

IN THE SUPREME COURT OF FLORIDA

THE FLORIDA BAR,

Complainant,

v.

NATALIE ALETA JACKSON,

Respondent.

Supreme Court Case
No. SC-

The Florida Bar File
No. 2016-30,091 (9E)

CONDITIONAL GUILTY PLEA FOR CONSENT JUDGMENT

COMES NOW, the undersigned respondent, Natalie Aleta Jackson, 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 currently the subject of a Florida Bar disciplinary matter which has been assigned The Florida Bar File No. 2016-30,091 (09E).
3. As to The Florida Bar File No. 2016-30,091 (09E) there has been a finding of probable cause by the grievance committee.
4. 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.

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

A. Ninety day suspension from the practice of law with automatic reinstatement;

B. Two year period of probation to commence upon reinstatement with the following conditions:

- i. Respondent shall attend and complete the next scheduled Trust Accounting Workshop.
- ii. Respondent will contact Florida Lawyers Assistance, Inc. (FLA, Inc.), at 800-282-8981, for an evaluation within thirty (30) days of the order of the Supreme Court of Florida. At the end of the sixty (60) day period, respondent will 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 contract, but such probationary period shall not exceed two years from the date she enters the contract;

- iii. 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;* and
- iv. Respondent agrees to retain, at respondent's expense, the services of a certified public accountant acceptable to The Florida Bar to review respondent's trust account records on a monthly basis during the term of probation.
- v. Quarterly statements shall be prepared by the certified public accountant for review by The Florida Bar. Respondent is responsible for submission of the quarterly reports to the headquarters office of The Florida Bar. The quarters are March 31, June 30, September 30 and December 31. Statements shall specify whether respondent is in compliance with the Rules Regulating Trust Accounts and shall include the monthly reconciliations, copies of the bank statements of respondent's

trust accounts and a list of clients with the individual client trust account balances. The reports are due 15 days following the end of each quarter.

- vi. Respondent will pay a quarterly monitoring fee of \$100.00 to The Florida Bar. All quarterly monitoring fees must be remitted no later than the end of each respective quarter 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.

C. Payment of the bar's discipline costs.

6. 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.

7. The following allegations provide the basis for respondent's guilty plea in this matter:

- A. The Florida Bar opened an investigation in this matter after receiving notice of an overdraft in respondent's trust account.

B. Respondent advised that the overdraft occurred when she accidentally transferred her attorney's fees on a particular matter twice.

C. The bar directed respondent to provide her trust account records for the period of January 1, 2015 through September 30, 2015 in order to conduct a compliance audit.

D. The bar's auditor found that respondent was not in substantial minimum compliance with the bar rules governing trust accounts during the audit period January 1, 2015 through September 30, 2015.

E. Respondent failed to provide any deposit slips and most of the client ledger cards, monthly comparisons or monthly reconciliations for the audit period.

F. The receipts and disbursements journal provided by respondent failed to identify the client for all transactions.

G. Respondent acknowledged in her deposition that prior to the bar's audit she had not been maintaining the trust account records or performing the trust account procedures required by the rules governing trust accounts.

H. The bar's audit also revealed that on several days in January 2015 and February 2015, there were insufficient funds to satisfy the

liabilities owed to clients and medical providers in personal injury settlements. The shortages ranged from \$36.98 to \$2,406.98.

I. On or about February 18, 2015, respondent became aware of the shortage in her trust account and corrected the shortage.

J. During the audit period, respondent engaged in commingling, by failing to promptly remove her earned fees from the trust account.

K. Since the bar investigation began, respondent has retained the services of an accountant to bring her trust accounting records into substantial minimum compliance with the bar rules governing trust accounts.

8. The following Rules Regulating The Florida Bar provide the basis for the discipline to be imposed in this matter: 4-1.15 [Safekeeping Property]; 5-1.1(a)(1) [Nature of Money or Property Entrusted to Attorney]; 5-1.1(b) [Application of Trust Funds or Property to Specific Purpose]; 5-1.2(b)(2) [Minimum Trust Accounting Records]; 5-1.2(b)(6)(A) [Minimum Trust Accounting Records]; 5-1.2(b)(7) [Minimum Trust Accounting Records]; and, 5-1.2(d)(1) [Minimum Trust Accounting Procedures].

9. In mitigation, respondent does not have a prior disciplinary record [9.32(a)]; during the time period in question respondent was suffering from personal or emotional problems [9.32(c)]; respondent maintains a good reputation in the legal community and routinely participates in pro bono work [9.32(g)];

respondent has retained the services of an accountant to bring her trust account records into compliance [9.32(j)]; and, she has expressed remorse [9.32(1)]. In aggravation, respondent has substantial experience in the practice of law, admitted in 2003 [9.22(i)].

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. 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 \$3,780.60. 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.

13. 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.

14. 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.

15. This Conditional Guilty Plea for Consent Judgment fully complies with all requirements of the Rules Regulating The Florida Bar.

Dated this 19 day of February, 2016.



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Dated this 19 day of February, 2016.



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Dated this 22ND day of February, 2016.



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