

IN THE SUPREME COURT OF FLORIDA
(Before a Referee)

THE FLORIDA BAR,
Complainant,

v.

KEITH ALLEN POPE,
Respondent.

Supreme Court Case
No. 2025-0349

The Florida Bar File
No. 2023-00,023(2B)

_____/

REPORT OF REFEREE

I. SUMMARY OF PROCEEDINGS

The undersigned was appointed as referee under R. Regulating Fla. Bar 3-7.6 to preside over the proceedings in this case.

On March 14, 2025, The Florida Bar (the bar) filed its complaint for reciprocal discipline against the respondent in these proceedings. The Supreme Court of Florida entered an order on March 17, 2025, designating the Chief Judge of the Second Judicial Circuit of Florida to appoint a referee in this case. The Honorable Francis J. Allman appointed the undersigned to serve as the referee on March 18, 2025.

The complaint for reciprocal discipline, previously sent via certified mail return receipt requested, was returned as unable to forward. The bar has made attempts to contact respondent at an alternative email address

and phone number without success. Neither the undersigned nor the bar has received a response from respondent in this matter.

A case management conference was held in this matter on April 7, 2025, via zoom. The notice of case management conference was served on respondent via the e-filing portal at his record bar email address on April 3, 2025. Despite notice to respondent at his record bar e-mail address, respondent failed to appear at the case management conference. A sanction hearing in this matter was held on June 2, 2025. The notice of sanction hearing was served on respondent via the e-filing portal at his record bar e-mail address on April 7, 2025. Despite notice to respondent at this record bar email address, respondent failed to appear at the sanction hearing.

On June 2, 2025, a sanction hearing was held. No witnesses were called. The following exhibits were entered by The Florida Bar and admitted into evidence:

- A. Public Censure from the Supreme Court of Tennessee dated July 5, 2022
- B. Arrest Warrant in Keith Allen Pope v. State of Tennessee NO.@1397762
- C. Judgment in Keith Allen Pope v. State of Tennessee NO.@1397762
- D. Tennessee Order of Temporary Suspension with Release of Information Re: Keith Allen Pope dated September 12, 2023

- E. Tennessee Order Transferring Attorney to Disability Inactive Status with Release of Information Re: Keith Allen Pope dated July 15, 2024
- F. Tennessee Bar Attorney Profile as of May 8, 2025
- G. Affidavit of Staff Investigator, Karen Brown

Throughout these proceedings, the bar was represented by Lauren Michelle Williams. The respondent was *pro se* and failed to appear or participate in these proceedings despite being duly noticed.

All items properly filed including pleadings, recorded testimony (if transcribed), exhibits in evidence, and the report of referee constitute the record in this case and are filed with the Supreme Court of Florida.

II. FINDINGS OF FACT

Jurisdictional Statement. The respondent is, and at all times mentioned during these proceedings was, a member of The Florida Bar, subject to the jurisdiction and Rules Regulating The Florida Bar adopted by the Supreme Court of Florida. In addition to membership in The Florida Bar, respondent is and at all times mentioned during these proceedings, was a member of The Tennessee Bar, subject to the jurisdiction and Tennessee Rules of Professional Conduct adopted by the Supreme Court of Tennessee.

Narrative Summary of Case. This is a reciprocal discipline action, based on the Public Censure by the Disciplinary District II of the Board of

Professional Responsibility of the Supreme Court of Tennessee, dated July 5, 2022, which imposed a public censure. The public censure was based on the following conduct:

A. In Tennessee, where respondent resides, police officers responded to a domestic disturbance.

B. Respondent was involved in an altercation with his then girlfriend.

C. A domestic order of protection was previously entered against respondent. As a condition of the order, respondent was ordered to stay away from the home of his then girlfriend.

D. As a result, respondent was arrested for violating an order of protection in Tennessee.

E. Respondent pled guilty to a violation of an Order of Protection in violation of his bond conditions, which reflects adversely upon his fitness as a lawyer in other respects.

F. The Board of Professional Responsibility found that respondent violated the following Tennessee Rules of Professional Conduct: 3.4(c) (disobeying an obligation under the rules of a tribunal), and 8.4(b) (misconduct), and was Publicly Censured for these violations. The Public Censure was conditioned on respondent complying with a Tennessee

Lawyer Assistance Program (“TLAP”) monitoring agreement, with mandatory reporting to Disciplinary Counsel every six (6) months.

G. Respondent failed to comply with his “TLAP” agreement and has since been placed on the inactive list due to disability in Tennessee.

III. RECOMMENDATIONS AS TO GUILT

In accordance with Rule 3-4.6, of the Rules Regulating The Florida Bar, reciprocal discipline that results in a final adjudication in a disciplinary proceeding by a court or other authorized disciplinary agency of another jurisdiction, state or federal, will be considered as conclusive proof of the misconduct in the disciplinary proceeding under the rule.

I recommend that the respondent be found guilty of violating the following Tennessee Rules of Professional Conduct: 3.4(c) disobeying an obligation under the rules of a tribunal, and 8.4(b) misconduct.

IV. PERSONAL HISTORY AND PAST DISCIPLINARY RECORD

Before recommending discipline under R. Regulating Fla. Bar 3-7.6(m)(2)(D), I considered the following:

Personal History of Respondent:

Age: 66

Date admitted to the Bar: August 18, 1986.

Prior Discipline: None in Florida.

V. STANDARDS FOR IMPOSING LAWYER SANCTIONS

I considered the following Standards for Imposing Lawyer Sanctions before recommending discipline:

5.1 Failure To Maintain Personal Integrity

(b) Suspension is appropriate when a lawyer knowingly engages in criminal conduct which is not included elsewhere in this subdivision or other conduct involving dishonesty, fraud, deceit, or misrepresentation that seriously adversely reflects on the lawyer's fitness to practice.

I find the following aggravating factors under standard 3.2:

(9) substantial experience in the practice of law.

I find the following mitigating factors under standard 3.3:

(1) absence of a prior disciplinary record (in Florida); and

(8) physical or mental disability or impairment or substance-related disorder.

VI. CASE LAW

I considered the following cases and case law before recommending discipline:

The Fla. Bar v. Clement, 662 So. 2d 690 (Fla. 1995). Referee in Bar discipline case can consider any evidence Referee deems relevant to resolving factual question.

The Fla. Bar v. Tobkin, 944 So. 2d 219 (Fla. 2006), and The Fla. Bar v. Centurion, 801 So. 2d 858 (Fla. 2000). Because attorney disciplinary proceedings are quasi-judicial rather than civil or criminal, the Referee is not bound by the technical rules of evidence; consequently, a Referee has wide latitude to admit or exclude evidence and may consider any relevant evidence including hearsay, transcripts, and judgments in a civil proceeding.

The Florida Bar v. Hagendorf, 921 So.2d 611 (Fla. 2006). Even when attorney disciplinary proceedings are premised upon an adjudication of guilt in another state, the state Supreme Court is free to impose a more severe punishment than the punishment imposed by the sister state.

The Florida Bar v. Mogil, 763 So.2d 303 (Fla. 2003). A foreign jurisdiction's adjudication of guilt is conclusive proof of guilt of the attorney misconduct charged; the burden then rests with the attorney to demonstrate why the foreign judgment is not valid or why Florida should not accept it and impose sanctions based thereon.

The Florida Bar v. Hee Bum Michael Kim, SC23-1282. By Court order dated November 7, 2024, respondent received a 91-day suspension. This is a reciprocal discipline based on discipline in Ontario, Canada. Respondent failed to cooperate with the Law Society of Ontario's investigations in two disciplinary matters by failing to provide prompt and complete responses to requests for information and documents. In September 2021, The Law Society Tribunal suspended respondent indefinitely until he complies with the requests for information. To date, respondent remains suspended in Ontario. Respondent must be reinstated in Ontario before he can petition for reinstatement in Florida. By operation of Rule 3-4.6, the referee found respondent guilty of violating the following Rules of Professional Conduct of the Law Society of Ontario: 7.1-1 (A lawyer shall reply promptly and completely to any communication from the Law Society in which a response is requested).

The Florida Bar v. A. J. Blake, SC22-0123. By Court order dated October 27, 2022, the Court suspended respondent for 91-days. Despite notifications from the bar regarding compliance and her administrative suspension, advising that she was ineligible to practice law, respondent remained attorney of record in two cases and practiced law while ineligible. Respondent failed to respond to the bar or participate in the disciplinary process resulting in a default. Respondent must complete her CLE requirements before applying for reinstatement. Rules: 1-3.4; 1-3.6; 4-1.16(a); 4-8.4(c); 4-8.4(d); and 4-8.4(g).

The Florida Bar v. Heather Aquafresca, SC16-350. By Court order dated October 20, 2016, respondent received a 91-day suspension. Respondent seriously neglected two separate client matters, failed to respond to the bar's inquiries, and then failed to appear at the sanction hearing following entry of a default.

The Florida Bar v. Melissa A. Heaton, SC15-2328. The Court, on October 13, 2016, approved the report of referee recommending a 91-day suspension. Respondent was paid a \$450 retainer to provide an opinion letter with respect to the client's website. Since that time, respondent has failed to communicate with the client despite numerous requests by the client for information and to produce the requested opinion letter. Additionally, respondent failed to respond in writing to multiple written inquiries during the investigation of this matter. Respondent did not participate in the disciplinary proceedings.

VII. RECOMMENDATION AS TO DISCIPLINARY MEASURES TO BE IMPOSED

I recommend that the respondent be found guilty of misconduct justifying disciplinary measures and be disciplined by:

- A. 91-day suspension; and
- B. Payment of The Florida Bar's costs in these proceedings.

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

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

Administrative Fee	\$1,250.00
Court Reporters' Fees	180.00
Investigative Costs	76.54
TOTAL	\$1,506.54

I recommend that the above costs be charged to the respondent and that interest accrue at the statutory rate. The respondent will be delinquent 30 days after the judgment in this case becomes final unless the respondent pays the costs in full or the Board of Governors of The Florida Bar defers payment under R. Regulating Fla. Bar 1-3.6.

Dated this 11 day of June 2025.

/s/Jonathan Sjostrom
Hon. Jonathan Eric Sjostrom, Referee
Leon County Courthouse
301 S Monroe Street, #301D
Tallahassee, FL 32301-1861

Filed with the Supreme Court of Florida via the Florida Courts E-Filing Portal with copies served via the Portal to:

Keith Allen Pope, Respondent, keithpopelaw@aol.com
Lauren Michelle Williams, Bar Counsel, lwilliams@floridabar.org
Patricia Ann Toro Savitz, Staff Counsel, psavitz@floridabar.org