

---

INQ 16-116 Kirtley

---

**From:** Centorino, Joseph (COE)  
**Sent:** Thursday, April 14, 2016 5:31 PM  
**To:** Kirtley, Eddie (CAO) <kirtley@miamidade.gov>  
**Cc:** Sanchez, Gerald (CAO) <gks@miamidade.gov>; RadiaTuray@gmail.com; Perez, Martha D. (COE) <perezmd@miamidade.gov>; Diaz-Greco, Gilma M. (COE) <GDIAZGR@miamidade.gov>  
**Subject:** 16-116 Eddie Kirtley, Assistant County Attorney, Miami-Dade County (Gifts)

Eddie:

You have inquired regarding whether the incentives offered by the Dade County Bar Association for early membership renewal, termed "Bar Bucks," raise any issues or concerns under the Miami-Dade County Ethics Ordinance, specifically, Section 2-11.1(e) of that ordinance. Based on the information you have provided, the "Bar Bucks" have no cash value, and are usable for discounts at certain bar-sponsored events for which there is a charge. They are available to all present and prospective members of the Bar Association, which include private and public sector lawyers, and are in no way targeted to County employees or other public employees. The consideration for the transfer is the early payment of bar dues for renewing members or the early payment of membership fees by new members.

Based upon the available information, it is my opinion that the incentives labeled "Bar Bucks" do not constitute a gift under Section 2-11.1(e), insofar as there is an adequate and lawful consideration provided by the recipient to the Bar Association in exchange for the benefit in the form of early payment of bar dues or membership fees. The uniform provision of the benefit to all of those who qualify does not indicate any intention of providing any individual with a gift since everyone is eligible to qualify for the benefit.

Joe

*Joseph M. Centorino*

Executive Director and General Counsel  
Miami-Dade Commission on Ethics and Public Trust  
19 W. Flagler Street, Suite 820  
Miami, FL 33130  
Tel: (305) 579-2594  
Fax: (305) 579-0273  
[ethics.miamidade.gov](http://ethics.miamidade.gov)



---

**From:** Kirtley, Eddie (CAO)  
**Sent:** Wednesday, April 13, 2016 3:54 PM  
**To:** Centorino, Joseph (COE) <[CENTORI@miamidade.gov](mailto:CENTORI@miamidade.gov)>  
**Cc:** Sanchez, Gerald (CAO) <[gks@miamidade.gov](mailto:gks@miamidade.gov)>  
**Subject:** Dade County Bar Association Membership Renewal Offer

Hi Joe – Any concerns here in terms of County gift rules? I’m guessing not, but better to ask than to guess! In summary, the Dade County Bar Association is offering an incentive – what they’ve termed “bar bucks” – if members renew their membership by a date certain. The “bar bucks” are not, as the name might suggest, redeemable for alcoholic beverages, but they can be used to discount the price of attending various bar association programming, such as CLEs, luncheons, etc. More information here: <https://www.dadecountybar.org/bar-bucks-terms/>. I received an email asking me to renew my membership, and the email included the “bar bucks” offer.

**Eddie Kirtley**  
Assistant County Attorney  
Miami-Dade County Attorney's Office  
111 NW First Street, Suite 2810  
Miami, Florida 33128  
Phone: 305.375.2066