JONES
FOSTER

Lainey W. Francisco

Associate

Contact

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Location

505 South Flagler Drive
Suite 1100
West Palm Beach
Florida 33401

Education

J.D., University of Florida Levin College of Law, *cum laude*

B.A., University of Florida, *cum laude*

Admissions

The Florida Bar
U.S. District Court, Southern District of Florida



Lainey W. Francisco is a member of Jones Foster's **Complex Litigation & Dispute Resolution** and **Land Use & Governmental** practice groups. She handles real estate and business litigation in Florida state and federal courts and advises local governments, real estate developers, agricultural businesses, and private landowners on zoning, permitting, and land use matters in Palm Beach County, St. Lucie County, and throughout the Treasure Coast.

Lainey represents clients before local governments in rezonings, comprehensive plan amendments, site plan approvals, variances, special exceptions, and code enforcement matters. She also provides counsel to the Towns of Gulf Stream, Jupiter, Lake Park, and Palm Beach on planning and zoning, public records and Sunshine Law compliance, legislative and quasi-judicial proceedings, and other governmental matters. When disputes extend beyond the local process, she litigates constitutional property rights and development approval claims on behalf of both property owners and local governments, including in certiorari proceedings, appeals, and related litigation.

Her broader litigation practice includes real estate and business disputes involving contracts and purchase and sale agreements, title and boundary claims, easements, and business torts and fiduciary duties. She also handles riparian rights disputes involving waterfront property, including conflicts over docks, riparian lines, and access to navigable waters. She represents both plaintiffs and defendants and handles matters from pre-suit through trial and appeal.

Lainey's clients also include businesses in Florida's agricultural sector, where her familiarity with the industry's operations and regulatory environment informs her work. She advises and represents ranchers, growers, and agricultural landowners in matters involving grazing and land leases, crop damage claims, access and right-of-way disputes, and the land use conflicts that arise as development moves toward working agricultural land. A lifelong resident of St. Lucie County, she was selected for the Florida Farm Bureau Federation's Young Farmers & Ranchers Leadership Class 11, representing District 7. Through the program she works alongside industry leaders on the regulatory and economic issues shaping Florida agriculture.

Lainey holds leadership positions in several legal and industry organizations. She is President of the Federal Bar Association, Palm Beach County Chapter; serves on the Nineteenth Judicial Circuit's Professionalism Panel Executive Board and the Board of Trustees of the Rupert J. Smith Law Library of St. Lucie County; and is Immediate Past President of the St. Lucie County Bar Association. She is also a graduate of Leadership St. Lucie, a program of the St. Lucie County Chamber of Commerce. Her work has been recognized on *Best Lawyers: Ones to Watch in America* and *Palm Beach Illustrated's* "Top Lawyers" lists.

Lainey earned her Juris Doctor *cum laude* from the University of Florida Levin College of Law, where she served as a Managing Editor of the *Florida Law Review* and was selected for membership in Florida Blue Key. During law school, she was a summer associate at Jones Foster, a judicial extern to U.S. Magistrate Judge Bruce E. Reinhart of the U.S. District Court for the Southern District of Florida, and a Certified Legal Intern with the Nineteenth Judicial Circuit State Attorney's Office.

Experience Highlights

Defense of Multimillion-Dollar Inverse Condemnation Claims at Trial for Municipality

Defended a municipality in inverse condemnation and takings claims brought by beachfront property owners in parallel actions in state and federal court. As a member of the trial team, responsibilities included pretrial preparation and presentation of the municipality's defense at bench trials in both forums. The litigation required coordinating a consistent defense across two courts against claims seeking millions of dollars in compensation. The municipality prevailed at trial in both cases, and the matters are currently on appeal.

Development Agreement Amendment and Default Resolution for Hotel Condominium Developer

Served as counsel to a hotel condominium developer in default under its development agreement with a municipality. Representation included evaluating the developer's obligations and the municipality's remedies under the agreement and conducting extensive negotiations with municipal officials over the terms of an amendment. The matter required reconciling the municipality's interest in enforcing the agreement with the developer's need for additional time, while resolving penalties that had already accrued. Resulted in an amended development agreement that extended performance deadlines, revised the developer's ongoing obligations, and cured the default.

Summary Judgment in Beach Access Dedication Dispute for Municipality

Represented a municipality in litigation brought by members of the public claiming that a beach access parcel had been dedicated to public use under Florida's road dedication statute, section 95.361, and the terms of a recorded plat. Representation included analyzing the plat and its dedication language, the statutory requirements for presumed dedication, and the history of the access, and presenting the municipality's position on summary judgment. The matter turned on competing readings of the plat dedication and whether the statute's requirements were met. Resulted in summary judgment in the municipality's favor.

Dismissal of Statutory Way of Necessity Claim Against Agricultural Operation

Defended an agricultural operation against a statutory way of necessity claim brought by a neighboring landowner seeking access across the client's property.

Representation included analyzing the claim against the requirements of Florida's statutory way of necessity provisions and moving to dismiss. The matter required protecting the client's working agricultural land and ongoing operations from an imposed access route. Resulted in dismissal of the claim at the pleading stage.

Dismissal With Prejudice of Title and Easement Claims Against Professional Services Firm

Served as counsel to a professional services firm named as a defendant, alongside its former client, in litigation challenging the sufficiency of title work related to a property access easement. The claims arose from an easement that had been improperly executed decades earlier, and the plaintiff alleged that the firm's title work failed to account for the defect. Representation included analyzing the history of the easement and the scope of the firm's work and moving to dismiss the claims against the firm. Resulted in dismissal of the claims with prejudice.

Developer Substitution Under Municipal Development Agreement for Commercial Developer

Advised a commercial developer in connection with the substitution of a successor developer under its development agreement with a municipality. Representation included negotiating the terms of the substitution with the incoming developer and conducting extensive negotiations with municipal officials to secure the municipality's consent. The matter involved allocating responsibility for past and future performance obligations among the outgoing developer, the incoming developer, and the municipality. Resulted in municipal approval of the substitution.

Summary Judgment in Sunshine Law and Public Records Act Litigation for Municipality

Represented a municipality defending against claims alleging violations of Florida's Government in the Sunshine Law and Public Records Act. Representation included reviewing the municipality's meeting communications and records practices and presenting its defense on summary judgment. The matter involved the overlapping requirements of both statutes, each of which carries distinct remedies and attorney's fee exposure for public entities. Resulted in summary judgment in the municipality's favor, and the matter is currently on appeal.

Successful Representation of Municipality in Fire Department Dispute

Obtained summary judgment for municipality in dispute with union-backed political action committee in which the PAC sought to block the creation of a municipal fire department.

Public Records, Sunshine Law, and Quasi-Judicial Procedure Training for Municipal Officials and Staff

Conducted multiple training sessions for elected officials, appointed board members, and staff across several municipalities on Florida's Public Records Act, Sunshine Law, and quasi-judicial procedure. Presentations covered records retention and response obligations, permissible communications among board members, ex parte disclosures, and the evidentiary standards governing quasi-judicial hearings. Sessions were tailored to each audience, from legislative bodies and quasi-judicial review boards to the staff who support them. The presentations focused on reducing litigation exposure and supporting legally defensible municipal decisions.

Honors & Distinctions

The Best Lawyers in America
Ones to Watch, Commercial Litigation, 2025-Present

Palm Beach Illustrated
Top Lawyers, Land Use and Zoning Law, 2024-2025
Top Lawyers, Commercial Litigation, 2025-Present
Top Lawyers, Municipal Law, 2023-2024

Florida Farm Bureau Federation
Young Farmers and Ranchers Discussion Meet Winner, 2026

Affiliations

The Florida Bar
City, County & Local Government Law Section
Environmental & Land Use Law Section
Young Lawyers Division

19th Judicial Circuit
Executive Board of the Professionalism Panel, 2024-Present
- *Appointed by Chief Judge Charles A. Schwab*

St. Lucie Bar Association
President, 2025-2026
President-Elect, 2024-2025
Treasurer, 2023-2024
Young Lawyers Section, 2022-Present

Palm Beach County Bar Association
Co-Chair, Federal Session, 2024 Bench Bar Conference
Young Lawyers Section, 2022-Present

Federal Bar Association Palm Beach County Chapter
President, 2026-Present
Vice President/President-Elect, 2025-2026
Treasurer, 2024-2025
Co-Chair, Civil Service and Outreach Committee, 2023-2024
Member, 2023-Present

Florida Association for Women Lawyers Palm Beach County Chapter
Member, 2022-Present

Rupert J. Smith Law Library of St. Lucie County Florida
Board of Trustees, 2023-Present

St. Lucie County Chamber of Commerce
Graduate, Leadership St. Lucie Class 42

Florida Farm Bureau Federation
Young Farmers & Ranchers Leadership Class 11, 2025-Present

Wild Gamette Charity Event
Committee Member, 2022

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