

IN THE SUPREME COURT OF FLORIDA
(Before a Referee)

THE FLORIDA BAR,

Complainant,

v.

NICOLE BLAIR DICKERSON,

Respondent.

Supreme Court Case
No. SC19-616

The Florida Bar File
No. 2019-30,627 (9D)

Supreme Court Case
No. SC19-1678

The Florida Bar File
Nos. 2018-30,316 (9D), 2019-30,105
(9D), 2019-30,241 (9D),
2019-30,416 (9D)

The Florida Bar File
Nos. 2020-30,207 (9C) and 2020-
30,293 (9C)

CONDITIONAL GUILTY PLEA FOR CONSENT JUDGMENT

COMES NOW, the undersigned respondent, Nicole Blair Dickerson, and 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 acting freely and voluntarily in this matter and tenders this Plea without fear or threat of coercion. Respondent is represented in this matter.

3. The Florida Bar v. Dickerson, SC19-616 [The Florida Bar File No. 2019-30,627 (9D)] is a reciprocal discipline matter.

4. In The Florida Bar v. Dickerson, SC19-1678 [The Florida Bar File Numbers 2018-30,316 (9D), 2019-30,105 (9D), 2019-30,241 (9D), 2019-30,416 (9D)], respondent waived the right to a probable cause hearing before a grievance committee and stipulated to a finding of probable cause regarding the Rules Regulating The Florida Bar that were alleged to have been violated by respondent and the bar's Complaint was filed thereafter.

5. As to The Florida Bar File Numbers 2020-30,207 (9C) and 2020-30,293 (9C), respondent waived the right to a probable cause hearing before a grievance committee and stipulated to a finding of probable cause regarding the Rules Regulating The Florida Bar that are alleged to have been violated by respondent as set forth more fully below.

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

A. Two-year suspension from the practice of law requiring proof of rehabilitation required before reinstatement.

B. Prior to petitioning for reinstatement to The Florida Bar, respondent must fully comply with all reinstatement conditions set forth in the order dated March 8, 2019 entered by the United States District Court, Middle

District of Florida in United States of America v. Nicole Blair Dickerson, case number 6:18-cr-215-Orl-37DCI.

C. Respondent shall submit to a mental health evaluation through Florida Lawyers Assistance, prior to petitioning for reinstatement and respondent shall show proof that she has been evaluated by a licensed mental health professional approved by TFB (done through FLA), has complied with any recommended treatment or counseling, and is either continuing in treatment or counsel or has satisfactorily completed such treatment or counseling. Respondent shall pay any associated fees.

7. 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.

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

A. In The Florida Bar v. Dickerson, SC19-616 [The Florida Bar File No. 2019-30,627 (9D)], a reciprocal disciplinary action was commenced after respondent was suspended for one year, with conditions for reinstatement, by the

United States District Court for the Middle District of Florida for engaging in a pattern of failing to appear, or appearing late, for court hearings, and for other dilatory conduct impacting her clients.

B. In The Florida Bar v. Dickerson, SC19-1678 [The Florida Bar File Numbers 2018-30,316 (9D), 2019-30,105 (9D), 2019-30,241 (9D), 2019-30,416 (09D)], respondent engaged in a course of conduct in various client matters commencing in or around 2016 where she failed to provide diligent and competent representation due to her inability to manage her caseload and her tardiness in appearing for court hearings causing client harm and/or the potential for client harm. Respondent failed to engage in and maintain adequate communication with her clients and/or their authorized representatives. Respondent also repeatedly engaged in conduct that was prejudicial to the orderly administration of justice by necessitating the involvement of the courts in multiple cases, unnecessarily wasting judicial resources and delaying the orderly processing of cases. In some instances, respondent's demeanor and interaction with the courts was unprofessional and disrespectful. On more than one occasion, respondent was the subject of an order to show cause. In addition, respondent was arrested for the criminal charge of Resisting Officer Without Violence, a first-degree misdemeanor. On March 9, 2018, after a jury trial, respondent was adjudicated guilty and subsequently completed the conditions of her sentence.

C. In The Florida Bar File No. 2020-30,207 (9C), an investigation was opened after receiving a copy of a September 23, 2019 order from the Fifth District Court of Appeal sanctioning respondent for her willful disregard of the court's orders and her failure to competently represent her client. Respondent was ordered to pay a \$500.00 fine to the Clerk of Court for the Fifth District Court of Appeal and required to provide a copy of the order to her client within 10 days. The court also directed the clerk to provide a copy of the order to The Florida Bar, the Clerk of the U.S. District Court for the Middle District of Florida, Orlando Division, and the Chief Judge of the Ninth Judicial Circuit of Florida.

D. In The Florida Bar File No. 2020-30,293 (9C), respondent engaged in a conflict of interest by representing, at differing times, the two same individuals engaged in a relationship that resulted in the filing of domestic violence charges against each. Respondent initially represented the defendant on a charge of domestic violence committed against the victim. Later, respondent represented the former victim as the defendant in a charge of domestic violence committed against her former client.

E. Wherefore, by reason of the foregoing, respondent's conduct has violated the following Rules Regulating The Florida Bar:

i. 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.

ii. 4-1.1 A lawyer must provide competent representation to a client. Competent representation requires the legal knowledge, skill, thoroughness, and preparation reasonably necessary for the representation.

iii. 4-1.3 A lawyer shall act with reasonable diligence and promptness in representing a client.

iv. 4-1.4(a) A lawyer shall: (1) promptly inform the client of any decision or circumstance with respect to which the client's informed consent, as defined in terminology, is required by these rules; (2) reasonably consult with the client about the means by which the client's objectives are to be accomplished; (3) keep the client reasonably informed about the status of the matter; (4) promptly comply with reasonable requests for information; and (5) consult with the client about any relevant limitation on the lawyer's conduct when the lawyer knows or

reasonably should know that the client expects assistance not permitted by the Rules of Professional Conduct or other law.

v. 4-1.4(b) A lawyer shall explain a matter to the extent reasonably necessary to permit the client to make informed decisions regarding the representation.

vi. 4-1.9 A lawyer who has formerly represented a client in a matter must not afterwards: (a) represent another person in the same or a substantially related matter in which that person's interests are materially adverse to the interests of the former client unless the former client gives informed consent; or (b) use information relating to the representation to the disadvantage of the former client except as these rules would permit or require with respect to a client or when the information has become generally known; or. (c) reveal information relating to the representation except as these rules would permit or require with respect to a client.

vii. 4-8.4(b) A lawyer shall not commit a criminal act that reflects adversely on the lawyer's honesty, trustworthiness, or fitness as a lawyer in other respects.

viii. 4-8.4(d) A lawyer shall not engage in conduct in connection with the practice of law that is prejudicial to the administration of justice, including to knowingly, or through callous indifference, disparage,

humiliate, or discriminate against litigants, jurors, witnesses, court personnel, or other lawyers on any basis, including, but not limited to, on account of race, ethnicity, gender, religion, national origin, disability, marital status, sexual orientation, age, socioeconomic status, employment, or physical characteristic.

9. In mitigation, respondent has no prior disciplinary history, [Florida's Standards for Imposing Lawyer Sanctions 9.32(a)]; respondent suffers from personal or emotional problems for which she has sought help and is in compliance with her existing Florida Lawyers Assistance, Inc. treatment contract [Florida's Standards for Imposing Lawyer Sanctions 9.32(c)]; respondent is inexperienced in the practice of law, having been admitted to The Florida Bar in 2015 [Florida's Standards for Imposing Lawyer Sanctions 9.32(f)]; respondent suffers from a physical or mental disability or impairment for which she has sought treatment and is in compliance with the terms of her Florida Lawyers Assistance, Inc. contract [Florida's Standards for Imposing Lawyer Sanctions 9.32(h)]; and respondent suffered the imposition of other penalties or sanctions by being fined for contempt and by serving ten days in jail for her misdemeanor conviction [Florida's Standards for Imposing Lawyer Sanctions 9.32(k)]. In aggravation, respondent engaged in a pattern of misconduct [Florida's Standards for Imposing Lawyer Sanctions 9.22(c)]; there were multiple offenses [Florida's Standards for Imposing

Lawyer Sanctions 9.22(d)] and, the victims were vulnerable [Florida's Standards for Imposing Lawyer Sanctions 9.22(h)].

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 referee 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 agrees to eliminate all 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. Respondent will no longer hold herself out as a licensed attorney.

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 \$2,987.48. 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 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 may reflect adversely on any reinstatement proceedings or 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 Conditional Guilty Plea for Consent Judgment fully complies with all requirements of the Rules Regulating The Florida Bar.

Dated this 1st day of February, 2020.

A handwritten signature in black ink, appearing to read 'Nicole Blair Dickerson', is written over the printed name.

Nicole Blair Dickerson
Respondent

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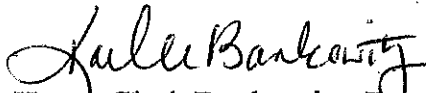
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Dated this 11 day of February, 2020.



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Dated this 11th day of February, 2020.



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