

DOG

THIRD JUDICIAL CIRCUIT OF FLORIDA

COLUMBIA, DIXIE, HAMILTON, LAFAYETTE, MADISON, SUWANNEE AND TAYLOR COUNTIES

JOHN WESTON PEACH
CIRCUIT JUDGE

March 11, 1996

POST OFFICE DRAWER 272 JASPER, FLORIDA 32052 (904) 792-1719

The Honorable Stephen H. Grimes Chief Justice The Supreme Court of Florida Supreme Court Building 500 South Duval Street Tallahassee, FL 32399-1925

87,058

Re: Florida Rule of Judicial Administration 2.072

Dear Chief Justice Grimes:

In regard to the Supreme Court's proposed adoption of Florida Rule of Judicial Administration 2.072, please consider that in multi-county circuits such as the Third where we have five circuit judges for the seven counties, it is sometimes necessary to hold hearings in a county other than the county of venue. It could delay a hearing and certainly would be most inconvenient if the Clerk could not have an attorney deliver the court file to the hearing. Attorneys are subject to Florida Bar regulations, screenings, and other ethical standards, unlike the pro se litigant. I personally have more confidence in the attorney than I do the U. S. Mail that the court file will arrive timely.

I realize the proposed rule has a provision for an exception order by the chief judge or chief justice, but if exception could also be made by written authorization of the Clerk to members of the Florida Bar, it would seem more practical and desirable.

SUGGESTION:

No person other than judges and authorized court employees shall remove court records as defined in Rule 2.075 from the clerk's office except by written permission of the clerk to members of the Florida Bar or by order of the chief judge or chief justice upon a showing of good cause.

FILED
MAR 14 1996

CLUPIC SUPREME COURT

Respectfully yours

John W. Peach Chief Judge