

O/A 10-3-88

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SID J. WHITE
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CLERK SUPREME COURT
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Deputy Clerk

Supreme Court of Florida
Tallahassee, Florida 32399

Re: Case No. 72-671, Interest on trust account

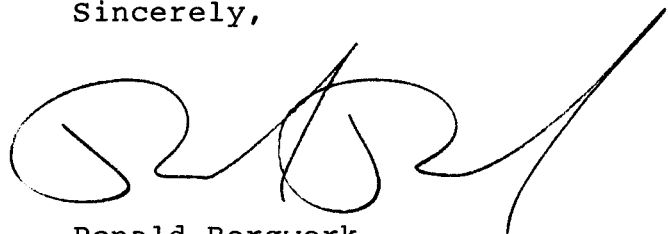
This letter is in response to the invitation for comments on the proposed amendment to the rules regulating the Florida Bar, Rule 5-1.1(d).

I am vehemently opposed to the proposed rule change. Several years ago, the Bar sought to amend the trust account rule to provide for mandatory IOTA. The reaction from members of the Bar was thunderous. The Court specifically responded to the overwhelming opposition and declined to impose a mandatory system, instead opting for a voluntary system.

The voluntary system has proven to be a failure in terms of participation. Eighty percent of attorneys elect not to participate. Rather than address our objections and alter the program, the Bar and foundation have blithely ignored all criticism and instead resort to the iron fist. (By the way, I do not receive any benefits from my bank for keeping my trust account at no interest.)

Thank you for your consideration of these thoughts.

Sincerely,



Ronald Bergwerk

RB/jw