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Amendments to the Rules Regulating The Florida Bar

MARSHAL: HEAR YE. HEAR YE. HEAR YE. OF THE SUPREME COURT OF THE GREAT STATE OF FLORIDA IS NOW IN SESSION. ALL WHO HAVE CAUSE TO PLEA, DRAW NEAR, AND GIVE ATTENTION. GOD SAVE THESE UNITED STATES, THE GREAT STATE OF FLORIDA AND THIS HONORABLE COURT. LADIES AND GENTLEMEN, THE FLORIDA SUPREME COURT. PLEASE BE SEATED.

CHIEF JUSTICE: GOOD MORNING, LADIES AND GENTLEMEN, AND WELCOME TO THE FLORIDA SUPREME COURT. THE FIRST CASE ON THIS MORNING'S DOCKET, IS THE AMENDMENTS TO THE RULES REGULATING THE FLORIDA BAR. AND I SEE THAT WE HAVE SEVERAL PARTIES, AND YOU HAVE ALL FIGURED OUT YOUR TIME. I KNOW THAT, WHEN WE GO THROUGH THESE KINDS OF CASES, SOMETIMES WE FEEL LIKE PEOPLE ARE POPPING UP AND DOWN, SO WE WILL TRY OUR BEST TO STAY WITHIN YOUR RESPECTED TIME AND YOU LOOK AT EACH OTHER'S AND MAKE SURE THAT YOU DON'T HAVE TIME CREEP AS YOU GO THROUGH. SO WHO IS GOING FIRST?

I WILL, YOUR HONOR. MAY IT PLEASE THE COURT. MARK ROMANCE ON BEHALF OF THE FLORIDA BAR. I AM HERE TO DAY, WITH THE PRESIDENT OF THE FLORIDA BAR, KELLY OVERSTREET JOHN SON AND THE PRESIDENT OF THE YOUNG LAWYERS DIVISION, MICHAEL FEINOR. THE FLORIDA BAR SEEKS TO AMEND THE RULES REGULATING THE FLORIDA BAR CONCERNING THE BASIC SKILLS COURSE REQUIREMENT, SPECIFICALLY THE BAR SEEKS TO AMEND RULE 6-12.3 AND 6-12.4.

WE ARE FAMILIAR WITH WHAT IS AT ISSUE, AND IT LOOKS LIKE THERE ARE SEVERAL ASPECTS THAT ARE NONCONTROVERSIAL. HOW ARE YOU GOING TO ADDRESS THE ONES WHERE THE PUBLIC DEFENDER STATE ATTORNEYS HAVE SOME SPECIFIC CONCERNS ABOUT WHETHER THEY SHOULD HAVE TO PARTICIPATE IN THE COURSE, BECAUSE THEY HAVE GOT WHAT THEY THINK IS A BETTER COURSE? ARE YOU GOING TO DO THAT, OR IS --

I AM GOING TO BE MAKING THE ENTIRE ARGUMENT ON BEHALF THE BAR.

OKAY.

I BELIEVE THE OTHERS WHO FOLLOW THE COMMENTS ARE GOING TO MAKE THEIR OWN ARGUMENT.

WOULD YOU ADDRESS AS TO THOSE COMMENTS, THAT IS THE PUBLIC DEFENDER AND STATE ATTORNEYS. I KNOW THEY HAVE DEVELOPED AN EXCELLENT COURSE ON CLOSING ARGUMENT AND PROBLEMS WITH THAT, AND THEY FEEL THAT THEIR COURSE IS, REALLY, I GUESS, SUPERIOR TO WHAT THE BAR WOULD BE DEVELOPING, SO WHAT IS YOUR RESPONSE TO THAT?

WELL, MY SPECIFIC RESPONSE TO THAT IS, YOUR HONOR, FIRST OF ALL, THERE CAN NEVER BE ENOUGH PROFESSIONISM. NUMBER ONE, THE PWP COURSE IS SPECIFICALLY DESIGNED TO PROVIDE AN INTRODUCTORY LEVEL COURSE ON PROFESSIONISM ETHICS. THE RULES THAT APPLY UNDER THE RULES REGULATING THE FLORIDA BAR, APPLY TO ALL, AND THE BAR HAS THE GOAL OF PROVIDING A UNIFORM AND UNIVERSAL INTRODUCTION TO THE CONCEPTS OF PROFESSIONALISM AND ETHICS, RIGHT AT THE BEGINNING OF A MEMBER'S ADMISSION TO THE FLORIDA BAR. THE COURSES OFFERED BY OTHER ORGANIZATIONS SUCH AS THE PUBLIC DEFENDERS ORGANIZATION AND OTHERS, ARE INDUSTRY-SPECIFIC FOR LACK OF A BETTER TERM, PROVIDING AN ADDITIONAL, ALMOST INTERMEDIATE LEVEL PROFESSIONISM, BUT ALMOST

ETHICS IN PROFESSIONISM INFORMATION TO THOSE MEMBERS OF THE BAR.

THEIR ARGUMENT SEEMS TO BE THAT A LOT OF WHAT IS OFFERED IN THE YOUNG LAWYERS PROFESSIONISM COURSE, REALLY, ISN'T RELEVANT TO THEM, THINGS LIKE KEEPING, HOW TO KEEP YOUR OFFICE GOING, AND HOW TO KEEP TRUST ACCOUNTS AND THINGS LIKE THAT, YET THE COURSE THEY OFFER, REALLY, IS SPECIFIC TO WHAT A PROSECUTOR OR A PUBLIC DEFENDER, REALLY, HAS TO DO.

I UNDERSTAND THOSE ARGUMENTS, YOUR HONOR, AND IN ORDER TO FULLY ANSWER THAT, I WOULD HAVE TO GO BACK A LITTLE BIT, BECAUSE I THINK THAT THAT ARGUMENT IS FLAWED, IN THAT IT IS NOT BASED ON THE CURRENT PROGRAM. GOING BACK TO 1997 AND 1988, WHEN THE RULE WAS ENACTED AND MODIFIED, THERE WERE ASPECTS AND COMPONENTS OF THE PROGRAM, FOR TRUST ACCOUNTING, FOR ADVERTISING, CLIENT RELATIONS, THINGS LIKE THAT, BUT IN 1999, WHEN THE BAR SOUGHT TO AMEND THE RULES TO ELIMINATE THE GOVERNMENT LAW OR TO AFFIRM IT, ONE OF THE COMPLAINTS WAS THAT IT DOESN'T APPLY TO EVERYONE. IT IS NOT UNIVERSAL, SO SINCE THAT TIME THE FLORIDA BAR, PARTICULARLY THE YOUNG LAWYERS DIVISION, HAS SPENT CONSIDERABLE TIME TRYING TO MAKE THE COURSE UNIVERSAL, REDUCING THE NUMBER OF COMPONENTS OF THE PROGRAM THAT DON'T APPLY TO EVERYONE, I GUESS PUTTING IT IN A DIFFERENT WAY, MAKING SURE THAT IT IS UNIVERSALLY APPLICABLE TO EVERYONE.

ISN'T IT THE BAR'S POSITION THAT THEIR COURSE IS NOT A GOOD COURSE? NOT AN ADEQUATE COURSE? NOT MEETING THE BAR'S REQUIREMENTS?

CERTAINLY NOT, YOUR HONOR.

IT DOESN'T? IN WHAT REGARD?

IF I UNDERSTAND YOUR QUESTION, THE --

I WANT TO KNOW WHAT THE BAR'S POSITION ON THEIR COURSE.

ON THEIR COURSE.

THAT'S RIGHT.

THEIR COURSE MEETS THE CLE REQUIREMENTS OF THE FLORIDA BAR, SO IT IS AN ADEQUATE COURSE FOR MEETING THE MINIMUM REQUIREMENTS FOR FLORIDA BAR, CONTINUAL EDUCATION REQUIREMENTS.

WHAT PART OF PROFESSIONISM DOES IT NOT INCLUDE SPECIFICALLY, THAT THE BAR THINKS THAT IT SHOULD INCLUDE?

I DON'T THINK THAT THE BAR HAS ANALYZED IT FROM THAT PERSPECTIVE. THE BAR HAS DETERMINED, CONSISTENT WITH THE RULES OF THIS COURT AND RULES REGULATING THE FLORIDA BAR, TO COME UP WITH A PROGRAM OF INTRODUCTION TO PROFESSIONALISM THAT APPLIES TO ALL YOUNG LAWYERS. THE COURSES OFFERED BY THE PUBLIC DEFENDERS AND THE STATE ATTORNEYS, THEY OFFER SPECIFIC INFORMATION ON, THAT IS APPLICABLE TO STATE ATTORNEYS OR PUBLIC DEFENDERS, WHOEVER ATTENDS THOSE COURSES. THE BAR'S POSITION IS THAT ALL NEW LAWYERS OUGHT TO HAVE A BASIC FUNDAMENTAL UNDERSTANDING OF THE CONCEPTS OF PROFESSIONISM, FROM DAY ONE, WHEN YOU BECOME A NEW MEMBER OF THE BAR.

LET ME APPROACH THIS FROM A DIFFERENT STANDPOINT, IF I MAY. THAT IS, COULD YOU TAKE A MINUTE OR TWO, ANYWAY, TO GO BACK TO THE ORIGINS OF THE REQUIREMENT THAT THERE BE

THIS BRIDGE THE GAP , IS THE WAY THAT IT STA RTED OUT SOME YEARS AGO , AND HOW THE EVOLUTION , THAT HAS COME ABOUT , WHAT I AM CONCERNED ABOUT IS WHET HER OR NOT WE ARE AT A POINT WHERE THERE , REALLY, IS A CHALLENGE TO EVEN HAVING THIS FOUNDATIONAL COURSE IN THE EARLY YEARS OF PR ACTICE OF ALL LAWYERS , OR WHETH ER OR NOT THE O BORS HERE ARE REALLY SAY -- THE OBJECTORS HERE ARE REALLY SA YING W E DON'T THINK THAT OUG HT TO B E THAT ANYMORE. DO YOU UNDERSTAND MY QUESTION? BECAUSE IF WE END UP , WE EITHER HAVE A FOUNDA TIONAL GENERAL COURSE LIKE THIS , OR WE SAY , WELL , WELL JUST LET EVERYBODY DO THEIR OWN THING , AND WE WON'T REQUIRE THIS ANYMORE. SO I AM VERY CONC ERNED AS T O WHETHER OR NOT THE OBJECTIONS TO THIS , REALLY, ARE FO CUSED MORE ON THE EFFICACY OF EVEN HAVING, Y OUKNOW, THIS FOUNDA TIONAL PROGRAM, YOU KNOW , TO BEGIN WITH. SO CAN YOU HE LP ME WITH THAT A LITTLE BIT.

YES. ORIGINALLY IN 1988 , THIS COURT ENACTED THE AMENDMENTS TO THE FLORIDA BAR, REQUIRING WHAT WAS THEN CALLED THE BR IDGE THE GAP COURSE. IT WAS A MULTIDAY COURSE THAT CO VERED 13 SUBSTANTIVE AREAS OF PRACTICE , AND THE CONCEPT WAS TO I MPART UPON NEW MEMBERS OF THE BAR , A PRACTICAL APPLICATION OF THE LAW , AND AM ONG THE 13 SUBSTANTIVE AREAS, THAT INCLUDED PROFESSIONISM AND ETHICS. FAST FORWAR DING TO 1997 , THE COURT, IN I DID OP INION IN 1997 - - IN ITS OP INION IN 1997 MODIFYING THE RULES , DETERMINED THAT THE PERSON ATTENDING THE COURSES OUGHTTO HAVE SOME LEVEL O F AUTONOMY IN SELE CTING THE SUBSTANTIVE AREAS THAT THE COURSES REQUIRE , AND THAT ATTHAT TIME THE COURSE WAS BROKEN UP FROM A MULTIDAY COURSE, TO A PRACTICING WITH PROFESSIONISM COMPONENT, WHICH COVERED PROFES SIONISM AND ET HICS AND SOME ADDITIONAL AREAS, S UCH AS TRUST ACCOUNTING ANIMATERSOF THAT NATURE , AND, ALSO , THE MEMBERS ARE REQUI RED TO TAKE TWO ADDITIONAL BASIC LEVEL COURSES OF THEIR OWN CHOOSING, AND THE BAR OF FERS THE YOUNG LAWYERS DIVISION , OFFERS A NUMBER OF COURSES IN DIFFERENT AREA S OF T HELAW.

SO THEY HAVE TO TAKE YOUNG LAWYERS APPROVED COURSES?

YES. THAT IS THE RULE, YES. WELL, THE RULE IS DESIGNED TO REQUIRE NEW MEMBERS OF THE BAR TO TAKE BASIC LEVEL COURSES . AND THE COURT CHAR GED THE YOUNG LAWYERS DIVI SION WITH THE RESPONSIBILITY OF ADMINISTERING THOSE COURSES.THAT IS THE WAY IT HAS BEEN SINCE 198 8. SO IN 1997 , WHEN THE PROGRAM WAS SPLIT INTO TWO , WITH PROFESSIONISM ON THE ONE HAND AND SUBSTANTIVE L EVELON THE OTHER HAND , IT ALLOWED, I T ST ILL ACCOMPLISHED THE SAME THING , WHICH IS TO IM PART A BROAD RANGE OF SUBJECT MA TTER , TO MEMBERS OF THE BAR . THE COURT AT THAT TIME , TOOK A SPECIFIC APPROACH , AND THAT IS TO MAKE SURE THAT NEW MEMBERS OF THE BAR HAVE A GENERAL UNDERSTANDIN G OF VARIOUS AREAS OF THE LAW, AND SO IF YOU TAKE THAT MOTIVATION, AND YOU APPLY IT TO WHAT WE ARE TR YING TO DO HERE OR WHAT SOME OF THE OPPONENTS ARE TRYING TO DO, THEY ARE TRYI NG TO SAY , WELL , WE ARE DIFFERENT. WE OUGHT TO NOT HAVE TO HAVE THIS GE NERAL UNDERS TANDING THAT IS APPLIED TO ALL MEMBERS OF THE BAR. WE OUGHT TO HAVE ONLY OUR OWN PROGRAM , SPECIFIC ONLY TO THE NEEDS OF OUR MEM BERS. WELL, THAT IS PROBABLY HELPFUL TO THE EMPL OYER , THE STATE ATTORNEY OR THE PUBLIC DEFENDERS OFFICE, BUT THAT IS NOT WHAT IS IMPORTANT FOR THE NEW MEMBER OF T HEFLORIDA BAR.

WELL , IN THIS BASIC COURSE, IS THERE , I K NOW FOR A TIME THERE WAS DIVERSITY WAS ONE OF THE AREAS THAT WAS TREATED , THAT IS , IS THAT STILL WITHIN THIS , OR IS THAT NOW IN SOME O THERPLACE?

WELL , OVER TIME , WE HAVE HAD COMPONENTS OF THE PROGRAM THAT HAVE F ALLEN , FALL WITHIN PROFESSIONALISM, SUCH AS SUBS TANCE AB USE, SUCH AS DIVE RSITY . THERE ARE OTHER AREAS THAT COME IN AND OUT OF THEPROGRAM.THE PROGRAM HAS NOT BEEN S ETIN 1997 AND UNCHANGED. TIME JUST ASK ING NOW , IS THAT A COMPONENT O F IT , SUBSTANTIVE?

I DON'T KNOW IF THAT IS A SPECIFIC SEGMENT ON THE AGENDA, BUT IT IS COVERED AS PART OF THE PROGRAM.

YOU CAN LOOK AT THE NOTE. DON'T WORRY ABOUT THAT.

I DID. IT IS COVERED.

HELP US WITH , ARE YOU REPRESENTING TO THE COURT THAT YOUR GOAL HAS BEEN TO SEE THAT THERE IS A PROGRAM THERE, THAT SHOULD APPLY TO ALL NEW LAWYERS? THAT IS THAT THESE ARE FOUNDATIONAL SUBJECTS THAT SHOULD APPLY TO ALL NEW LAWYERS, AND THAT THAT , REALLY, IS WHAT YOU ARE STRIVING TO ACHIEVE HERE , THAT THERE ARE SOME FUNDAMENTAL PRINCIPLES IN THESE SUBJECT AREAS , THAT EVERYBODY, REGARDLESS OF WHETHER THEY END UP BEING A CORPORATE LAWYER, TRANSACTIONAL LAWYER, TRIAL LAWYER, CRIMINAL LAWYER , WHATEVER, THAT THEY REQUIRE AN INTRODUCTION TO THESE SUBJECTS?

ABSOLUTELY, YOUR HONOR, AND IN ADDITION TO THAT , IN ADDITION TO THAT, THE BAR IS SAYING THAT WE WANT TO MAKE EQUAL, WHATEVER YOU HAVE BROUGHT TO YOUR MEMBERSHIP OF THE BAR, REGARDLESS OF YOUR BACKGROUND OR --

I AM SORRY , BUT I WANT TO KNOW WHAT SPECIFICS , NOT GENERAL PRINCIPLES, NOT GENERAL PRINCIPLES, I WANT TO KNOW WHAT SPECIFICS THAT THE BAR'S POSITION IS , THAT THE PD'S AND THE STATES ATTORNEYS , THE GOVERNMENT EXEMPTION, IS KEEPING THESE LAWYERS FROM GETTING. WHAT SPECIFICS ?

YOUR HONOR , I DON'T THINK THAT THE BAR HAS LOOKED AT THE GOVERNMENT LAWYERS PROGRAMS, WHICH , NUMBER ONE SPECIFICALLY APPLY TO ALL GOVERNMENT LAWYERS. WE HAVE GOT SOME MATERIALS FROM SOME SEMINARS THAT THE PUBLIC DEFENDERS OFFER , SOME SEMINARS THAT THE STATE ATTORNEYS OFFER, BUT THERE IS NO UNIFORM PROGRAM THAT THE STATE ATTORNEYS ASSOCIATION --

WHAT CONCERNS ME IS , THIS IS, IT SEEMS TO ME, TO BE THE TYPE OF THING THAT PEOPLE, THAT THE BAR AND THE GOVERNMENT LAWYERS SECTION AND PD'S AND STATES ATTORNEYS, OUGHT TO BE ABLE TO WORK OUT ON SOME SORT OF SPECIFIC BASIS. THEY HAVE GOT A FINANCIAL INTEREST THAT THEY ARE CONCERNED ABOUT, AND THE BAR OUGHT TO BE WORKING WITH THAT . WE HAVE GOT FINANCIAL CONCERNS THAT WE ARE TALKING ABOUT, BECAUSE EVERYBODY IS BEST INTEREST IN TRAINING THE LAWYERS.

YOUR HONOR, I SEE THAT I AM IN MY REBUTTAL.

THE BAR IS NOT SAYING THAT THIS PROGRAM THAT THE STATE ATTORNEYS IS SUGGESTING THAT THEY OFFER TO THEIR MEMBERS, IS A PROBLEM. WHAT THE BAR IS SAYING IS, BEFORE YOU GET TO THAT POINT , TO YOUR SPECIFIC GOVERNMENT OR STATE ATTORNEYS OFFICE PROGRAM , YOU OUGHT TO HAVE , ALL MEMBERS OF THE BAR OUGHT TO HAVE A GENERAL INTRODUCTION TO THE CONCEPTS OF PROFESSIONISM THAT IS PROVIDED IN A GENERAL WAY , TO ALL MEMBERS OF THE BAR, AND THERE IS NOTHING, WE ARE NOT SAYING THAT THEY OUGHT TO STOP OFFERING THOSE SPECIFIC COURSES THAT THEY HAVE --

ARE YOU SAYING , THEN , THAT AS A PART OF THEIR SPECIFIC COURSE , THEY DO NOT INCLUDE SOME OF THE MORE GENERAL ASPECTS OF PROFESSIONISM AND ETHICS .

THEIR COURSES ARE DESIGNED WITH SPECIFICS IN MIND, SPECIFICS TO THE STATE ATTORNEYS, FOR EXAMPLE.

I GUESS , IN ANSWER TO JUSTICE WELLS'S QUESTION, YOU SAID YOU HAVEN'T REVIEWED MY QUESTION HERE, IS THAT , HAD THE BAR CONSIDERED , BECAUSE I KNOW YOU WORK

ED FOR YEARS WITH THE GOVERNMENT LAWYERS, TO TRY TO WORK THIS OUT, THAT BECAUSE IT DOES SEEM THAT THE STATE ATTORNEYS AND PUBLIC DEFENDERS HAVE A SPECIFIC CONCERN. THEY HAVE A SPECIFIC COURSE. AND THERE IS A HUGE ECONOMIC IMPACT OF THE \$135 PER PERSON. HAS THE BAR TRIED TO WORK OUT THIS IS SUE, TO, MAYBE, EXEMPT AT LEAST THE STATE ATTORNEYS AND PUBLIC DEFENDERS, IF THERE IS SOME, LOOKING AT THEIR COURSE AND SEEING THAT THEIR COURSE ACTUALLY DOES MEET THE NEEDS OF THE BAR, AND JUST SO LIVE IT THAT WAY?

LET'S MAKE SURE WE ARE TALKING ABOUT THE SAME THING. OKAY. FOR NONGOVERNMENT LAWYERS, THE NEW MEMBERS OF THE BAR MUST TAKE, NOW UNDER THIS RULE, A ONE-DAY PROFESSIONISM COURSE.

I KNOW WHAT -- RIGHT. AND THEY ARE EXEMPTED FROM THE TWO OR THREE SUBSTANTIVE COURSES. WE ARE TALKING ABOUT THE ONE-DAY COURSE.

RIGHT. THE GOVERNMENT LAWYERS ARE REALLY NO DIFFERENT FROM FAMILIAL LAWYER OR A TRUST AND ESTATE LAWYER.

IF THERE WAS A SPECIFIC COURSE THE FAMILY LAW SECTION OFFERED, MAYBE WE WOULD BE HAVING THEM THERE, BUT RIGHT NOW WE ARE JUST DEALING WITH THE PUBLIC DEFENDERS AND STATE ATTORNEYS.

BUT THOSE PROGRAMS, BUT THE FAMILY LAW SECTION AND THE OTHER SECTIONS OF THE BAR AND PRIVATE ENTITIES, DO OFFER THOSE NEXT LEVEL COURSES, WHICH INCLUDE SUBSTANTIVE MATTERS. IF YOU LOOK AT THE MATERIALS THAT THE STATE ATTORNEYS PROVIDED, THERE IS A LOT OF SUBSTANTIVE MATERIAL IN THERE THAT INCLUDES ETHICS. IT IS NOT AN ETHICS COURSE. IT IS A CLOSING ARGUMENT. IT IS A, CERTAIN ASPECTS OF THEIR PRACTICE OF THE THAT IS EXACTLY WHAT THE FAMILY LAW SECTION DOES WITH THEIR COURSES. THAT IS WHAT THE YOUNGLAWYERS DOES WITH THEIR BASIC FAMILY LAW COURSE. THEY OFFER A SPECIFIC SUBSTANTIVE INFORMATION, WHICH IS ALSO GOING TO INCLUDE SOME PROFESSIONISM COMPONENTS.

CHIEF JUSTICE: YOU ARE VERY MUCH INTO YOUR REBUTTAL, IF YOU WOULD LIKE TO SAVE A FEW MINUTES.

I WOULD LIKE TO SAVE THE REST FOR REBUTTAL.

THANK YOU, YOUR HONOR. MAY IT PLEASE THE COURT. KEITH RIZZARDI ON BEHALF OF THE GOVERNMENT LAW SECTION. I WOULD LIKE TO ADDRESS THE QUESTIONS THAT YOU, JUSTICE QUINCE, AND THE REST OF THE COURT IS GRAPPLING WITH. THE SUGGESTION THAT MATERIAL THAT IS NOT RELEVANT TO THE PRACTICE OF GOVERNMENT LAWYERS, THAT WAS PRECISELY THE ISSUE THAT THE GOVERNMENT LAW SECTION WAS WRESTLING WITH AND THAT WAS PRECISELY IN THE END THE REASON WE COMPROMISED. AFTER SENDING OUR MEMBERS TO THE PROGRAM AND LOOKING AT THE PROGRAM AND EVALUATING THE PROGRAM, WE REALIZED THAT WHAT WAS AT ISSUE HERE WAS WHETHER OR NOT THE FLORIDA BAR SHOULD ALLOW A SHARED COMMON EXPERIENCE FOR ALL NEW LAWYERS. SHOULD LAWYERS COME OUT OF LAW SCHOOL AND GO TO A COMMON PROGRAM, PRACTICING WITH PROFESSIONISM, AND FOR YEARS THE GOVERNMENT LAWYER SECTION HAD MAINTAINED WE ARE NOT GOING TO GO TO A PROGRAM THAT IS DESIGNED TO ADDRESS TRUST FUND ACCOUNTING AND ISSUES THAT ARE NOT RELEVANT TO OUR PRACTICE. THE YOUNG LAWYER DIVISION TO THEIR CREDIT, ADDRESSED OUR CONCERNS. WE ALSO COMPLAINED ABOUT SOME OF THE FUNDING ISSUES AND THE YOUNG LAWYERS IN RESPONSE, HAVE NOW COME UP WITH A PROGRAM WHERE THEY SAID \$75 TUITION REDUCTION FOR PEOPLE ON A NEED-BASED APPROACH. WE SAID WHAT ABOUT A GRANDFATHER CLAUSE FOR MEMBERS WHO MANY YEARS HAVE PRACTICED, DO THEY HAVE TO GO BACK AND TAKE THIS PWP PROGRAM? THE YOUNG LAWYERS SECTION SAID, NO, WE WILL GIVE THEM A

GRANDFATHER CLAUSE AND WE SAID WHAT ABOUT THOSE FOLKS AND WHOLE ISSUE OF BASIC LAWYER COURSES AND WHY DO LAWYERS WHO HAVE BEEN IN PRACTICE FOR 25 YEARS AND GO TO THE PRIVATE SECTOR AFTER THAT TIME, THEN HAVE TO GO BACK AND TAKE BASIC TO RTS 101.

SO FROM THE GOVERNMENT LAWYERS SECTION POINT OF VIEW, THE YOUNG LAWYERS AND THE BAR ADDRESSED ALL OF YOUR CONCERNS. ARE YOU HERE IN SUPPORT OF THE RULE?

YES.

I WANT TO MAKE SURE.

WE ARE HERE IN SUPPORT OF THE RULE. THERE WERE TWO ISSUES THAT WE WERE NOT ABLE TO WORK OUT WHICH THIS COURT CAN CLARIFY. ONE IS MORE ADMINISTRATIVE ISSUE OVER THE GRANDFATHER CLAUSE. THIS COURT HAS PREVIOUSLY RULED THAT THE COMMENTS OR SUBORDINATE TO THE LANGUAGE IN THE RULE. WHAT WE HAVE HERE IS AN EFFORT TO MAKE SOMETHING IN THE COMMENT EXPRESS THAT DOES DEVIATE FROM THE RULE. IF THIS COURT IS OKAY WITH THAT APPROACH AND CAN ENDORSE THAT APPROACH, DESPITE SOME OF ITS PRIOR RULINGS IN THE CASE LAW, WE ARE FINE WITH THAT. THAT WE HAVE SUGGESTED SOME SPECIFICS, SPECIFIC CHANGES.

YOU WOULD RATHER HAVE A GRANDFATHER CLAUSE IN THE RULE.

OF COURSE WE WOULD RATHER SEE IT IN THE RULE BUT AS A TECHNICAL MATTER THIS COURT SAYS WE UNDERSTAND THE ISSUE AND RECOGNIZE THE GRANDFATHER CLAUSE SAFER AND IRREVOCABLE COMMITMENT OF THE FLORIDA BAR, WE UNDERSTAND THAT.

WHEN THE GOVERNMENT LAWYERS WERE DEALING WITH THE BAR OVER THE YEARS, CAN YOU GIVE US FROM PERSPECTIVE OF GOVERNMENT LAWYERS SECTION, WERE THE STATE ATTORNEYS AND PUBLIC DEFENDERS PART OF THE CONVERSATION?

ABSOLUTELY AND SOME OF OUR MEMBERS AND PAST CHAIRS ARE, IN FACT, PROSECUTORS. ONE OF THE ISSUES WE WRESTLED WITH IS WE SAID GOVERNMENT LAWYERS ARE PERFECTLY CAPABLE OF SPONSORING PROFESSIONISM PROGRAMS. IN FACT THE FIRST PROFESSIONALISM PROGRAM IN THE STATE OF FLORIDA WAS SPONSORED BY THE ABA, SO WE SAID WE DON'T NEED YOU GUYS TO TELL US HOW TO DO PROFESSIONISM TRAINING. WE CAN DO IT OURSELVES.

WHAT DO YOU DO IN THE INSTANCE OR WILL YOU AGREE THAT LAWYERS THAT ENTER INTO THE STATE ATTORNEYS OR PD, OFTEN MOVE TO PRIVATE PRACTICE OF PERSONAL INJURY OR CRIMINAL LAW AND MOVE INTO THE PRIVATE SECTOR. DO YOU AGREE? IT HAPPENS QUITE OFTEN. A LOT OF TURN OVER IN THE PD'S STATE ATTORNEYS OFFICE. IT IS A TRAINING GROUND FOR PEOPLE LEARNING HOW TO DO TRIAL PRACTICE. CORRECT?

CORRECT.

SO IF THEY ARE EXEMPT FROM TRUST ACCOUNTING AND SOME OF THE OTHER ISSUES, IN YOUR PROPOSAL HOW IS THAT TAKEN UP AND SECURED TO NEW LAWYERS?

I CREATED A MISIMPRESSION. PRIVATE SECURITIES AND PRIVATE LAW ARE NOT COVERED IN THIS PROGRAM ANYMORE. THAT IS WHY THE GOVERNMENT LAWYERS SECTION SAID THAT IS FINE IF YOU WANT TO MAKE THAT A GENERAL OBLIGATION FOR EVERYBODY, WE CAN LIVE WITH THAT AS A COMPROMISE.

DO YOU KNOW WHERE IT IS BEING TAUGHT MANDATORILY?

IT IS NOT RIGHT NOW. IT IS NOT A MANDATORY REQUIREMENT. THERE MAY BE SOME PIECES OF THAT WOVEN INTO THE BASIC COURSE REQUIREMENTS, BUT THERE IS NOT A PROGRAM THAT SAYS THOU SHALT LEARN TRUST FUND ACCOUNTING, FOR THE LAWYER WHEN THEY IMMEDIATELY COME OUT UNDER PWP.

THIS IS A CHANGE AS A RESULT FROM VARIOUS SECTIONS TALKING ABOUT THE RELEVANCY. THAT'S CORRECT.

YOU SAID YOU HAD TWO, THE GRANDFATHER CLAUSE AND WHAT IS THE OTHER? ANOTHER OTHER CRITIQUE IS THE LACK OF VIDEOTAPE, AND THAT WOULD BE ONE OF THE THINGS THAT IS COULD CORRECT SOME OF CONCERNS THAT HAVE BEEN RAISED. THIS IS A FINANCIAL ISSUE FOR PROSECUTORS AND PUBLIC DEFENDERS. HISTORICALLY ALL BAR ACTIVITIES AND BAR CLE'S YOU HAVE HAD AN OPPORTUNITY TO TAKE THEM BY VIDEOTAPE.

MY UNDERSTANDING OF THE PWP PROGRAM, IS THAT A LOT OF IT IN THE MORNING AND SOME OF IT IN THE AFTERNOON IS INTERACTIVE.

YES, YOUR HONOR.

AND THERE IS DISCUSSION WITH THE AUDIENCE, AND ONE OF THE, I THINK THE GOOD PARTS OF WHY IT IS HIGHLY REGARDED, IS THAT THERE IS INTERACTION WITH THE AUDIENCE.

ABSOLUTELY.

HOW ARE YOU GOING TO DO THAT WITH A VIDEOTAPE?

WE POSITED TO THE YOUNG LAWYER DIVISION THAT GOVERNMENT OFFICES SHOULD BE ALLOWED TO SHOW THE VIDEOTAPE TO THEIR EMPLOYEES AND TO HAVE THAT KIND OF INTERACTIVE SECTION AND THAT KIND OF DISCUSSION AT THEIR OFFICES. THAT WOULD HAVE ENABLED THE OFFICES TO HAVE SAVED SUBSTANTIAL MUST NOT AND I NOT HAVE ALL OF THEIR STAFF BE SENT OFF FOR THE TRAINING.

BUT AREN'T WE TALKING ABOUT SOMETHING THAT STARTS OFF IN GOOD FAITH.

EXACTLY.

BUT ENDS UP BEING ABUSED. WELL, THAT IS THE IMAGE OF SOMEBODY HAVING A TRIP IN THEIR CAR FOR THREE HOURS AND THEY HAVE PUT THIS, YOU KNOW, ON THE CAR, AND LISTEN TO A TAPE, IN ORDER TO GET THEIR REQUIREMENT IN OR THAT KIND OF THING, AND THERE IS SUCH POTENTIAL FOR ABUSE OF THAT, SO AS JUSTICE CANTERO SAYS, PART OF THE WHOLE SPECIAL NATURE OF THIS, IS THE FACT THAT YOU REQUIRE PEOPLE ACTUALLY TO BE TOGETHER, WHILE THEY DO. THAT BUT DO I UNDERSTAND THAT THE GOVERNMENT LAW SECTION THUS AS CALLY SUPPORTS THE COMPROMISE -- ENTHUSIASTICLY SUPPORTS THE COMPROMISE THAT HAS BEEN WORKED OUT NOW?

YES AS A PACKAGE DEAL, THE BASIC EXEMPTION FROM CLASSES AND CONTINUED EFFORT TO REDUCE COSTS FOR YOUNG LAWYERS, THE GRANDFATHER CLAUSE. YES, WE ENDORSE IT OVERWHELMINGLY.

ARE THERE AGENCIES THAT THE GOVERNMENT LAWYERS SECTION HAS LAWYERS IN, BOTH AT STATE AND LOCAL LEVEL, THAT THOSE AGENCIES ACTUALLY PAY FOR CLE?

SOME DO AND SOME DO NOT, YOUR HONOR. SO SOME OF THEM WILL INCUR A GREATER FINANCIAL BURDEN HERE THAN OTHERS, BUT, A GAIN, ONE OF THE OTHER POINTS THIS COURT

SHOULD REMEMBER IS THIS PROGRAM USED TO BE A 3-DAY PROGRAM WITH SUBSTANTIAL EXPENSE TO YOUNG LAWYERS. THEY HAVE CHANGED IT. IT A ONE -DAY PROGRAM OFFERED SIX TIMES A YEAR THROUGHOUT THE STATE, AT LOCATIONS THAT ARE MUCH CLOSER TO PEOPLE. INCONVENIENCE FACTORS HAVE CHANGED.

IS THERE A POLICY IN THE AGENCIES FOR LEAVE TIME FOR LAWYERS?

TYPICALLY THE AGENCIES WILL ALLOW PROFESSIONAL DEVELOPMENT TIME. IT IS NOT THAT THEY HAVE TO TAKE VACATION TIME TO GO AND TAKE THE CLE'S. THEY REALIZE THAT THE CLE'S ARE REQUIRED.

THE BOTTOM LINE FROM THE GOVERNMENT LAWYERS SECTION POINT OF VIEW , I THINK WHAT YOU ARE SAYING, IS YOU USED TO PRO THAT THIS INTRODUCTORY PROGRAM HAD LITTLE IF ANY RELEVANCE TO GOVERNMENT LAWYERS, AND NOW IT IS RELEVANT TO GOVERNMENT LAWYERS AS IT IS TO ALL LAWYERS.

IN FACT , YES, YOUR HONOR , WHILE THE LD HAS OFFERED TO HAVE A LIAISON TO WORK CLOSELY WITH THE YOUNG LAWYERS SECTION AND MAKE SURE THAT THEIR CONCERNS ARE ADDRESSED FOR THIS PROGRAM, AND THE BOTTOM LINE FOR THIS COURT IS YOU FOLKS HAVE BEEN ASKED TO DECIDE WHETHER OR NOT PUBLIC DEFENDERS WHO HAVE SPECIAL OBLIGATIONS AND A SPECIAL SEMINAR, SHOULD THERE FOR BE EXEMPTED FROM THE GENERAL OBLIGATION THAT IS ARE BEING IMPOSED UPON THE REST OF THE FLORIDA BAR COMMUNITY. FOR THE GOVERNMENT LAWYERS SECTION WE SAID NO , IF YOU GUYS WANT TO HAVE A GENERAL PROGRAM FOR EVERYBODY , YOU ARE GOING TO MAKE IT RELEVANT TO ALL OF THE GOVERNMENT LAWYERS, FINE. WE WILL PARTICIPATE. WE MAY STILL HAVE OUR OWN , SEPARATE, CUSTOM-TAILORED PROFESSIONISM SEMINARS WITHIN OUR AGENCIES , BUT THIS SON CLASS, ONE DAY , AND A \$ 75 TUITION REDUCTION FOR THOSE WHO NEED IT. WE WERE READY TO ACCEPT THE COMPROMISE.

CHIEF JUSTICE: THANK YOU VERY MUCH AND THANK YOU FOR WORKING WITH THE BAR TO COME UP WITH THIS. MR. JACOBS.

MAY IT PLEASE THE COURT .

CHIEF JUSTICE: YOU ARE NOT GOING TO BE HERE AS THE BAD GUY , ARE YOU?

THEY PUT ME AT THE END OF THE TABLE, TO O. I GUESS THAT IS A SCOLDING OF SORT.

I DON'T KNOW HOW YOU GOT THIRD UP. THAT IS PRETTY GOOD. USUALLY YOU ARE LAST UP.

I APPRECIATE VERY MUCH, THE OPPORTUNITY TO BE HERE ON BEHALF OF THE STATE ATTORNEYS OF FLORIDA AND ASSISTANT STATE ATTORNEYS. THERE ARE 1700 ASSISTANT STATE ATTORNEYS IN FLORIDA AND 2000 MEMBERS OF THE GOVERNMENT LAWYERS SECTION. VERY FEW OF OUR PEOPLE BELONG TO THE GOVERNMENT LAWYERS SECTION BECAUSE YOU HAVE GOT TO PAY TO DO IT , BUT WE ARE NOT A PART OF THAT. YOU KNOW, WE ARE NOT HERE AGAINST ETHICS. WE ARE VERY MUCH FOR IT. IT IS DISCUSSED IN THEIR PETITION. THE YOUNG LAWYERS SECTION'S PETITION AS BEING A NEW MOVEMENT. WE HAVE BEEN IN THIS BUSINESS A LONG TIME. THIS IS MY 35th YEAR OF BEING GENERAL COUNSEL FOR THE STATE ATTORNEYS OF FLORIDA, AND WE ARE ABOUT TEACHING ETHICS. WE HAVE LONG, I NOTICED YOUR QUOTE IN THE DECEMBER 1 BAR NEWS, JUSTICE CANTERO , WHERE YOU SAID THAT WE ARE NOT TRYING TO TALK ABOUT PROFESSIONALISM. WE ARE TRYING TO IMPROVE PROFESSIONISM .

DO YOU THINK WE SHOULDN'T HAVE THIS REQUIREMENT ANYMORE , IN OTHER WORDS THAT THERE SHOULDN'T BE THIS INTRODUCTORY FOUNDATIONAL COURSE REQUIRED OF ALL NEW LAWYERS ? WHERE THEY ALL COME TOGETHER. OKAY. BEFORE THEY , REALLY , ARE ADVANCED

IN THE PRACTICE OF LAW. WE OUGHT TO JUST SC RAPE THAT AND NOW JUST , IF YOU DEC ID E YOU ARE GOING TO GO TO W ORK FOR AN INSURA NCE DEF ENSE FIRM , WE HAVE A GENERAL REQUIREMENT THAT YOU TAKE A CERTAIN PART OF YOUR CLE AS ETHICS COURSES , AND SO YOU CAN JUST, AS LONG AS YOU FULFILL THAT REQUIREMENT , YOU CAN TAKE THAT AND INSURANCE DEFENSE WORK AND THE ISSUES THAT COME UP THERE AND SO ON AND SO ON , AND SO, BECAUSE THAT IS M Y CONCERN, IS THAT I F WE FOLLOW THESE ARGU MENTS TO THEIR LOGICAL CONCLUSION, WE ARE , R EALLY , UNDERCUTTING THE WHOLE PRI NCIPLE O F HAVING THIS REQUIREMENT THAT INITIALLY EVERYBODY OUT OF LAW SCHOOL , COME TO GETHER , AND THAT THERE ARE PRINCE PEST OF THIS THAT APPLY TO EVERYBODY, REGARD LESS OF WHAT THEIR CAR EE R TRA CKS END UP BEING , E ITH ER LONG-TERM OR AS ONE OF THE JUSTICES HAS SAID , THERE IS A LOT OF TURNOVER IN THESE OFFICES, TOO, SO ARE YOU SUGGESTING , REALLY, T HAT THE TIME HAS COME THAT WE SHOULD RECONSIDER WHETHER WE HE EVEN HAVE THIS -- WHET HER WE EVEN HAVE THIS FOUNDATIONAL COURSE FOR EVERYBODY?

NO, SIR, NOT AT ALL , AND LET ME JUST SAY THAT I T HINKIT HAS BEEN AN UN FAIR CHARACTERIZATION, TO SAYTHAT OUR ETHICS AND PROFESSIONISM COURSES ARE TAILORED TO TRADE-RELATED MATTERS. YOU CAN'T TALK ABOUT ETHICS AND PROFESSI ONISM , WITHOUT THAT BEING INVOLVED IN IT.

I AM AS KING YOU TO RESPOND A LI TTLE MORE THAN, NO, YOU ARE NOT SAYI NG. I AM HAVING DIFFICULTY UNDERSTANDING YOUR ARG UMENT. IF YOUR ARGUMENT IS , NO , THAT YOU, AND YOU JUST SAID THERE IS A LARGE NUMBER OF LAWYERS , OBVIOUSLY, THAT ARE PRACTICING AS PROSECUT ORS AND PUBLIC DEFEN DERS , AND CRIMINAL DEFENSE LAWYERS , OR SUCH , SO ARE YOU SAYING T HEY SHOULD ALL BE EXE MPTED FROM ATTENDING THIS FOUNDATIONAL COURSE?

WHAT I AM SAYING ACCORDING TO RULE 4-3.8 , YOU HAVE SAID, THIS COURT HAS SAID THAT PROSEC UTORS ARE A BIT DIFFERENT. WE ARE MINISTERS OF JUSTICE. YOU DON'T SAY THAT A BOUT A LLOF THE OTHE R LAWYERS IN FLORIDA.

YOU ARE SAYING THEYSHOULD BE EXEM PTED FROM THIS FOUNDATIONAL COURSE.

WE T EACH THAT COURSE ALREADY. WE HAVE --

SO IF OTHER SECTIONS O F THE BAR TEACH THAT COURSE ALREADY, THEN WE SHOULD EXEMPT THEM, ALSO .

MR. JUSTICE , WE HAVE BEEN SANCTIONED BY THE FLORIDA BAR TO TEACH THIS COURSE. THEY GIVE US CREDIT FOR --

WE HAVE THOSE COURSES I N EVERY AREA OF THE LAW , A S SOMEBODY POINTED OUT , SO SHOULD WE JUST GO TO THAT SYS TEM AND DO AWAY WITH THIS FOUNDATIONAL REQUIREMENT? I SEE AN INCONSISTENCY BETWEEN YOU SAYING THAT , YES , STICK WITH THE GENERAL COURSE. YOU KNOW, WHERE EVERYBODYOUGHT TO ATTEND , BUT EXEMPT US FROM IT , AND HOW , AFTER WE EXEMPT YOU , CAN WE NOT EXEMPT THE NEXT GROUP OF LAWYERS THAT PRACTICE IN THE ATTORNEY GENERALS OFFICE OR THE PUBLIC DEFENDERS OFFI CE, AND SO ON AND SO ON AND SO ON?

AGAIN, WE DON 'T REQUIRE JUDGES TO GO TO T HIS , BECAUSE THEY HAVE THEIR O WN EDUCATIONAL SYSTEM. YOU KNOW, YOU DON'T REQUIRE , OTHER, WE ARE , THE PROSECUTORS UNDER THE 4 -3.8 , ARE MINISTERS OF JUSTICE , AND W E - -

CHIEF JUSTICE: I KNOW YOU RESPONDED.I KNOW JUSTICE WE LLS HAS A QUESTION, TOO.

I WILL T RY.

IS YOUR , IS THE PROBLEM THAT WE HAVE HERE , IS IT ONE OF THE DUPLICATION OF WHAT THE BAR'S COURSE IS PRIMARILY, OR IS IT PRIMARILY FINANCIAL , OR WHERE DO YOU SEE THE REAL PROBLEM?

IT IS PRIMARILY BOTH. WE DO THIS. IT WOULD BE REDUNDANT FOR US TO SEND FOLKS TO A ONE-DAY COURSE.

DOES THE LEGISLATURE APPROPRIATE FOR THE STATES ATTORNEYS MONEY FOR , TO PAY FOR THE BAR'S COURSE? ZOO NO, SIR, THEY DO NOT.

DO THEY PAY FOR LAWYERS TO ATTEND THE PUBLIC , THE PROSECUTORS COURSE?

THEY , WE HAVE IT WORKED OUT SO THAT IT IS A VERY MINIMAL COST, AND THE DUES THAT THEY PAY, EXCEPT FOR ONE , THE MAIN , ONE TIME A YEAR, THE DUES THAT THEY PAY TAKE CARE OF THOSE COURSES.

DOESN'T THE ANSWER DEPEND ON THE OFFICE ?

NO. THE, WE HAVE A VERY GOOD PARTICIPATION BY ALL OF THE OFFICES IN THIS, IN THESE MATTERS.

I MEAN, WHETHER THE PARTICULAR OFFICE PAYS FOR A FLORIDA BAR PROFESSIONISM COURSE. I CAN IMAGINE SOME OFFICES MAY AND OTHERS MAY NOT.

GENERALLY THEY DO NOT. STATEWIDE .

DID YOU TRY TO WORK THIS OUT WITH THE FLORIDA BAR? I GUESS ONE OF THE THINGS THAT I AM CONCERNED ABOUT , IS THAT NOW WE HAVE GOTTEN A 3-DAY PROGRAM DOWN TO A ONE-DAY PROGRAM. IT HAS BEEN WATERED DOWN. DOESN'T HAVE TRUST ACCOUNTING. SO NOW YOU MADE IT SO , GENERALLY APPLICABLE, SO AS HAS BEEN SAID, THIS CAN BE SHARED BY EVERYBODY , AND I GUESS THE , I SEE YOUR POINT, AND I KNOW YOU GUYS HAVE EXCELLENT COURSES , AND MAYBE THIS GENERAL COURSE IS NOT, FOR EVERYBODY, MAYBE IT IS TOO BASIC , BUT IN THE SPIRIT OF TRYING TO COMPROMISE ON THIS THING, WHAT , I GUESS THE DOWN SIDE OF HERE IS A ONE-DAY COURSE. WHAT IS THE REAL, YOU KNOW, WHY NOT JUST SUCCESS IT IN AND JUST TAKE IT LIKE EVERYONE ELSE DOES? YOU KNOW, IT JUST , BECAUSE I THINK THE OTHER PART IS , WOULD BE TO SEE IF THE BAR WOULD LOOK AT YOUR COURSE AND JUST SAY THAT, YOU KNOW , THEY CAN EXEMPT OUT , NOT EXEMPT FROM THE REQUIREMENT OF PROFESSIONISM BUT LOOK AT THAT COURSE AND SAY IT REALLY IS EQUIVALENT TO OUR ONE-DAY OURS, SO WE WILL IN THE CASE OF STATE ATTORNEYS OR PUBLIC DEFENDERS, YOU KNOW, WE WILL EXEMPT THEM FROM THE PRACTICING WITH PROFESSIONISM, BUT I THINK IT IS VERY HARD TO ASK THE COURT TO DO IT , WITHOUT US GETTING INTO THE MICROMANAGING OF HOW GOOD THIS COURSE IS, HOW GOOD YOUR COURSE IS. SO COULD YOU SORT OF ADDRESS , HELP US OUT AND GIVE US ANOTHER WAY TO LOOK AT THIS .

WELL , I THINK MONEY HAS CERTAINLY BEEN A PART OF IT, BUT THERE HASN'T BEEN A DIALOGUE BETWEEN THE STATES ATTORNEYS AND PUBLIC DEFENDERS AND GOVERNMENT LAWYERS SECTION ABOUT THIS . IT IS NOT GOOD OR BAD, BUT IT IS ABOUT MONEY AND THE FACT THAT OUR COURSES , WE HAVE BEEN TEACHING FOR MANY, MANY YEARS.

BUT IN YOUR COURSE , LET'S GET TO THAT, DO YOU REALLY HAVE THE LENGTH OF TIME THAT THE YOUNG LAWYERS SECTION , THEY DO A WHOLE DAY ON ETHICS AND PROFESSIONISM , AND MOST OF THE COURSES THAT I HAVE SEEN OF YOURS , REALLY , HAS IT AS A COMPONENT OF OTHER ASPECTS OF BEING A PROSECUTOR, SO WE ARE TALKING ABOUT, AREN'T WE TALKING ABOUT, REALLY , TWO OR THREE HOURS OF PROFESSIONISM IN YOUR COURSE , VERSUS THE WHOLE DAY OF IT?

BUT NOT THROUGHOUT THE YEAR, BECAUSE WE DO THESE COURSES MANY TIMES AND MANY PLACES AROUND THE STATE. SO TWO OR THREE HOURS, WE HAVE COMPONENTS OF THAT TAUGHT SEVERAL TIMES DURING THE YEAR NOT JUST ONE TIME .

BUT AREN'T YOU TALKING ABOUT DIFFERENT PEOPLE COMING TO THE DIFFERENT SEMINARS, AS OPPOSED TO THE SAME ONES GETTING THE PROFESSIONISM THREE OR FOUR TIMES A YEAR.

BUT EVERY COURSE THAT IS TAUGHT, IS CIRCULATED AMONGST ALL OF THE TWENTY OFFICES, SO EVERYONE HAS AN OPPORTUNITY AND IS EXPOSED TO THOSE COURSES THROUGHOUT THE YEAR.

CHIEF JUSTICE: YOUR TIME HAS EXPIRED BUT JUSTICE BELL HAS ONE QUESTION.

JUST ONE QUESTION. PART OF MY CONCERN IS THE CULTURE OF PROFESSIONISM AMONG THE BAR AS A WHOLE, AND THEN WE HAVE PEOPLE FROM DIFFERENT PRACTICES ENTER ABLE TO ACTING , AND FROM MY -- INTERACTING , AND FROM MY EXPERIENCE, PUBLIC DEFENDERS AND PROSECUTORS ARE NOT AS INVOLVED IN LOCAL BAR ASSOCIATIONS NECESSARILY, AS OTHER MEMBERS IN PRIVATE PRACTICE OTHERWISE, FOR A VARIETY OF REASONS , AND IT IS STRIKING TO ME THAT YOUR COMMENT IS YOUNG LAWYERS HAVE SPOKEN TO GOVERNMENT BUT YOU ALL HAVEN'T COMMUNICATED, AND THAT IS PART OF MY CONCERN HERE , IS IF WE ISOLATED JUST AS JUSTICE ANSTEAD KIND OF HINTED AT THIS, IF WE ISOLATED TO EACH INDIVIDUAL DIVISION DOING IT ISOLATED TO THEIR UNIQUE -- DOING IT PARTICULARLY AS THEIR UNIQUE PRACTICE OF BAR , YOUR LAWYERS WILL DEAL WITH THE PRIVATE PRACTITIONER OR DUI OR WHATEVER COMING IN AND THAT COMMUNITY OF LAWYERS. HOW DOES YOUR APPROACH MAINTAIN THAT TRADITION OF MAINTAINING A COMMUNITY AMONG LAWYERS?

WE BRING IN MANY PEOPLE TO TEACH ETHICS, NOT JUST PROSECUTORS, AND AS A MATTER OF FACT I THINK YOU LECTURED AT ONE OF OUR SEMINARS ABOUT PROFESSIONISM AND ETHICS, SO WE BRING IN FOLKS NOT JUST TALKING PROSECUTORS TO PROSECUTORS. WE HAVE PRIVATE LAWYERS INVOLVED, CERTAINLY JUSTICES INVOLVED, JUDGES INVOLVED , AND IT IS NOT AN ISOLATED SITUATION THAT YOU MAY THINK. WE ARE VERY INVOLVED IN THE COMMUNITY. I KNOW THAT YOU HAVE HAD A CHANCE TO LOOK AT THE THING THAT IS WE HAVE IN OUR COURSES. IT IS NOT AN ISOLATED SITUATION. IT IS NOT A TRADE-ORIENTED SITUATION. YOU CAN TALK ABOUT ETHICS . ETHICS IS, YOU CAN'T JUST , AND, AGAIN , NOBODY IS BEING SPECIFIC TODAY ABOUT WHAT IS ETHICS? ETHICS, I GUESS AS SOMEONE SAID, IS WHAT IS REQUIRED. PROFESSIONISM IS WHAT IS EXPECTED. AND THAT IS THE WAY, OUR MANTRA AS WE GO FORWARD IN OUR COURSES .

CHIEF JUSTICE: YOUR TIME IS EXPIRED. WHATEVER HAPPENS TODAY , IT WOULD REALLY BE OF ASSISTANCE, I THINK , IF THE FLORIDA PROSECUTING ATTORNEYS ASSOCIATION AND THE FLORIDA BAR AND YOUNG LAWYERS, ACTUALLY TALKED TO ONE ANOTHER AND YOU KNOW , MAYBE THERE ARE SOME SUGGESTIONS YOU WOULD HAVE FOR THEIR COURSE THAT WOULD IMPROVE THEIR COURSE , AND I CAN SEE LOTS OF WAY THAT IS THIS WHOLE THING COULD BE MEDIATED OUT, TO HAVE THE GOAL THAT WE HAVE , TO HAVE THIS COMMUNITY OF LAWYERS TOGETHER AND, ALSO, ADDRESS YOUR CONCERNS , BUT THANK YOU FOR YOUR INPUT.

WE ARE ALWAYS GLAD TO TALK. THANK YOU.

CHIEF JUSTICE: THANK YOU . I DON'T KNOW WHETHER HE TOOK UP YOUR TIME OR MR . MUSTO'S TIME BUT IT SON OF YOURS .

I WILL BE VERY SHORT. I AM NANCY DANIELS . MAY IT PLEASE THE COURT ON BEHALF OF THE PUBLIC DEFENDERS ASSOCIATION. AND WITH ME SKIP BABB , THE TRAINING DIRECTOR AND PRESIDENT FROM THE FIFTH CIRCUIT. WE HAVE EVOLVED BEFORE THIS COURT TO THE POINT

THAT , WHILE NOT ENTHUSIASTICALLY SUPPORTING THE CHANGE , WE ACCEPT IT. WE THINK ON BALANCE OUR LAWYERS WILL BE WELL-SERVED BY A BASIC PROFESSIONISM ONE-DAY COURSE , AND WE ONLY HAVE SOME OF THE CONCERNS THAT HAVE BEEN TALKED ABOUT ALREADY. ONE IS , WE REALLY WANT TO HAVE INPUT INTO THE COURSE. WE HAVE SPOKEN WITH THE YOUNG LAWYERS DIVISION. THEY HAVE AGREED TO ACCEPT A REPRESENTATIVE FROM OUR ASSOCIATION IN THE DEVELOPMENT OF THE COURSE. WE WOULD LIKE THAT TO BE FORMALIZED AS MUCH AS POSSIBLE, PERHAPS WITH SOME COMMENTARY BY THE COURT WHEN YOU DECIDE THIS . SECONDLY , WE ARE ALL WRESTLING AROUND WITH THIS SITUATION, BUT WE DO BELIEVE CRIMINAL LAW IS A SEPARATE TRACK IN SOME RESPECTS. THERE ARE UNIQUE ETHICAL ISSUES THAT RELATE TO CRIMINAL LAW, AND WE BELIEVE THERE SHOULD BE A TRACK OR AT LEAST A PORTION OF THE PROGRAM.

WHAT ABOUT THE PAYMENT?

THE PAYMENT WAS OUR THIRD ISSUE . CERTAINLY A \$ 75 REDUCTION IS APPRECIATED. I STILL DON'T KNOW WHAT THE COST WOULD BE , AND WE DO HAVE --

ISN'T THAT \$75 SORT OF LIMITED? I MEAN, IT IS LIMITED TO A CERTAIN NUMBER OF PEOPLE. I THOUGHT THERE WAS SOMETHING IN THERE ABOUT --

RIGHT. THE DETAILS AREN'T CLEAR AT THIS POINT TO US .

DOES THE PUBLIC DEFENDERS HAVE AN APPROPRIATION TO PAY FOR IT?

WE PAY FOR OUR TRAINING OUT OF OUR EXPENSE CATEGORY OF OUR BUDGET. IT IS NOT SET ASIDE AS A SPECIAL TRAINING FUND.

WOULD THE PUBLIC DEFENDERS PAY FOR THIS?

YES, WE WOULD. THAT IS WHY WE WOULD LIKE THE COST TO BE , YOU KNOW, AS LITTLE AS IT CAN BE . YOU KNOW, JUST IN GENERAL , THE BAR'S CLEARLY , WE DON'T GET A PRICE REDUCTION ON THAT . OTHER --

HAVE ANY -- I AM A LITTLE CONFUSED THAT THE PUBLIC DEFENDER PAYS FOR THAT AND THE STATE ATTORNEYS DON'T PAY FOR THAT. DO YOU HAVE ANY KNOWLEDGE OF WHY THERE IS A DIFFERENCE?

I THINK AS JUSTICE CANTERO SAID , EACH OFFICE MAKES ITS OWN DECISIONS ABOUT THAT , BASED ON WHAT THEY HAVE.

THERE ARE STATE ATTORNEYS TO YOUR KNOWLEDGE, THAT DO PAY FOR THIS OUT OF THEIR EXPENSE .

?

I DON'T KNOW ABOUT STATE ATTORNEYS. I KNOW THERE ARE PUBLIC DEFENDERS WHO SENT THEIR EMPLOYEES BACK TO WHEN IT WAS THE 3 -DAY BASIC TRAINING AND THEN AS IT HAS EVOLVED .

SOME DON'T?

SOME DON'T. THAT IS WHY WE THINK THE ONE-DAY PROGRAM FOR EVERYONE WILL BE OF GENERAL APPLICABILITY AND WILL ACTUALLY BENEFIT OUR LAWYERS.

BUT YOU JUST WANT IT CLEAR ABOUT WHERE THE REDUCTION IS, IF THERE SHOULD BE --

YES.

I THOUGHT, MAYBE I DIDN'T LOOK AT IT. I THOUGHT THERE WAS ACTUALLY A SPECIFIED REDUCTION , BUT THAT IS NOT --

THAT IS A NEED-BASED REDUCTION IS WHAT I UNDERSTOOD IT SAID.

YOU HAVE TO APPLY FOR IT. WE FEEL LIKE OUR LAWYERS WILL QUALIFY BECAUSE OF THEIR SALARIES AND O URBUDGETS , BUT THAT IS THE BIGGEST CONCERN IS THE COST. O VERALL, WE THINK A LO T OF WORK HAS GONE INTO THIS COMPROMISE, AND AS EXPLAINED BY MR . RIZZARDI HERE , WE THINK WE HAVE LA NDED AT A GOOD PLACE WITH THIS AND WE DO WANT TO WORK --

HOW MANY PUBLIC DEF ENDERSTHERE ARE?

I THINK THERE IS 9 50 , MORE OR LESS AT THIS POINT.

THANK YOU VERY MUCH , MS. DANIELS.MR. MUSTO.

MAY IT PLEASE THE COURT. GOOD MORNING, YOUR HO NORS .

ARE YOU JUST REPRESENTING YOURSELF NOW?

THERE IS A QUES TION. THE C HAIR OF THE CRIMINAL LAW SECTION AND I DIS AGREE ON. THAT I DEFER TO HIS AUTHORITY AND HIS R ULING , B UT I AM REPRESENTING AT L EAST THE PEOPLE THAT A RENAMED IN THE PLEADING. THE THING THAT IS BEING MISSED HERE , IS THE QUESTION BEFORE YOU IS NOT WHETHER GOVERNMENT LAWYERS SHOULD TAKE PWP BUT WHEN THEY SHOULD TAKE IT. THIS IS DEFEHRMENT NOT AN EXEMPTION. THEY PRESENTLY TAKE PWP W HEN THEY LEAVE GOVERNMENT SERVICE AND GO INTO PRIVATE PRACTICE, AND THAT IS VERY IMPORTANT, BECAUSE IT GOES BACK TO WHAT JUSTICE AN STEAD WAS TALKING ABOUT, THE R OOTSOF THIS PROP OSE A. M., AND IF YOU LOOK AT YOUR PIN - - PROPOSAL, AND IF YOU LOOK AT YOUR OPINION ADOP TING THE BRIDGE VERSE -- B R IDGE VERSION, THE FOOT NOTE OF MY RESPONSE THAT, IS THE PRACTICAL ASPECT OF IT. IT IS DONE FOR 15 YEARS. THAT IS WHAT GOVERNMENT LAWYERS ARE DEFERRED , AND THAT IS WHAT IS DONE NOW. DESPITE WHAT IS SAID, I CALL YOUR ATTENTION TO APPEND IX C IN MY RESPONSE AND SPECIFICALLY THIS IS A PAGE FROM THE YOUNG LAWYERS WEB SITE AND YOU CAN CLICK ON EACH OF THE SE. THESE ARE THE PRESENTATIONSAT THE PWP PROGRAM , LAW PRACTICE, LAW OFFICE AND MANAGEMENT, CLIENT RE LATIONS , LAW MARKETING MATE RIAL, MAINTAINING A TRUST AC COUNT , THE MANAGEMENT SERVI CE. THINGS THEY DID NOT TE ACH ME IN LAW SCHOOL.

THAT IS NOT A PRE CISE AGENDA OF THE PRAC TICING PROFESSIONISM PROGRAM, IS IT? I HAVE A PREC ISE AGEN DA AND IT DIFFERS SUBSTANTIALLY FROM WHAT YOU ARE QUOT ING. INTERACTIVE MULTIMEDIA , PROFESSIONISM , LOCAL BAR PRESENTATION, PRO BONO DISCUSSION, CH EMICAL DEPENDENCY, ST RESS , THE FLORIDA BAR , WHAT CAN WE DO FOR YOU , PA NE L DISCUSSION ON PROFESSIONALI SM. IT IS TOTA LLY DIFFERENT FROM WHAT YOU ARE QUOTING.

THERE IS A COUPLE OF THINGS. FIRST OF ALL THE INTERACT I EVER, I FORGOT WHAT YOU ARE SAYING BUT THE MORN I NG OF THE PROGRAM IS A PROGRAM THAT CONSISTS OF CLI PS FROM MOVIES WHERE LAWYERS DISC USS THING THAT IS THEY DO.

HELP US , THOUGH, YOU J UST READ AN EXPRESS LIST H ERE AND I ASSU ME THAT YOU WANT US TO RELY ON THAT. JUSTICE CANTERO HAS REFERRED TO A TOTALLY DIFFERENT , A RE YOU REPRESENTING TO US , THAT THIS IS THE COURSE , NOW , THAT THE YOUNG LAWYERS ARE OFFERING OR NOT?

WHAT I AM SAYI NG IS THAT THIS IS WHAT THE Y OUNGLAWYERS HAVE PO STED ON THEIR WEB

SITE AS BEING THE COURSE. THESE ARE THE MATERIALS THAT ARE PROVIDED IN THE SENSE THAT THEY DON'T ACTUALLY GIVE THE MATERIALS. THEY GIVE THEM --

SO YOUR REMARKS ARE BASED ON THAT BEING THE ACC URATE CONTENT OF THE COURSE.

I AM BAS ING IT IN LA RGE PART ON THAT.

NOT O N THE OUTLINE T HAT JUSTICE CANT ERO G AV E U S.

THE MORNING PORTION OF THE PROGRAM CONSISTS OF THESE MOVIE CLIPS BUT THERE IS NOTHING UNIQUE ABOUT. THAT THAT IS GIVEN AT THE BAR CONVENTIONS, CLE PROGRAMS, GIVEN AT GOVERNMENT LAW OFFICES. WIDE AM NOT CONCER NED , MR . MUSTO , AND I AM ACTUALLY A LITTLE SURPRISED THAT , WHETHER OR NOT YOU WERE REPRESENTING TO US THAT YOU BELIEVE THAT IS WHAT T HECOURSE CONTAINS , AS OP POSED TO WHAT JUSTICE CANTERO JUST OUTLINED, AND I AM HAVING DIFCULLEY NOW, I KNOW -- DIFFICULTY NOW, I KNOW Y OUBVIOUSLY ARE FAMIL IAR WITH JUSTICE CANTERO'S OUTLINE , BECAUSE YOU ARE NOW, Y OUKNOW, REFERRING TO THAT , S O ARE YOU REPRESENTING TO US THAT YOU BELIEVE THAT IS THE COURSE THAT THEY ARE OFFERING, OR IS IT THE COURSE THAT JUSTICE CANTERO OUTLINED ?

I THINK IN A SENSE , IT I S BOTH. I THINK THAT A LOT OF THE TERMS THAT ARE USED IN THE OUTLINE THAT JUSTICE CANTERO IS REFERRING TO, WH ICH WAS INCLUDED AS ONE OF MY AND ENDISTS, ARE --

-- APPENDICES.

IT IS A LOT DIF FERENT.

THE TILINGTS SOUN D A LOT DIFFERENT BUT I AM SUGGESTING TO YOU THAT T HIS IS THE SUBSTANCE. I AM SUGG ESTING TO YOU THAT WHAT HAS HAPPENED IS THE MAGIC WO RD PROFESSIONISM HAS BEEN ATTACKED ON TO THE SAME PROGRAMS THAT HAVE BEEN GIVEN FOR THE PAST 16 YEARS.

SO THE REPRESENTA TIONS B Y THE YOUNG LAWYERS SEC TIONTHAT, NO, THE OFFICE ACCOUNTS AND TRUST ACC OUNT, AND ALL OF THAT HAVE BEEN DRO PPED, THAT THEY A REWRONG.

ALL I CAN TELL YOU IS THAT THEIR WEB SITE CONTRADICTS THEM. THIS IS THEIR WEB SITE.

WHATEVER IT IS, IT IS RIGHT NOW. NOW, WHAT IS YOUR POS ITION AS TO , FIR ST OF ALL WE ARE NOT SURE WH O YOU ARE SPEAKING ON BEHAL F OF, BUT ASSUMING AT LEAST THAT Y OUARE SPEA KING ON BEHAL F OF YOURSELF AND AS SOMEONE THAT WAS A GOVERNMENT LAWYER , ARE YOU TA KING THE POSITI ON THAT THERE SHOULD CONTINUE TO BE A DEFEHRMENT FOR ALL GOVERNMENT LAWYERS?

YES.

AND THAT IS CONTRARY TO THE SECTIONS V IE W .

MR . RIZZ ARDI AND I DISAGREE ON WHETHER THAT IS REALLY THE SECTIONS VI EW. THIS HAS A LONG HIST ORY T HAT I AM NOT GOING TO GET I NTO BUT IT WAS NOT A LOT OF INPUT THROUGHOUT THE BAR PROCESS, BUT LET ME SAY THIS, CLEARLY TO AT LEAST AT LARGE EXTENT, THIS PROGRAM DE ALS WITH PRACTICAL AS PECT OF THE PRACTICE OF LAW AND THAT IS WHAT GOVERNMENT LAWYERS SHOULD BE TAKING WHEN THEY ARE GOING INTO PRIVATE PRACTICE, NOT WHEN THEY ARE GOING INTO GOVERNMENT SERVICE.

CAN YOU IMAGINE THE COURSE BEING INVOLVED, THAT DOES ACTUALLY DEAL WITH ISSUES THAT ARE GENERAL TO ALL LAWYERS COMING OUT? I MEAN, WE HAVE, THEY EMPHASIZE THAT LAW SCHOOLS EMPHASIZE PROFESSIONISM. JUST DEALING, JUST WHAT WE ARE DOING NOW, REPRESENTATIONS YOU MAKE IN COURT, WHETHER YOU HAVE ACCURATE INFORMATION BEFORE YOU MAKE REPRESENTATIONS, ISN'T THAT ALL PART OF PROFESSIONISM THAT, REALLY, IS UNIFORM ACROSS THE BOARD? I MEAN, SO ISN'T THE ANSWER TO, REALLY, WORK, AS I URGED MR. JACOBS TO DO, WITH THE YOUNG LAWYERS SECTION, TO HELP MAKE IT A MEANINGFUL COURSE FOR EVERYBODY?

I WOULD SUGGEST THAT A COURSE OF THAT NATURE COULD BE DEVELOPED, BUT I WOULD SUGGEST TO YOU THAT THE PURPOSE OF THIS COURSE HAS BEEN AND SHOULD BE FOCUSED ON THE BUSINESS SIDE OF THE PRACTICE OF LAW, AND THAT IS WHY GOVERNMENT LAWYERS SHOULD TAKE IT WHEN THEY COME OUT.

THAT APPARENTLY IS NOT THE FOCUS OF THE COURSE ANYMORE, THE BUSINESS SIDE OF THE PRACTICE. THAT CHANGED SOME TIME AFTER 1997. NOW IT IS PRACTICING WITH PROFESSIONALISM. NOW IT IS ONE DAY. THE GOVERNMENT LAWYERS SECTION HAS SAID IT HAS NOW ADDRESSED ALL OF OUR CONCERNS. IT IS TOTALLY RELEVANT TO US WHEREAS BEFORE IT WAS IRRELEVANT TO US, SO WHAT YOU ARE SAYING SEEMS TO BE OBSOLETE IN TERMS OF WHAT THE BAR HAS DONE TO ADDRESS THOSE VERY CONCERNS.

WELL, I CALL YOUR ATTENTION, AGAIN, TO WHAT THE YOUNG LAWYERS PUT ON THEIR WEB SITE AS BEING THE CONTENT OF THIS COURSE, AND I WENT THROUGH EACH OF THESE, LIKE SLIDE PRESENT AGENCIES, PowerPoint.

CHIEF JUSTICE: MR. MUSTO, YOUR TIME HAS EXPIRED.

THANK YOU.

CHIEF JUSTICE: MR. ROMANCE, YOU HAVE A HALF A MINUTE. I DO WANT TO, ACTUALLY WE MAY HAVE, IF YOU HAVE REBUTTAL, WOULD YOU ADDRESS THE FINANCIAL ISSUE.

YES. I WOULD LIKE TO BE VERY CLEAR ABOUT THAT. FIRST OF ALL, THE BAR'S POSITION IS THAT IF THERE IS GOING TO BE A REDUCTION IN THE COURSE, THAT THAT REDUCTION OUGHT TO BE NEED-BASED GENERALLY, NOT SPECIFIC TO ANY AREA OF PRACTICE.

WHAT DO YOU MEAN BY NEED-BASED. HOW IS THAT DEFINED?

TO MY KNOWLEDGE, THERE HASN'T BEEN THE PARAMETERS SET YET, BUT THE COMMITMENT BY THE BAR IS TO, NUMBER ONE, THEY HAVE ALREADY COMMITTED TO PROVIDE SCHOLARSHIPS OF \$75, A CERTAIN NUMBER OF SCHOLARSHIPS PER PROGRAM WHICH ARE NEED-BASED, OF \$75. SO JUST TO BE CLEAR, WE ARE NOT GIVING ALL GOVERNMENT LAWYERS A \$75 REDUCTION.

MY CONCERN, OBVIOUSLY, IF THE NEED-BASED IS ON THE FACT THAT THE ASSISTANT STATE ATTORNEYS AND ASSISTANT PUBLIC DEFENDERS DON'T MAKE AS MUCH MONEY COMING OUT OF LAW SCHOOL AS SOMEONE THAT GOES TO WORK FOR A LARGE LAW FIRM, THEN, EVERY ONE OF THEM IS NEED-BASED, AND I DON'T SEE HOW IT IS PRACTICAL TO HAVE LAWYERS FILE ASSET AND LIABILITY STATEMENTS. I MEAN, THAT, SO THAT IS MY CONCERN, IS HOW ARE YOU GOING TO MAKE THAT JUDGMENT?

WELL, FIRST OF ALL, I WOULD SAY THAT THERE ARE PEOPLE OF GREATER NEED THAN, EVEN GOVERNMENT LAWYERS. THOSE ARE LAWYERS WHO ARE UNEMPLOYED, THOSE LAWYERS STILL REQUIRED TO TAKE THAT COURSE.

DOES THE YOUNG LAWYERS SECTION MAKE MONEY ON THIS, CHARGING \$135 A PERSON? DO

THEY MAKE MONEY?

WELL, I GUESS I HAVE TO ANSWER THAT BY SAYING YES. THE WAY IT WORKS IS THE MONEY COMES INTO THE BAR. A CERTAIN SEGMENT OF THAT MONEY . --

I GUESS THEY MAKE MONEY. WE SEE AND WE KNOW WHAT THE PUBLIC DEFENDERS AND STATE ATTORNEYS IN PARTICULAR, ARE ALWAYS STRUGGLING WITH THEIR BUDGET, AND SO THE ISSUE THAT EVEN IF THEY HAVE TO TAKE IT OUT OF THEIR BUDGET TO PAY FOR THE INDIVIDUALS, THEN IT IS, IT MEANS THAT SOMETHING ELSE IS NOT TAKEN CARE OF, AND I GUESS, AGAIN, TRYING TO WORK THIS OUT, WHY COULDN'T THERE BE A REDUCED AMOUNT FOR GOVERNMENT LAWYERS THAT GOVERNMENT LAWYERS WOULD PAY, WHETHER IT WAS \$100 OR \$75, VERSUS \$135. YOU JUST WOULDN'T MAKE AS MUCH ON THE COURSE.

THERE IS NOT A PROFIT. THE YOUNG LAWYER DOESN'T HAVE THIS WHOLE PILE OF MONEY THAT THEY KEEP, YEAR AFTER YEAR. WHAT THEY DO IS THEY HAVE A CERTAIN AMOUNT OF MONEY THAT IS ALLOCATED TO THEM BY THE BAR FOR THEIR PROGRAMS, WHICH ARE GENERALLY COMMUNITY-BASED PROGRAMS THAT THE YOUNG LAWYERS CARRY OUT EVERY YEAR AND SECOND OF ALL, I AM THINKING IN MY MIND ABOUT THE YOUNG LAWYER WHO GRADUATES FROM LAW SCHOOL WHO DIDN'T HAVE A JOB AT ALL, DIDN'T GET A JOB WITH ANY AGENCY OR FIRM. THEY ARE STILL REQUIRED TO TAKE THAT COURSE. WHAT MAKES THAT PERSON ANYMORE OBLIGATED TO PAY THE \$135 THAN A GOVERNMENT LAWYER, AND SECOND OF ALL THERE IS A \$135 FOR A ONE - DAY COURSE IS NOT A SUBSTANTIAL OBLIGATION FOR AN INDIVIDUAL WHO WANTS TO PRACTICE LAW IN THE STATE OF FLORIDA.

CHIEF JUSTICE: DO YOU HAVE A QUESTION, JUSTICE LEWIS?

THE SECOND ASPECT I WOULD LIKE TO TOUCH ON IN RE BUTTAL WAS RELATING TO THE INPUT. THE YOUNG LAWYERS DIVISION HAS ALREADY CREATED A LIAISON PROGRAM, AND WE HAVE INVITED THE SECTIONS AND WE HAVEN'T DONE IT ALREADY, CERTAINLY THE P.D.'S OFFICE AND STATE ATTORNEYS OFFICE, WE WANT THEIR INPUT, BECAUSE WE ARE COMMITTED TO MAKING THIS PROGRAM WORK. WE WANT THIS PROGRAM TO BE GREAT. WE DON'T WANT IT TO BE RECEIVING COMMENTS AND CRITICISM FROM ANYONE. WE WANT THIS PROGRAM TO BE GOOD, SO WE ARE SOLICITING AND WE HAVE A FORMAL LIAISON PROGRAM THAT THE YOUNG LAWYERS HAVE CREATED TO FORMALLY SOLICIT INPUT ON THE PROGRAMS.

CHIEF JUSTICE: YOUR TIME HAS EXPIRED. ANYBODY ELSE HAVE QUESTIONS? THANK YOU VERY MUCH. THANK YOU TO ALL OF YOU, FOR BEING HERE TODAY.