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February 18, 1993

Mr. Sid J. White, Clerk
Supreme Court of Florida
Supreme Court Building
500 S. Duvall Street
Tallahassee, FL 32399-1927

Re: Petition to Amend Rules Regulating the Florida Bar
Case No. ~~81,010~~ 81,010

Dear Mr. White:

I have recently been copied on the above referenced matter and wish to submit a dissenting opinion to the Court. However, it is not apparent that a brief is appropriate in this matter.

However, I submit this letter as a record representing an opposing view to those expressed in the petition. My opposition hinges on the guarantees of the first amendment. It is my concern that the over broad scope of this new proposed rule presents great concerns for religious people who hold the belief that homosexual behavior is immoral. It is because of this concern about the apparent scope of this regulation that I have written this letter.

Absent a definitive ruling from this Court, restricting the obligation of the regulations either by construction or constitutional limitation, this rule will violate the rights of religious attorneys and individuals and will materially impair the cause of religious liberty as protected by the United States Constitution.

This is as well a clear controversy for a good portion of my clientele that morally hold to the belief that the homosexual, bisexual and lesbian lifestyles is in fact immoral.

It is also apparent that the list of member petitioners is very limited and may not even represent one percent of those admitted to the Florida Bar. This limited number of petitioners seems to evidence that the support is lacking on this new rule.

Mr. White, I would appreciate you directing my concern to the Justice involved in handling this matter. If it would appropriate for me to file a brief, I would be more than happy to do so. Please notify me if I might have that opportunity. I appreciate your assistance.

Very truly yours,

WEBSTER & KOHM

by 

LYNNE MARIE KOHM

LMK/mlb

pc: John A. Boggs, Esq.