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**FILED**  
SID J. WHITE  
FEB 2 1993  
CLERK, SUPREME COURT  
By \_\_\_\_\_  
Chief Deputy Clerk

IN THE SUPREME COURT OF FLORIDA

THE FLORIDA BAR RE:  
PETITION TO AMEND RULES  
REGULATING THE FLORIDA BAR  
(ANTI-DISCRIMINATION)

CASE NO. 81,010

RESPONSE OF JIMMY HATCHER

COMES NOW, JIMMY HATCHER, a pro se litigant, a Constitutional lawyer, a "Friend" of the courts and judiciary and hereby responds to the Joint Petition To Amend Rules Regulating The Florida Bar as filed herein on January 4, 1975 and shows this Honorable Court the following:

1. It is a well known fact that pro se litigants are discriminated against and oppressed by the judges, the lawyers, the Florida Bar and the courts more than any other class or group of persons appearing in the courts of the State of Florida.

2. The language presently proposed for Rule 4-8.4(d) does not properly cover the present, existing discrimination and oppression that is now being experienced by pro se litigants in the courts of the State of Florida.

3. Rule 4-8.4(d) should be approved by this Honorable Court in the following language:

" A lawyer shall not engage in conduct that is prejudicial to the administration of justice, including to knowingly, or through callous indifference, disparage, humiliate, oppress or discriminate against parties, pro se litigants, jurors, witnesses, court personnel, or other lawyers on account of race, ethnicity, gender, religion, national origin, disability, marital status, sexual orientation or age."

4. Three (3) words, OPPRESS, PARTIES and PRO SE have been added to the proposed language which three (3) words greatly improve this anti-discrimination rule.

5. As promulgated by Alan Diamond, Esquire, present president of The Florida Bar, on the President's Page of the January 1993 issue of The Florida Bar Journal:

**" The message is clear ... that ... barriers whether formal or informal must come down."**


6. Judges, lawyers, pro se litigants and victims of the judicial system must unite and vigorously enforce an anti-discrimination rule which returns Constitutional rights that are presently being denied to pro se litigants. This anti-discrimination rule, vigorously enforced could do much to restore public confidence and trust in our system of justice. TIME IS OF THE ESSENCE IN THE MATTER OF RESTORING PUBLIC CONFIDENCE AND TRUST IN OUR SYSTEM OF JUSTICE.

7. The letter attached hereto and marked Exhibit A dated September 4, 1992 from Jimmy Hatcher to Alan T. Diamond, Esquire, President of The Florida Bar, further states the position of this respondent to the said Joint Petition To Amend Rules Regulating The Florida Bar.

REQUEST FOR ORAL ARGUMENT

The undersigned respondent requests that this Honorable Court set this matter for oral argument.

Respectfully submitted this 2<sup>nd</sup> day of February, 1993.

  
Jimmy Hatcher, Pro Se  
Star Route 2, Box 54  
Bristol, Florida 32321  
(904) 648-2655

Certificate Of Service

I HEREBY CERTIFY that a true and correct copy of this document has been served by regular U.S. mail upon the following:

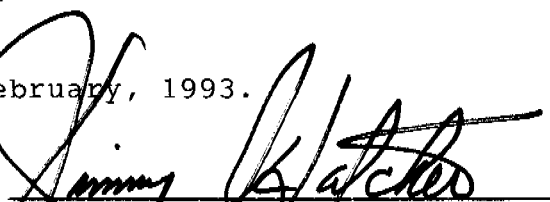
John F. Harkness, Jr., Esq.  
Florida Bar Number 123390  
Executive Director

Alan T. Diamond, Esq.  
Florida Bar Number 111017  
President

Patricia A. Seitz, Esq.  
Florida Bar Number 170617  
President-elect

John A. Boggs, Esq.  
Florida Bar Number 253847  
Director of Lawyer Regulation  
The Florida Bar  
650 Apalachee Parkway  
Tallahassee, FL 32399-2300

on this 2<sup>nd</sup> day of February, 1993.

  
Jimmy Hatcher



Tax Exempt under Section 501 (c) (3) of IRS Code  
**A NON-PROFIT ORGANIZATION**



# Foundation To Fight Corruption

P. O. BOX 1230 • TALLAHASSEE, FL 32302  
ALL FLORIDA TELEPHONE  
 1-800-833-4448

September 4, 1992

Alan T. Diamond, Esquire  
 President, The Florida Bar  
 650 Apalachee Parkway  
 Tallahassee, Florida 32399-2300

In Re: Anti-discrimination rule

Dear Mr. Diamond:

I personally and as President of the Foundation To Fight Corruption, fully support the addition of an anti-discrimination rule to the Rules Regulating The Florida Bar and to the Code Of Judicial Conduct. There is a great need within our system of justice for an anti-bias rule.

Our studies as done over the last seventeen (17) years reveal that pro se litigants are discriminated against more than any other group of persons appearing in our courts. I do not feel that the language as presently proposed for Rule 4 - 8.4(d) sufficiently covers pro se litigants. I personally request that the proposed language for Rule 4 - 8.4(d) be changed to read as follows:

" A lawyer shall not engage in conduct that is prejudicial to the administration of justice, including to knowingly, or through callous indifference, disparage, humiliate, oppress or discriminate against parties, pro se litigants, jurors, witnesses, court personnel, or other lawyers on account of race, ethnicity, gender, religion, national origin, disability, marital status, sexual orientation or age."

Please notice that I have added the three (3) words, oppress, parties and pro se to the proposed language, which, I believe greatly improves the anti-discrimination rule.

Because of some very unusual circumstances I have personally been a pro se litigant in Florida and Federal Courts continuously for the past seventeen (17) years. The atrocities and discrimination I have experienced at the hands of some judges and some lawyers is legion. Judges cannot permit pro se litigants to win a case because the local lawyers will "boil the judges in oil." Further, Judges cannot permit pro se litigants to win cases because Judges depend on lawyers for financial contributions and support in their re-election campaigns. Lawyers cannot afford to lose to pro se litigants because it is a blow to their own egos and because the lawyers' competence and ability would be questioned if the lawyer loses a case to a pro se litigant.

Exhibit A

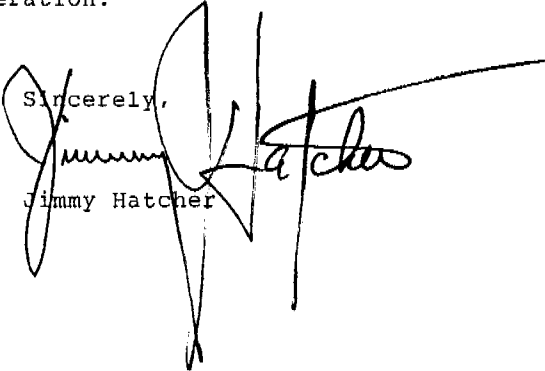
It is my studied opinion that a pro se litigant has no more chance of winning a major civil case in this year 1992 before a state or federal court than a black person had of winning a case before a court in Macon, Georgia or Montgomery, Alabama in the year 1862. Discrimination against pro se litigants today is truly analogous to the tragic and tyrannical discrimination as experienced by black persons or poor persons in our courts.

A vigorously enforced anti-discrimination rule could do much to restore the confidence and trust of the public in our system of justice. TIME IS OF THE ESSENCE IN THIS MATTER!!!

I commend The Florida Bar for the effort made to add an anti-bias rule to the Code Of Judicial Conduct and to the Rules Regulating The Florida Bar. I fully support The Florida Bar in this critical project and hereby offer to share whatever knowledge I have accumulated during seventeen (17) years of being personally discriminated against by lawyers and judges. I am in position to enlighten The Florida Bar Board Of Governors from a viewpoint and perspective that cannot come from within The Florida Bar. Upon invitation from the Board Of Governors, I would be willing to attend the September meeting in Destin and share what I believe would be some constructive comments relative to the anti-bias rule. I would also be happy to respond to questions from the Board Of Governors.

I pray that the Board Of Governors will add the words "oppress", "parties" and "pro se" as I recommend to the language as proposed for Rule 4 - 8.4(d). I thank you in advance for this consideration.

Sincerely,

  
Jimmy Hatcher

cc:

Frank Scruggs, Esquire  
John F. Harkness, Jr., Esquire  
Tony Boggs, Esquire  
John Berry, Esquire