



## BENJAMIN J. GIBSON

### **PARTNER**

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Ben Gibson is Managing Partner of the Tallahassee office of Shutts & Bowen LLP, where he is a member of the Governmental Law practice group. Ben represents clients facing high-stakes legal issues at the intersection of business, politics, and government. His statewide practice focuses on representing corporate, political, and government clients in appellate, litigation, and administrative matters as well as government affairs.

### **Political Law**

Ben regularly counsels political candidates, party committees, political committees, corporate, and nonprofit entities on navigating and complying with the complex federal, state, and local laws that govern their political activity. He represents clients in administrative and enforcement matters before the Federal Election Commission, Florida Elections Commission, and the Florida Commission on Ethics.

For the past three election cycles, Ben has served as Chief Counsel to the Republican Party of Florida, leading all of the party's legal efforts. Ben has served as legal counsel to numerous political committees and presidential and statewide campaigns, including as lead counsel to Ron DeSantis for Governor in 2022. He has represented the Republican National Committee, the National Republican Senatorial Committee, and the National Republican Congressional Committee all in various high-profile state and federal litigation.

### **Litigation and Government Law**

Ben routinely represents state agencies and private entities in high-profile litigation in state and federal trial and appellate courts involving statutory and constitutional issues. Ben advises public officials, government agencies, and corporate entities on compliance with Florida's complex Ethics Code and gift laws, financial disclosure, public records, and sunshine law requirements, and Florida Attorney General investigations. Ben has also served as outside counsel to the Florida Constitution Revision Commission and legal counsel to the state's economic development organization, Enterprise Florida, Inc. and state venture capital and investment funds.

## Benjamin J. Gibson

### **Executive and Legislative Branch Experience**

Ben's approach to a client's legal needs is informed by his deep understanding of Florida government and politics. In 2018, he was named general counsel to Florida Governor-elect Ron DeSantis' Transition Team, advising the new administration on legal issues and Governor-elect DeSantis on his appointment of three Florida Supreme Court Justices.

Before joining Shutts, Ben served as the Deputy General Counsel and an Assistant General Counsel to Florida Governor Rick Scott for nearly five years. In those roles, he provided legal counsel to the Executive Office of the Governor and oversaw high-profile litigation at numerous executive branch agencies. He also helped draft and negotiate on behalf of the State of Florida a \$3 billion-dollar gaming compact with the Seminole Tribe of Florida that was ultimately signed by the Governor. In addition, Ben personally advised the Governor on more than 120 judicial appointments to Florida's trial courts, District Courts of Appeal, and the Supreme Court.

Ben's legislative experience includes serving as an attorney with the Florida House of Representatives in the Office of the General Counsel advising the Speaker of the House and with the House Community & Military Affairs Subcommittee. As a House staff attorney in 2011, Ben helped draft the largest rewrite of Florida's growth management laws in 25 years, chapter 2011-139, Laws of Florida.

### **Public Service**

Ben is actively involved in public service having been appointed by two governors to Florida's seven-member State Board of Education where he currently serves as Chairman of the Board overseeing VPK-12th grade public education and Florida's State College System. He also serves as a Commissioner on Florida's First District Court of Appeal Judicial Nominating Commission and previously served as Chairman.

Before joining Shutts, Ben founded his own law firm focusing on election and government law. He is a frequent speaker on topics of political law and state policy issues.

### **Practice Areas**

Appellate

Government Law

Litigation

Land Use & Zoning

Political Law

## Benjamin J. Gibson

### Accolades

- *INFLUENCE Magazine's* INFLUENCE 150 List - "The 150 Most Influential People in Florida Politics", 2022
- *INFLUENCE Magazine's* INFLUENCE 100 List - "The 100 Most Influential People in Florida Politics", 2020
- *Florida Trend's Legal Elite*, Top Government Attorneys, 2012, 2013, 2016, 2017
- Florida State University Alumni Association, "Thirty Under 30" Award, 2013

### Education

- Florida State University College of Law, J.D., *cum laude*, 2008
  - Member, *Journal of Transnational Law & Policy*, 2006-2008
- University of Florida, B.A., in Political Science, *cum laude*, 2005

### Bar Admissions

Florida

### Court Admissions

- U.S. Court of Appeals for the Eleventh Circuit
- U.S. District Court for the Middle District of Florida
- U.S. District Court for the Northern District of Florida
- U.S. District Court for the Southern District of Florida

### Professional and Civic

- First District Court of Appeal Judicial Nominating Commission, appointed by Governor, 2018-present
  - Chair 2020-2021; Vice Chair 2019-2020
- State Board of Education, appointed by Governor and confirmed by State Senate, 2017-present
  - Chairman, 2023-present
  - Vice Chairman, 2021-2023
- Florida Virtual School, Board of Trustees, 2019-2020
- Florida Bar Standing Committee on Mental Health & Wellness of Florida Lawyers, 2018-present
- Florida Bar Special Committee on Mental Health & Wellness of Florida Lawyers, 2017-2018

## Benjamin J. Gibson

- Florida Bar Annual Convention Committee, 2017-present
- Board of Governors, The Florida Bar Young Lawyers Division elected from Second Circuit, June 2012-June 2020
  - Executive Committee, 2019-2020; Co-Chair, Legislative Affairs Committee, 2019-2020; Chair, Co-Chair, Health & Wellness Committee, 2015-2019; Chair, Communications Committee, 2014-2015
- Leadership Florida, Connect Florida Class VII, 2016-2017
- Florida Commission on Access to Civil Justice, appointed by Chief Justice, 2015-2016
- Tallahassee Bar Association, Young Lawyers Section, 2010-2014
- James Madison Institute, Tallahassee Board of Advisors, 2016-17; Leaders Fellowship Class I, 2014-2015
- American Enterprise Institute, Leadership Network, Spring 2016
- Republican National Lawyers Association
  - Florida Chapter Chair, 2021-present
  - National Secretary, 2022-present
- Federalist Society, Member
- University of Florida Alumni Association, Member

## Presentations

- Speaker, *Local, State, and Federal Protection of Voting Rights and Unequal Enforcement of Election Laws*, RNLA National Election Law Seminar, Phoenix, AZ, August 13, 2022
- Speaker, *Election Integrity Legislation and Litigation*, Sumter County REC, The Villages, FL, April, 7, 2022
- Speaker, RNLA National Election Law Seminar, Atlanta, GA, August 13-14, 2021
- Speaker, *Florida's Changing Judiciary and its Impact on Business Recruitment*, Enterprise Florida, Inc. Board Meeting, Tallahassee, FL, March 11, 2021
- Speaker, *Post-Election Day Recounts and Litigation*, RNLA Florida Training, via web, September 29, 2020
- Speaker, *2020 Elections- What You Need to Know*, Republican Party of Florida Annual Meeting, Jupiter, FL, January 10, 2020
- Speaker, *Florida's Changing Judiciary—Challenges and Opportunities*, Enterprise Florida, Inc. Board Meeting, West Palm Beach, FL, November 13, 2019

## Benjamin J. Gibson

- Speaker, *Ethics Compliance for JNC Members*, Judicial Nominating Commissioner Training, Tallahassee, FL, October 21, 2019
- Speaker, *What Happened in Florida in 2018: Lessons Learned, Litigation, and the Importance of Good Procedures and Officials Who Follow Them*, Republican National Lawyers Association Election Law Seminar, Charlotte, NC, August 2, 2019
- Speaker, *Winning Elections in the Courtroom*, Republican National Committee Summer Meeting, Charlotte, NC, July 31, 2019
- Speaker, *Fighting for the Rule of Law: from Recounts to the New Florida Supreme Court*, The Federalist Society- Tampa Bay Lawyers Chapter, Tampa, FL, April 4, 2019
- Speaker, *Building a Diverse Legal Practice*, Florida State Law, Student Bar Association, Tallahassee, FL, February 26, 2019
- Speaker, *Evening with the Bench and Bar, Justice Alan Lawson and Ben Gibson*, Florida State Law, Tallahassee, FL, January 22, 2019
- Speaker, *Election Day Operations Lawyer Training*, National Republican Senatorial Committee, Orlando, FL and Tallahassee, FL, October 2018
- Speaker, *Election Law Compliance for Republican Executive Committees*, Republican Party of Florida Quarterly Meeting, Tampa, FL, April 6, 2018
- Speaker, *Public Records and the Judicial Nominating Commissions*, Judicial Nominating Commissioner Training, Orlando, FL, February 2, 2018
- Speaker, *Public Records and Ethics Compliance under Florida Law*, Enterprise Florida, Inc., Employee Training, Orlando, FL, January 19, 2018
- Speaker, *Sunshine Law and Public Records*, Florida Sports Foundation, Inc., Board Member Training, Orlando, FL, November 10, 2017
- Speaker, *Article I, Section 3, Blaine Amendment*, Florida Constitution Revision Commission, Declaration of Rights Committee, Tallahassee, FL, November 29, 2017
- Speaker, *School Choice and the Florida Constitution*, Florida Constitution Revision Commission, Education Committee, Tallahassee, FL, November 27, 2017
- Speaker, *Article IX of the Florida Constitution, Education*, Florida Constitution Revision Commission Training, via web, September 19, 2017
- Speaker, *Campaign Legal Pitfalls*, Republican Party of Florida Quarterly Meeting, Orlando, FL, August 11, 2017
- Speaker, *Public Records and Ethics*, Florida Constitution Revision Commission Organization Meeting, Senate Chambers, March 20, 2017

### Publications

- Co-Author, "Amendment 8: School Board Term Limits and Duties; Public Schools," *The Florida Bar Journal*, Volume 92, No. 8, September/October 2018

### Media Mentions

- "Federal Appeals Court: Florida's Voting Laws Do Not Discriminate," *The Florida Standard* (April 28, 2023)
- "Winners and Losers Emerging from Florida's Midterm Elections," *Florida Politics* (November 11, 2022)
- "DeSantis campaign warns that donations to 'Ready for Ron' PAC don't benefit Florida governor's reelection," Fox News (June 20, 2022)
- "Governor DeSantis reappoints Ben Gibson to State Board of Education," *Florida Politics* (March 26, 2021)
- "Trump, Biden campaigns lawyer up to take the election to court in Florida, rest of US," msn.com and *Orlando Sentinel* (October 23, 2020)
- "Election 2020 fight? Lawyers, poll-watchers deployed for Florida," *Sarasota Herald-Tribune* (October 16, 2020)
- "Meet the Legal Muscle Battling for Team Trump," *Law360* (November 2, 2020)
- "Benjamin Gibson recognized as one of 'The 100 Most Influential People in Florida Politics,'" *INFLUENCE Magazine* (October 24, 2020)
- "Understanding Amendment 3," WESH 2 News (October 20, 2020)
- Elections Commission finds political committee did not violate law, *Sarasota Herald-Tribune* (August 26, 2020)
- Benjamin Gibson comments on dirty campaign tactics, *Florida Politics* (Aug. 18, 2020)
- "Fake texts and YouTube video spread disinformation about Republican primary candidate on election day," *CNNPolitics* (Aug. 18, 2020)
- "Evening with the Bench & the Bar," *Florida State University College of Law* (February 1, 2019)
- "Florida Lawyers at the Center of Florida's Recounts," *The Florida Bar* (December 15, 2018)
- "Ron DeSantis transition team announces first round of staff hires," *Florida Politics*, (November 13, 2018)
- "Big Law Mustering for Suit Over Florida Recount in Race Between Rick Scott and Bill Nelson," *Law.com* (November 09, 2018)
- "Rick Scott Appoints Ben Gibson to State Board of Education," *Florida Politics* (July 14, 2017)