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Please respond to Philadelphia Address

September 25, 1992

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

RE: Pro Bono

FILED

SID J. WHITE

SEP 30 1992

CLERK, SUPREME COURT.

By _____
Chief Deputy Clerk

Dear Mr. White:

As per information contained in the Florida Bar News, September 15, 1992, kindly attach the following comments to Case number 74,538 (Legal Aid).

Although I greatly empathize with the plight of the "poor," I am distressed by my Bar Association's efforts to implement any mandatory Pro Bono program. Earning a living under restrictions and time constraints proposed and/or already implemented is becoming a hardship. To those of you who are so divorced from the day to day rigors of earning enough to support a family, I applaud you. To those who must spend time in the trenches working long, and sometimes lonely, hours to make a living, I commiserate.

It appears that there are many who seem to believe that their mission in life is to leave a "mark" upon society as they pass by. While that mission is laudatory, it need not be mandated and imposed on others..

Mandatory Pro Bono is an enigma since many of us feel very strongly it is important to provide help to people less fortunate. Many of us have, at times in the past, provided that help when time and/or dollars were available. Such is not always the case. These are tough economic times for many facets of our society. Attorneys are no different and no better than other segments. We are no better than doctors, plumbers or street sweepers. We are merely another cog in the wonderful life of which we are all a part. For any person or any governing body to tell me I must set aside my precious time and money merely because that person or governing body thinks it is my duty, is wrong and contrary to some basic precepts.

I can still remember struggling in prior jobs. I don't remember being asked, when I drove trucks, to drive for free part of the time. I can't recall ever being told, when I taught for the Philadelphia Board of Education, that I must teach for free. I don't remember, as a heating and air conditioning mechanic ever being told I must repair or install equipment for free to a person not able to pay. I'm not suggesting I haven't done those things, but merely that I was never "told" I must.

Many of us have worked long hours for little or no compensation because of deep personal commitments to providing help for those in need. I am one of those lawyers. I have donated my services to defend in criminal cases and donated my time and expertise for many domestic relations matters, especially those involving Protection from Abuse Petitions. My actions were largely thankless undertakings. Those non-office clients I worked with, sometimes until two or three in the morning, considered they were getting exactly what they paid for. Nothing! Infinitely more satisfying is dealing with a previously solvent client who needs help today.

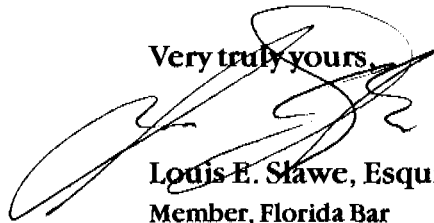
I don't like to bring my Pro Bono involvement into public knowledge. Our Judeo-Christian teaching tells us there is no higher form of charity than that which is done anonymously. I have done, in the past, that which I felt was proper and honorable. It is not for me, my Bar Association, or the Supreme Court of Florida to tell other attorneys what they should do with regarding charitable actions.

What is next? Will the Supreme Court issue a new Ruling that *...every plumber of the State of Florida has an obligation to fix the plumbing of the poor when called upon by the Courts and that each plumber has agreed to that commitment when licensed by the government. Free Plumbing services is part of a plumber's responsibility as a plumber in the State....* The previous is as ridiculous as Pro Bono Decision, 573 So.2nd at 806 which has essentially the same wording.

I suppose the Court could always issue a ruling with blank spaces for the insertion of the profession selected for free services. Why limit it to lawyers or plumbers? Why not free house cleaning services, free television repairs, free cars, free gas, free bus and taxi service. Interestingly that plan didn't work in the old Soviet Union. Unfortunately it took them seventy-five years to find out it didn't work. What makes *The Florida Bar/Florida Bar Foundation Joint Commission on the Delivery of legal Services to the Indigent in Florida* think implementation of mandatory Pro Bono is any different? It is no different! It is contrary to our very moral and political basis. Like it or not, the United States of America is a capitalist society. It seems to be working fine so far.

I for one will continue to provide Pro Bono legal services to people in need as I have in the past. I do not believe my views should be imposed on anyone else. As well, I strenuously object to the Florida "*Joint Commission's*" proposed demands that I provide free services for actions I already perform voluntarily. Please decline to require such involuntary servitude.

Very truly yours,



Louis E. Slawe, Esquire
Member, Florida Bar

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Includes:

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Seven Copies

cc: The Florida Bar News