abide by all recommendations made by FLA, Inc. including, but not limited to, entering into a rehabilitation contract. Should a rehabilitative contract result from the FLA, Inc. evaluation,

respondent agrees to be placed on probation for the period of the FLA, Inc. contract, but such probationary period shall not exceed three years.

Respondent will pay a Florida Lawyers Assistance, Inc. registration fee of \$250.00 and a probation monitoring fee of \$100.00 a month to The Florida Bar's headquarters office. All monthly monitoring fees must be remitted no later than the end of each respective month in which the monitoring fee is due. All fees must be paid to the Bar's headquarters office in Tallahassee. Failure to pay shall be deemed cause to revoke probation.

If a contract with FLA, Inc. is recommended, respondent shall waive confidentiality so that FLA, Inc. is authorized, and indeed required, to notify The Florida Bar of respondent's evaluation and progress during the term recommended by FLA, Inc.

Based on the waiver of confidentiality between FLA, Inc. and The Florida Bar, any breach of respondent's FLA, Inc. rehabilitation contract shall be reported immediately to The Florida Bar.

C. Payment of The Florida Bar's costs in these proceedings.

8. 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.

9. 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.

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

11. 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.

12. Respondent currently has no 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.

13. 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 \$1,250.00. 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.

14. Respondent acknowledges the obligation to pay the costs of this proceeding (and any agreed restitution) 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 or restitution will reflect adversely on any other bar disciplinary matter in which respondent is involved.

15. If this plea is approved, and restitution is owed, if the person to whom restitution is owed cannot be located after a diligent search, respondent shall execute an affidavit of diligent search and provide same to The Florida Bar and shall pay the full amount of the restitution to the Clients' Security Fund of The Florida Bar within 30 days of the date of the affidavit of diligent search.

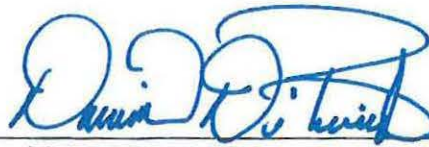
16. This Stipulation as to Probable Cause, Unconditional Guilty Plea and Consent Judgment for Discipline fully complies with all requirements of the Rules Regulating The Florida Bar.

Dated this 9th day of January, 2020.



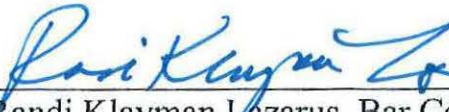
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Dated this 9th day of January, 2020.



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Dated this 10th day of January, 2020.



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