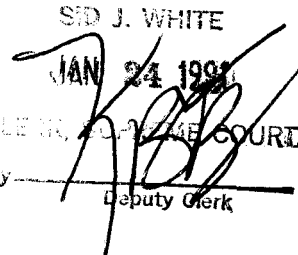


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FILED
SID J. WHITE
JAN 24 1991
CLERK OF SUPREME COURT
By: 
Deputy Clerk

January 22, 1991

Mr. Sid J. White
Clerk of Supreme Court
Supreme Court Building
Tallahassee, Florida 32399

Re: Amendment to Rules of Civil Procedure
Case 77020

Dear Sid:

I have reviewed the official notice in The Florida Bar News of January 15, 1991 giving the text of the proposed standard interrogatories.

I have the following comments on the proposed interrogatories:

1. Interrogatories are supposed to be questions. A large number of those proposed are not questions at all. They are commands. For example, General Personal Injury Negligence Interrogatory to Plaintiff 2 says:

"List the names..."

It could just as easily say:

"What are the names..."

and qualify as an interrogatory.

2. Most of the interrogatories are at least double questions and some of them call for more answers. These should either be separate interrogatories or should be subparts of the basic interrogatory. It is easy to overlook one of the questions when they are combined in a paragraph form of interrogatory. For example, interrogatory 3 of the same set cited above asks for at least six different items.
3. Interrogatory 1 of each set of the general interrogatories is confusing. It uses the terminology "if other than the party to which they are directed". Interrogatories can only be directed to a party. I am sure what is intended is an answer for an organization. If so, a less confusing form is:

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"What is the name and address of the person answering these interrogatories and, if applicable, the person's official position or relationship with the party to whom the interrogatories are directed?"

4. Interrogatories 8 and 5 of the two general sets would be better if they said:

"How did the accident described in the complaint happen, giving all details concerning it and all actions taken by you to prevent the accident?"

5. The word complaint should not be capitalized.
6. The numbering of the sets of interrogatories that are to be added to the general interrogatories should be changed to conform with the numbering of the general interrogatories. For example, medical malpractice interrogatories to plaintiff should begin with 22.
7. The medical malpractice interrogatories to defendant are appropriate only when directed to a natural person. See interrogatories 1 and 2 of the set.
8. Interrogatory 8 of the medical malpractice interrogatories to defendant is either irrelevant or, if relevant, should be made a part of the general interrogatories in each instance.

If the Court decides that any of the foregoing general comments have merit and want me to help in any way in effecting the comments, please let me know.

Yours very truly,

Henry P. Trawick, Jr.

HPT/sf
cc: Judge Cobb
Mr. Berman