

Rules and laws are meant for some but not all

According to Josh Cooper, staff writer for [The Voyager](#), as of October 31, 2011, Lee Gore was settling into his new job as General Counsel for the University of West Florida. According to the newspaper report, “general counsel means university attorney. Gore will take over any legal issues UWF becomes involved in. He [Gore] said he is not a specialist in any specific area and **will practice general law at UWF, giving legal advice** and looking over education legislation.” (Emphasis added.)

While this author disclaims any legal training or expertise, a review of Florida cases on the issue of unauthorized practice of law identifies the following as violations:

The following are considered the practice of law:

- (1) using as a title words like “lawyer,” “attorney,” “attorney at law,” “esquire,” “counselor,” or “counsel.” Florida Bar v. Gordon, 661 So. 2d 295, 296 (Fla. 1995).
- (2) giving advice about rights, duties and obligations or the consequences of certain actions or inaction under Florida or federal law. Florida Bar v. Florida First Fin. Group, Inc., 695 So. 2d 275, 277 (Fla. 1997).
- (2) sending correspondence as the representative of a client regarding legal matters. *Id.* at 296.
- (4) pretending to be an attorney, even if no pleadings are filed or filing any court appearances made. Florida Bar v. Florida First Fin. Group, Inc., 695 So. 2d 275 (Fla. 1997).

These cases were not difficult to find -- even for a lay person. It just took a computer and a search for the words “unauthorized practice of law” and Florida.

So, the question is why did Lee Gore fail to take the necessary steps to be admitted to practice law in Florida or be certified an Authorized House Counsel in the State of Florida where he performed the duties of General Counsel at the University of West Florida, including -- to use Gore’s own words, “**practic[ing] general law at UWF, [and] giving legal advice?**”

He can’t claim he’s ignorant of the law for lawyers, and UWF President Bense can’t claim she didn’t read his vita during the process of hiring Gore. In fact, Gore’s vita clearly showed that he was not licensed to practice law in Florida.

Education, Licensure, and Admission to Courts

Bachelor of Arts, University of Southern Mississippi, 1974

Juris Doctor, University of Mississippi, 1977

Masters of Professional Accountancy, University of Southern Mississippi, 1987

License: Mississippi Bar Number 4915

Admitted to Practice in all State and Federal Courts in Mississippi, the United States Court of Appeals for the Fifth Circuit, and the United States Supreme Court

Experienced at hiring university personnel, Bense can hardly claim ignorance that General Counsel is expected to practice law on behalf of the University. UWF's search for General Counsel stated, "UWF is seeking a senior, experienced attorney to serve as General Counsel. This position reports to the University President and is expected to provide the full range of legal services to the Board of Trustees, the President, the administration, faculty and staff of UWF, including service on the President's Cabinet." The author of this report has been unable to identify any case law excusing University Counsel from the need to be appropriately licensed.

So, do Gore and Bense expect others to obey rules and laws, but believe rules and laws do not pertain to them? We watched while then-president Martha Saunders, now provost at UWF, under oath, expressed understanding of USM and IHL rules but acknowledged she didn't follow them. Gore stood by the entire time and supported her failures. We know first hand how little the rules and laws are obeyed and respected by Gore and Saunders.