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February 28, 1992

**CERTIFIED MAIL**

**FILED**

SID J. WHITE

MAR 2 1992

CLERK, SUPREME COURT

By

*[Signature]*  
Chief Deputy Clerk

The Supreme Court of Florida  
**Attention: Clerk of the Court**  
Supreme Court Building  
500 South Duval Street  
Tallahassee, FL 32399-1927

RE: Petition to Amend Rules Regulating the Florida Bar

Dear Sir:

In regard to subject Petition filed by The Florida Bar on January 31, 1992, this letter addresses Rule 4-7.2 - Advertising.

Subsection (n)(3)

As it exists, this subsection is flawed due to the unduly broad discretion provided to the Bar as to what is "a recognized licensing authority." "Licensing" implies governmental input, yet the Peel case (Peel v. Attorney Registration and Disciplinary Comm'n, \_\_\_\_\_ U.S. \_\_\_\_\_, 110 S.Ct. 2281, 110 L.Ed.2d 83, at 100), has established that national or state membership associations and ensuing credentials therefrom can be disclosed by attorneys as protected "commercial speech."

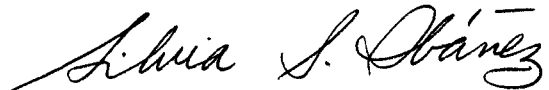
If permitted, under Florida Bar rules and regulations, I strongly urge that in consideration of the U.S. Supreme Court decision of Peel v. Attorney Registration and Disciplinary Comm'n. (courtesy copy attached), that subject rule provide parameters that meet the advertising rules' objectives yet are constitutionally sound. May I suggest that it is feasible to describe a "recognized" entity, whether private or public, national or state, as one that has:

- (1) standards of conduct or code of ethics, and
- (2) continuing education requirements.

The Supreme Court of Florida  
**Attention: Clerk of the Court**  
February 28, 1992  
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If I can help further or answer questions, please advise.  
Thank you.

Respectfully,

A handwritten signature in cursive script that reads "Silvia S. Ibanez".

Silvia S. Ibanez, CPA, CFP, RIA

SSI:vh  
Enc.

cc: Legal Division  
The Florida Bar  
650 Apalachee Parkway  
Tallahassee, FL 32399