

IN THE SUPREME COURT
OF FLORIDA

CASE NO. 67,755

STATE OF FLORIDA, et al.,

Appellants,

vs.

WADE POWELL, et ux., et al.,

Appellees.

BRIEF OF INTERVENOR

DADE COUNTY, FLORIDA

ROBERT A. GINSBURG
DADE COUNTY ATTORNEY

BY

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I.

INTRODUCTION

Intervenor, DADE COUNTY, a political subdivision of the State of Florida, established the Dade County Medical Examiner's Office pursuant to Chapter 406 of the Florida Statutes. DADE COUNTY also owns and operates Jackson Memorial Hospital, which is affiliated with the University of Miami School of Medicine (Hospital Center).

On the campus of Jackson Memorial Hospital - University of Miami School of Medicine is the Florida Lions Eye Bank. The Eye Bank is located in the Department of Ophthalmology of the University of Miami School of Medicine.

STATEMENT OF THE FACTS

The number of people benefiting from corneal transplants has increased markedly in the last ten (10) years due to rapid scientific advances and "Medical Examiner" legislation.

In 1976, only five hundred (500) corneas were obtained in Florida for transplants. In 1984 alone, the Dade County Medical Examiner's Office supplied seven hundred twenty-nine (729) corneas to the Hospital Center, and the Broward County Medical Examiner's Office supplied six hundred four (604) corneas to the Hospital Center.

From January 1, 1985 through October 29, 1985, the Dade County Medical Examiner's Office has supplied six hundred two (602) corneas to the Hospital Center, and the Broward County Medical Examiner's Office has supplied two hundred ninety-eight (298) corneas to the Hospital Center.

As the foregoing indicates, corneas supplied by the Medical Examiners' Office in Dade and Broward Counties have been instrumental in restoring sight to the functionally blind citizens of Dade County and improving eyesight for others with impaired vision. (App. I) Without the availability of these donor tissues, two thousand three hundred thirty-three (2,333), who had been blind, could not have had their sight restored. This recovery of sight by citizens of Dade County is directly and solely attributable to the Medical Examiner's law.

In all other respects, DADE COUNTY joins, adopts and supports the Brief filed in this appeal by NORTH FLORIDA LIONS EYE BANK, INC., THE MEDICAL EYE BANK, INC. and FLORIDA LIONS EYE BANK, INC.

Respectfully submitted,



Robert L. Blake
Assistant County Attorney

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Brief of Intervenor was mailed on the 31st day of October, 1985 to: Jim Smith, Attorney General, Miguel A. Olivella, Jr., Assistant Attorney General, Department of Legal Affairs, The Capitol - Suite 1502, Tallahassee, Florida 32301; Donald W. Weidner, Esquire, Associate General Counsel, 760 Riverside Avenue, Jacksonville, Florida 32204; James T. Reich, Esquire, 606 Southwest Third Avenue, Ocala, Florida 32670; Jack Singbush, P.A., Post Office Box 906, Ocala, Florida 32670; Jerome Bornstein, Esquire and Mark P. Lang, Esquire, American Civil Liberties Union, 125 South Court Avenue, Orlando, Florida 32801; Richard B. Collins, Esquire and Craig A. Dennis, Esquire, Perkins & Collins, Post Office Drawer 5286, Tallahassee, Florida 32314; Alan C. Sundberg, Esquire and George N. Meros, Jr., Esquire, Post Office Drawer 190, Tallahassee, Florida 32302; Andrew G. Pattillo, Jr., Esquire, Russell W. LaPeer, Esquire, Post Office Box 1450, Ocala, Florida 32678; Janet W. Adams, Esquire, Adams Hill & Fulford, 333 North Ferncreek Avenue, Orlando, Florida 32803.

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