

MEMO

COMMISSION ON ETHICS & PUBLIC TRUST

TO: Alfredo Gonzalez, Greenberg Traurig

COPY: Robert Meyers

FROM: Victoria Frigo

DATE: Sept. 6, 2005

RE: INQ 05-146 Appearance before quasi-judicial proceedings, § 2-11.1(s)(b)

Dear Alfredo:

In your telephone conversation today, you asked the following:

QUESTION: May a former County employee, separated from the County for 1 ½ years, appear before a publicly noticed quasi-judicial proceeding representing individuals, corporations, or other entities without registering as a lobbyist?

ANSWER: Yes. Based on the facts you presented today, you may appear before a quasi-judicial proceeding without registering as a lobbyist (which would otherwise be prohibited, based on § 2-11.1 (x)).

According to § 2-11.1(s)(b) of the Miami-Dade Conflict of Interest and Code of Ethics Ordinance—

The term “lobbyist” specifically excludes the following persons: attorneys or other representatives retained or employed solely for the purpose of representing individuals, corporations or other entities during publicly noticed quasi-judicial proceedings where the law prohibits ex-parte communications....

I have consulted with Robert Meyers, and he agrees with this opinion. If you have any further questions, please feel free to contact us.