

IN THE SUPREME COURT OF FLORIDA  
(Before a Referee)

THE FLORIDA BAR,  
  
Complainant,

Supreme Court Case  
No. 95,773

v.

The Florida Bar File  
No. 99-70, 105(11J)

SIDNEY EFRONSON,  
  
Respondent.

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**REPORT OF REFEREE**

I. Summary of Proceedings: Pursuant to the undersigned being duly appointed as referee to conduct disciplinary proceedings herein according to the Rules of Discipline, a hearing was held on December 1, 1999.

The following attorneys appeared as counsel for the parties:

For The Florida Bar Gregg D. Wenzel

For the Respondent Sidney Efronson

II. The referee finds that the respondent, Sidney Efronson, has admitted all of the allegations of the complaint of the Florida Bar, dated June 10, 1999.

III. The referee recommends that the respondent be found not guilty of a violation of Rule 4.1.3. (The parties stipulated to amend paragraph 14 to state the correct rule), since the Court order at issue addresses the duties of the guardian, not the lawyer.

I recommend that the respondent be found guilty of a violation of 4.3.4: "A lawyer shall not knowingly disobey an obligation under the rules of a tribunal." In the probate case, the respondent ignored a lawful order of the probate court dated March 27, 1997. As a result of the non compliance with the Court's order, the respondent was found in contempt of court on July 30, 1997.

The referee reviewed the probate file In re: Alejandra Dorvil, Case # 96-5410, Probate Division. There was no evidence presented by The Florida Bar, or evidenced in the guardianship file that the minor in the guardianship failed to receive her assets, as a result of the actions of the respondent. The minor's guardianship was discharged in December, 1998, after the minor received the assets in the bank account (she had married and became legally emancipated). The referee finds that the misconduct does not involve misappropriation of a client's funds or property; it did not prejudice the client; the misconduct does not constitute a felony under applicable law.

I recommend that the respondent be found guilty of a minor misconduct, and that he should appear before the board of governors of The Florida Bar for the administration of the admonishment.

IV. Statement of Costs and Manner in Which Cost Should be Taxed:

I find the following costs were reasonable incurred by The Florida Bar.

Costs incurred at the grievance committee level as reported  
by bar counsel:

Administrative costs:

Rule 3-7.6(k)(1)(E):

	\$
	750.0
	0

Court reporter costs: \$ 246.00

TOTAL ITEMIZED COSTS \$ 996.00

It is apparent that other costs have or may be incurred. It is recommended that all such costs and expenses together with the foregoing itemized costs be charged to the respondent.

V. I considered the following personal history and prior disciplinary record of the respondent. Sidney Efronson is 75 years old and was admitted to The Florida Bar in 1950.

In 1974 he was convicted of a felony and a rehabilitation suspension from the practice of Law was imposed on 10/31/1974.

The respondent also received an admonishment in 1994.

Dated this **25th** day of **February**, 2000.

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GISELA CARDONNE - Referee

Certificate of Service

I hereby certify that a copy of the above Report of Referee has been served on, Gregg Wenzel at The Florida Bar, Suite M-100, Rivergate Plaza, 444 Brickell Avenue, Miami, FL 33131, Sidney Efronson, Esq., (respondent) 2250 S.W. 3<sup>rd</sup> Avenue, Suite 100, Miami, FL 33129 and Staff Counsel, The Florida Bar, 650 Apalachee Parkway, Tallahassee, FL 32399-2300 this **25th** day of February, 2000.