

IN THE SUPREME COURT OF FLORIDA

IN RE: PETITION TO AMEND RULES CASE NO.: SC02-2354
 2-11.1 AND 4-13.2 OF THE
 RULES OF THE SUPREME COURT
 RELATING TO ADMISSIONS TO
 THE BAR

**COMMENTS OF INTERESTED PARTY CAROL PEAKE PASSMAN IN SUPPORT OF
AMENDMENTS TO RULES 2-11.1 AND 4-13.2**

The purpose of this letter is to express my support for the Petitioners' Petition proposing amendments to Rules 2-11.1 and 4-13.2 of the Rules of the Supreme Court Relating to Admissions to the Bar.

My name is Carol Peake Passman and I am a 2000 Barry University School of Law graduate and interested party in the above-referenced Petition for Rule change. The proposed Rule change would resolve the conflict between the current Rules of the Supreme Court Relating to Admissions to the Bar and the existing American Bar Association accreditation process. Either of the proposals would be a fair and equitable remedy for the inconsistencies between the two processes.

I am strongly support the proposed Rule change. The Rules of the Supreme Court Relating to Admissions to the Bar need to be changed not only to protect the affected 109 graduates of Barry University School of Law but also to protect law students at the new unaccredited law schools in the State as well as students at established schools who could at anytime lose their accreditation status. If the Rules of the Supreme Court Relating to Admissions

to the Bar are not changed to conform to the American Bar Association accreditation process, others in the future may regretfully and unforeseeably find themselves in the same predicament as the 109 Barry University School of Law graduates.

The current Rules of the Supreme Court Relating to Admissions to the Bar provide for a twelve (12) month window in which a bar applicant's school must obtain accreditation. If the school does not receive its provisional accreditation within this time frame, the students are the ones to suffer by receiving a virtually worthless degree. The original twelve (12) month time frame was established in 1973 when the accreditation process was typically concluded within that time frame. In 2001, the American Bar Association approved changes to the accreditation process. These changes stripped the House of Delegates of the final say as to whether a school received accreditation. The House of Delegates now has the power to remand the decision back to the Council up to twice. The result is that the time frame for completing the accreditation process can be effectively lengthened from twelve (12) months up to thirty-six (36) months. I am of the strong belief the Rules of the Supreme Court Relating to Admissions to the Bar must be amended and brought into compliance with the American Bar Association accreditation process.

The American Bar Association accreditation process provides for an appeals process. If the Rules of the Supreme Court

Relating to Admissions to the Bar are not changed as Petitioner proposes, the appeals process is meaningless for Florida schools seeking accreditation.

I agree with the purpose of the present Rule in ensuring bar applicants are educationally deserving of practicing law. However, the purpose of the Rule is archaic and outdated as a result of the changes in the American Bar Association accreditation process. The site visit upon which Barry University School of Law was granted its accreditation was conducted in February 2001. Students with whom I attended classes delayed graduation so they graduated within the twelve (12) month window. Those who did so were found to be educationally deserving of sitting for the Bar exam and becoming attorneys all because they graduated within twelve (12) months of the school receiving provisional accreditation. I fail to see how a twelve (12) month cut off date establishes a student is better equipped to practice law when both classes of students received identical educations.

Many of the 109 graduates, myself included, have re-enrolled in law school to enable us to practice in this noble profession. We have suffered great personal and financial sacrifices as a result of our decision to do so. We have more accredited hours at a provisionally approved law school than Barry University School of Law students who graduated within the twelve (12) month window provided by the current Rules of the Supreme Court

Relating to Admissions to the Bar. I feel the quality of education I received at Barry University School of Law was equal to if not better than that of graduates at other fully accredited law schools. Often Judges and lawyers have commented on the outstanding education as well as practical experience we received while at Barry University School of Law. The school has risen from an unknown entity to a beacon in the community. We have surpassed other fully accredited schools in competitions, thus proving we are educationally deserving.

A twelve (12) month rule no longer accomplishes the goal it was initially designed to. As such, it needs to be amended to be brought into conformity with the American Bar Association accreditation process. Therefore, I respectfully recommend that this Court grant the Petition to Amend Rules 2-11.1 and 4-13.2 of the Rules of the Supreme Court relating to admission to the Bar.

Respectfully Submitted,

CAROL PEAKE PASSMAN
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Certificate of Service

I hereby certify that the **original and nine (9) copies** of the foregoing have been served by **U.S. Mail** to **Thomas D. Hall, Clerk of the Supreme Court, Florida**, 500 South Duval Street, Tallahassee, Florida 32399-1927, and a true and correct copy of the foregoing has been served by **U.S. Mail** on **Matthew D. Staver, Attorney for Petitioners**, 210 Palmetto Avenue, Longwood, Florida 32750 on this _____ day of July, 2003.

I hereby certify that this comment is printed in 12-point Courier New.

CAROL PEAKE PASSMAN