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LAW OFFICES OF
DOUGLAS K. SILVIS, P.C.
115 SEWARD STREET
P. O. Box 1557
THOMASVILLE, GEORGIA 31799
January 29, 1993

FILED
SID J. WHITE
FEB 3 1993
CLERK, SUPREME COURT
By _____
Chief Deputy Clerk
Tel (912) 228-4258
Fax (912) 228-7586

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DOUGLAS K. SILVIS, J.D.
CHRIS E. AMBROSE, J.D.

The Supreme Court of Florida
c/o Legal Division, The Florida Bar
650 Apalachee Parkway
Tallahassee, Florida 32399-2300

Re: Proposed Rules 4-8.4 (Misconduct) and 4-8.7 (Discrimination)
and comments.

Ladies and Gentlemen of the Court:

The undersigned object to the inclusion of the words "sexual orientation" in subparagraph (d) of Rule 4-8.4 and the comment thereto and further object to the inclusion of the words "sexual orientation" in paragraph 3 of the comments to Rule 4-8.7 (discrimination).

We are concerned that the proposed rules and comments, while seeking to oppose "discrimination", will instead result in an insidious form of reverse discrimination. For example, our practice is strongly oriented toward Christian non-profit organizations and Christian clients who believe, as we personally do, that homosexual conduct is a sin. We are concerned that the proposed rules and comments, particularly because of the reference to "conduct of a lawyer in the lawyer's work place", could be construed to require the hiring of homosexuals. Because of the working relationship necessary in a law office, and because of the working relationship necessary between lawyers, legal staff, and clients, the passage of the above-referenced proposed rules and comments would constitute discrimination against us including a denial of our first amendment right to freedoms of religion, speech, and association. What one person might call "sexual harassment" based on "sexual orientation", a bible-believing Christian may consider to be the proclamation of the word of God.

Professionally and socially, we knowingly interact with persons of a homosexual orientation without calling attention to our beliefs or theirs, and without any discrimination of any kind toward them. However, when it comes to hiring employees or other attorneys, we feel that we should have the right to discriminate.

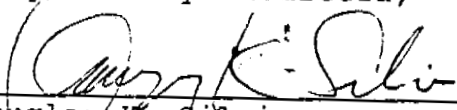
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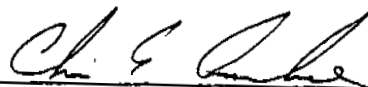
Personally, although we believe sodomy to be a sin which the Bible says infects a nation and should be eradicated, we do not propose that the Bar should disbar or exclude sodomites for their beliefs or for espousing gay rights. Neither should the Bar discipline others who believe their orientation is wrong and say so.

Please reject the above-described rules unless you delete the words "sexual orientation" in each of the above referenced locations.

Respectfully submitted,



Douglas K. Silvis
Florida Bar No. 184256



Chris E. Ambrose
Florida Bar No. 395420

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