

“Lobbyist Gets Shareholder-Like Privileges as Florida Bar Reconsiders Law Firm Ownership,” Daily Business Review

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By: Omar Franco, Gary C. Rosen



By Dan Roe

As the Florida Bar and other states consider non-attorney ownership of law firms, some law firms are coming up with creative approaches to give top privileges to professionals outside the attorney ranks.

This month, Becker, a midsize Fort Lauderdale-based firm, announced that one of its lobbyists, Omar Franco, who has been a lobbyist for 22 years, was promoted to a new position at the firm that provides equity shareholder-like privileges.

Franco, who opened the firm’s Washington, D.C., office in 2011, has become a senior director, a firm position that allows him to attend and participate in shareholder meetings — although he cannot vote — and provides him the same eligibility for bonus compensation as shareholders.

Despite not having an ownership interest in the 125-lawyer firm, Franco’s compensation will mirror that of equity partners, said firm CEO and managing shareholder Gary Rosen.

Rosen said Franco’s contributions to the firm warranted a promotion akin to those available to attorneys.

“If Omar were a lawyer, that would qualify him as eligible for promotion to equity shareholder status,” Rosen said. “The partners in the firm all believed unanimously that Omar deserved this honor and to be treated as though he’s equity, to the extent that Florida Bar rules permit.”

Franco’s promotion coincides with the Florida Bar reconsidering its rules on firm ownership via a special committee that will deliver a final report to the

Florida Bar Board of Governors and Florida Supreme Court in June.

A subcommittee looking at firm ownership and fee sharing told the Florida Bar News that it is looking at allowing minority ownership for non-attorneys who are “actively supporting the firm,” referencing IT and data analysis professionals.

The Florida Bar’s rules would mirror those in the District of Columbia, where the D.C. Bar currently allows limited partnerships between lawyers and nonlawyers, provided the latter party is providing professional services. The D.C. Bar announced in January 2020 that it would consider an even more lenient ownership structure.

Rosen acknowledged that offering equity shareholder-like privileges to a D.C. lobbyist will likely help the firm attract and retain talent in a market where such privileges are becoming more common, but insisted that Franco’s promotion was about demonstrating the firm’s commitment to its lobbyists.

“There are many firms out there that create what I would call a disparate class for nonlawyer lobbyists,” he said. “We’ve never done that. We’ve always compensated them in the same manner and given them the same benefits as lawyers while always being careful to adhere to Florida Bar rules with respect to the distinction between lawyers and non-lawyers.”

A firm spokesperson said Becker has seven non-attorney federal lobbyists and four state lobbyists who would be eligible for a similar promotion.

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