

Office of School Board Attorney
JulieAnn Rico, Board Attorney

SUBJECT: PROVISION OF DEFENSE COUNSEL FOR THE SCHOOL BOARD ATTORNEY IN THE CASES OF: *MADELYN SCHERE v. SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA, JULIEANN RICO AND RUDOLPH F. CREW*, U.S.D.C. CASE NO. 06-22653-CIV-UNGARO-BENAGES; AND *VIRGINIA BRADFORD v. SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA*, U.S.D.C. CASE NO. COURT NO. 07-20083-CIV-LENARD

COMMITTEE: SCHOOL SUPPORT ACCOUNTABILITY

The above-referenced lawsuits were filed in the United States District Court for the Southern District of Florida. One lawsuit was served on the School Board Attorney, JulieAnn Rico on January 11, 2007, and the other identifies the School Board Attorney as having been involved in the matter. This item is presented with the request that the Board provide the School Board Attorney with legal counsel in these cases as delineated herein.

The claims and allegations asserted against the Board Attorney in these Complaints arose out of and in the course of the performance of Ms. Rico's assigned duties and responsibilities as the Board's Attorney. Pursuant to School Board Rule 6Gx13- 1C-1.02, *Legal Services for Employees of the Board* and the authority provided under § 1012.26, Fla. Stat. (2006), we are requesting that the Board authorize the provision of legal representation for the School Board Attorney. The Board and the Superintendent, which are also named as Defendants in these cases have been assigned separate outside counsel. In order to protect against and ensure that there are no conflicts in the representation of any of the Defendants, we are recommending that Thomas Panza, Esquire be appointed as counsel for Ms. Rico in these cases.

RECOMMENDED: That The School Board of Miami-Dade County, Florida, authorize the School Board Attorney to enter into contract to retain Thomas F. Panza, Esquire, and his firm Panza, Maurer & Maynard, P.A., as defense counsel for the School Board Attorney, JulieAnn Rico in the cases known as: *Madelyn Schere v. School Board of Miami-Dade County, Florida, Julieann Rico, and Rudolph F. Crew*, U.S.D.C. Case No. 06-22653-CIV-UNGARO-BENAGES; and *Virginia Bradford v. School Board of Miami-Dade County, Florida*, U.S.D.C. Case No. No. 07-20083-CIV-LENARD. Mr. Panza, will be compensated at the rate of \$350.00 per hour.