

097

FILED
SID J. WHITE

IN THE SUPREME COURT OF THE STATE OF FLORIDA JUN 30 1993
CLERK, SUPREME COURT

IN RE: PROPOSED AMENDMENTS
TO THE CODE OF
JUDICIAL CONDUCT.

CASE NO. 81,685

By _____
Chief Deputy Clerk

RESPONSE OF ROBERT J. BERTRAND

Comes now the Respondent, ROBERT J. BERTRAND, respectfully files this response under the provisions of the Rules of Court and Article I, Section 21 of the Florida Constitution, submits this response to amendments of the Code of Judicial Conduct and the following:

1. The undersigned, supports all of the proposed changes submitted by the Committee on Standards of Conduct Governing Judges. The undersigned supports all the changes and would hereby respectfully submit. exceptions to the proposed amendments as follows:

2. The proposed change to Canon 3(D)(2), Disciplinary Responsibilities, suggest that the judge exercise a discretionary duty by whether or not to report an attorney to the Florida Bar for disciplinary review and proceedings. The amendment should be modified by replacing the 'SHOULD' word by **'SHALL'**. This shall compel the judge to report the attorney to the Florida Bar for corrective action and thereby promoting truth, justice and honesty.

3. The proposed change to Canon 3(E)(1), Disqualification, this rule gives the judge a choice to continue in a proceeding whereby a litigant, a party or an attorney, moves to disqualify a judge for reasons stated.

This creates an uncomfortable presumption of continued prejudicial fears and biased before the pending trial court judge. The proposes amendment should be modified by replacing the 'should' word by the non-discretionary 'SHALL' word.

4. The undersigned supports these changes to further justice and safeguard our courts to support honesty, trust, justice and credibility of our courts.

Respectfully Submitted

Robert J. Bertrand

Robert J. Bertrand
6951 Miami **Lakes** Way
Miami Lakes, Florida, 33141
305-888-7226 office

IN THE SUPREME COURT OF THE STATE OF FLORIDA

IN RE: PROPOSED AMENDMENTS
TO THE CODE OF
JUDICIAL CONDIJCT.

CASE NO. 81,685

RESPONSE OF ROBERT J. BERTRAND

Comes now the Respondent, ROBERT J. BERTRAND, pursuant to Rules 9.320, Rules of Appellate Procedure, and hereby respectfully requests that this Honorable Court grant Oral Argument in this cause.

Respectfully Submitted

Robert J. Bertrand

Robert J. Bertrand
6951 Miami Lakes Way
Miami Lakes, Florida, 33141.
305-888-7226 office