

IN THE SUPREME COURT OF FLORIDA

THE FLORIDA BAR,

Complainant,

v.

CLAUDIA M. E. ATKINSON,  
AKA CLAUDIA M. E. PARSONS

Respondent.

Supreme Court Case No.  
SC-

The Florida Bar File No.  
2023-10,275 (20C)

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**COMPLAINT**

The Florida Bar, complainant, files this Complaint against Claudia M. E. Atkinson, respondent, pursuant to the Rules Regulating The Florida Bar and alleges:

1. Respondent is and was at all times mentioned herein a member of The Florida Bar admitted on April 26, 2012, and is subject to the jurisdiction of the Supreme Court of Florida.
2. Respondent resided and practiced law in Lee County, Florida, at all times material.
3. The Twentieth Judicial Circuit Grievance Committee "C" found probable cause to file this complaint pursuant to Rule 3-7.4, of the Rules Regulating The Florida Bar, and this complaint has been approved by the presiding member of that committee.

4. Respondent was employed with the 20<sup>th</sup> Circuit Public Defender's Office from February 2013 through November 2022.
5. During the time frame of August 2022 through November 2022, respondent was assigned to represent clients eligible for treatment courts, including drug, mental health, and veteran's court.
6. While employed by the public defender's office, respondent had ongoing work and behavioral issues that impacted her ability to practice.
7. During the week of August 9, 2022, respondent began to act erratically while representing clients in court.
8. As a result, the presiding judge called respondent's supervising attorney to court where a Nelson hearing was taking place to address whether respondent was providing competent and effective representation.
9. During the Nelson hearing, the client claimed respondent was "all over the place" and not understandable.
10. On August 11, 2022, respondent failed to appear at work or contact her employer regarding her absence.
11. When contacted about her absence, respondent expressed confusion.

12. On August 12, 2022, respondent again failed to appear for work timely until after she was contacted by the employer at approximately 11:00 a.m.

13. Upon arriving to work untimely, respondent's appearance and demeanor made it appear that she was suffering from personal issues.

14. After review of respondent's work performance, which revealed additional concerns for respondent's wellbeing and ability to practice, the Public Defender's Office requested that respondent participate in a fit for duty evaluation prior to her return to the office.

15. After two attempts, respondent completed a fit for duty evaluation which determined that she was not fit for duty due to several issues impairing her ability to safely perform the essential functions of her position.

16. Respondent was provided conditions which needed to be met prior to her return for work, including a self-report to Florida Lawyer's Assistance, Inc. (FLA, Inc.).

17. Respondent failed to engage with FLA, Inc. and resigned from her position at the Public Defender's Office.

18. During the bar's investigation, on December 13, 2022, respondent was referred to FLA, Inc. for a voluntary evaluation.

Respondent failed to engage in the services.

19. Respondent has not availed herself of the services intended to address the issues impairing her ability to practice.

20. Respondent failed to timely respond to official bar inquiries in this matter.

21. On December 5, 2022, the bar received a complaint from Kathleen Smith at the Office of the Public Defender, 20<sup>th</sup> Judicial Circuit, against respondent.

22. On December 13, 2022, The Florida Bar sent respondent a letter by regular U.S. Mail to respondent's record bar address advising of the complaint in this case, and respondent was requested to respond by December 28, 2022.

23. Respondent failed to respond to The Florida Bar as requested in the December 13, 2022, letter.

24. On January 6, 2023, respondent was sent a second letter, by email to her record bar email address, advising of the complaint in this case and as requested to respond within ten days.

25. Respondent failed to respond to The Florida Bar as requested in the January 6, 2023, letter.

26. On April 3, 2023, respondent was sent a third letter, by email to her record bar email address, notifying respondent that this matter was moved to the Grievance Committee, that bar counsel was the investigating member, and to contact bar counsel within ten days.

27. Respondent failed to respond to The Florida Bar as requested in the April 3, 2023, letter.

28. On June 19, 2023, respondent was contacted via email to her record bar email address, advised of the complaint in this case and requested to respond to the previous letters.

29. Respondent failed to respond to The Florida Bar as requested in the June 19, 2023, email.

30. On July 19, 2023, respondent was sent notice that on August 3, 2023, the 20th Judicial Circuit Grievance Committee "C" would hold a hearing on a Request for Issuance of Notice of Non-Compliance and Finding of Contempt.

31. In a report dated August 10, 2023, the grievance committee found respondent to be in contempt and requested The Florida Bar to file a

petition for contempt and order to show cause with the Florida Supreme Court.

32. On August 11, 2023, the bar filed a Petition for Contempt and Order to Show Cause. Respondent was served with the petition via regular U.S. Mail to her record bar address, via regular U.S. Mail and Certified Mail to her alternate address, and via email to her record bar email address and alternate email address.

33. On August 14, 2023, in Case Number SC2023-1120, The Florida Supreme Court ordered respondent to show cause by August 29, 2023, why she should not be held in contempt for the reasons outlined in The Florida Bar's petition.

34. Respondent failed to timely respond to the Florida Supreme Court's August 14, 2023, order.

35. On October 6, 2023, the Florida Supreme Court issued an order granting The Florida Bar's petition and held respondent in contempt.

36. The Court suspended respondent, effective 30 days after the October 6, 2023, order, until she had fully responded in writing to the official bar inquiries and further order of the Court.

37. As of the date of this filing, respondent has failed to respond to the bar's official bar inquiries.

38. By reason of the foregoing, respondent has violated Rule 3-4.3 (Misconduct and Minor Misconduct) of the Rules Regulating The Florida Bar.

39. By reason of the foregoing, respondent has violated Rule 4-1.1 (Competence) of the Rules Regulating The Florida Bar.

40. By reason of the foregoing, respondent has violated Rule 4-8.4(a) (Misconduct: A lawyer shall not violate or attempt to violate the Rules of Professional Conduct, knowingly assist or induce another to do so, or do so through the acts of another) of the Rules Regulating The Florida Bar.

41. By reason of the foregoing, respondent has violated Rule 4-8.4(d) (Misconduct: A lawyer shall not engage in conduct in connection with the practice of law that is prejudicial to the administration of justice) of the Rules Regulating The Florida Bar.

42. By reason of the foregoing, respondent has violated 4-8.4(g)(Misconduct – a lawyer shall not fail to respond, in writing, to an official bar inquiry) of the Rules Regulating The Florida Bar.

WHEREFORE, The Florida Bar prays respondent will be appropriately disciplined in accordance with the provisions of the Rules Regulating The Florida Bar as amended.



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## **CERTIFICATE OF SERVICE**

I certify that this document has been E-Filed with The Honorable John A. Tomasino, Clerk of the Supreme Court of Florida, using the E-Filing Portal and that a copy has been furnished to Claudie M.E. Atkinson, respondent, by regular U.S. Mail to her record bar addresses of Office of the Public Defender, PO Box 1980, Fort Myers, FL 33902-1980; by email to her record bar email address of [claudiaa@pd20.org](mailto:claudiaa@pd20.org); via regular mail and Certified Mail, No. 7020 1810 0000 0813 5390, Return Receipt Requested, to her alternate address of 15625 Ocean Walk Cir, Apt. 307, Fort Myers, FL 33908-1356; via regular mail and Certified Mail, No. 7020 1810 0000 0813 9817, Return Receipt Requested, to her alternate address of 5850 Colonial Dr., Sarasota, FL 34231; and via email to her alternate email address of [officeofatkinson@gmail.com](mailto:officeofatkinson@gmail.com); with a copy to Staff Counsel, The Florida Bar, via email to [psavitz@floridabar.org](mailto:psavitz@floridabar.org), on this 25th day of June, 2024.



Patricia Ann Toro Savitz  
Staff Counsel

**NOTICE OF TRIAL COUNSEL AND DESIGNATION OF PRIMARY EMAIL ADDRESS**

PLEASE TAKE NOTICE that the trial counsel in this matter is Jennifer Robyn Dillon, Bar Counsel, whose address, telephone number and primary email address are The Florida Bar, Tampa Branch Office, Post Office Box 270729 Tampa, Florida 33688, (813) 875-9821 and [rdillon@floridabar.org](mailto:rdillon@floridabar.org), [larnold@floridabar.org](mailto:larnold@floridabar.org) and [Tampaoffice@floridabar.org](mailto:Tampaoffice@floridabar.org). Respondent need not address pleadings, correspondence, etc. in this matter to anyone other than trial counsel and to Patricia Ann Toro Savitz, Staff Counsel, The Florida Bar, 651 E Jefferson Street, Tallahassee, Florida 32399-2300, [psavitz@floridabar.org](mailto:psavitz@floridabar.org).

**MANDATORY ANSWER NOTICE**

RULE 3-7.6(h)(2), RULES REGULATING THE FLORIDA BAR,  
PROVIDES THAT A RESPONDENT SHALL ANSWER A COMPLAINT.