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April 11, 1988

Mr. Sid White, Clerk
Supreme Court of Florida
Tallahassee, Florida 32399-1927

Re: Case Number 71, 762

Dear Mr. White:

I have reviewed the proposed Rules For Presuit Screening and Court Ordered Arbitration In Medical Malpractice Actions, as published in the April 1, 1988, issue of the Florida Bar News.

There is no justification for the procedures prescribed by Florida Statutes Section 768.57, and these proposed rules for presuit discovery will prove to be too great a burden for the bonafide claimant to shoulder in the face of the mounting aggravation and expense inherent in presuit screening and court ordered arbitration. There is simply no justification for isolating medical malpractice claims and creating this effective denial of access to the courts.

These proposed rules should not be adopted by the Court, which should instead send a signal recommending abolishment of the applicable Florida Statutes governing presuit screening, court ordered arbitration and attorneys' fees in medical malpractice actions.

Sincerely,

Ned Kimmelman
Ned Kimmelman

NK/djk

white.ltr

FILED
SID J. WHITE
APR 14 1988
CLERK, SUPREME COURT
By _____
Deputy Clerk

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