July 10, 2003

Supreme Court of Florida
500 South Duval Street
Tallahassee, FL 32399-1927

Re: Petition to Amend Rules 2-11.1 and 4-13.2 of the Rules of the Supreme Court Relating to Admissions to the Bar; Petitioners: The Orange County Bar Association & Thomas B. Drage, Jr., Esq.; Case No: SC02-2354

Dear Mr. Chief Justice and Messrs. and Mmes. Justices:

I am writing to express my support for the above-referenced 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. I have been a member of the Florida Bar since 1997.

I support the petition because the ABA has changed its accreditation procedure, increasing the time of the final decision for accreditation from one year previously to currently up to three years from the date of the initial ABA site visit. When the ABA accreditation process could be completed within 12 months, the requirement that "an applicant must have received the degree of Bachelor of Laws or Doctor of Jurisprudence from an accredited law school (as defined in 4-13.2) at a time when the law school was accredited or within 12 months of accreditation. . . ." made sense.

A law school must complete a full year of full time classes before it may apply for provisional approval. Under the previous ABA accreditation procedure, a student who began full time classes at the time a new law school first offered such classes could expect to know whether the school had achieved provisional accreditation by the end of his or her second year. If the ABA had granted provisional accreditation, the student could continue at that school secure in the knowledge that he or she would be eligible to take the bar exam after graduating. If the ABA had not granted provisional accreditation, the student could decide to begin again at another, accredited law school or delay his or her graduation (by taking a leave of absence or taking fewer courses).

Under the new ABA accreditation procedure, a student beginning full time classes at the time a new law school first offered such classes might have no idea whether the law would achieve provisional accreditation until after the student had graduated (as happened to many Barry graduates). Under these circumstances, the "12-month rule" seems overly restrictive and

unfair to students at new law schools. Additionally, as noted in the petition, a student at an accredited law school could also face these problems if the ABA decided to revoke the law school's accreditation.

For these reasons, I support the Second Proposal of the petition. The Second Proposal would allow graduates of an accredited law school to take the bar exam if the law school's application for approval and the initial site visit by the ABA occurred prior to or within 12 months of graduation. It is logical to use the date of the initial site visit as the "trigger" date, because the decision for accreditation is based on the results of that site visit. If the Council of the ABA Section of Legal Education and Admissions to the Bar (the "Council") grants accreditation, it is because the law school was found worthy of accreditation *at the time of the site visit*. Thus, those students attending the law school *at the time of the site visit* are worthy of the opportunity to take the bar exam, and their admission to the Florida Bar should depend on their bar exam results and their fitness to practice law as determined by the Florida Board of Bar Examiners.

I respectfully request that the current rule be changed to the Second Proposal, or alternatively, the First Proposal, and I urge the Court to take action and change the rules at issue.

Respectfully submitted,

Vivien J. Monaco
Assistant County Attorney
Bar No. 0126500

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was furnished by U.S. Mail this ________ day of July, 2003 to **MATHEW D. STAVER, ESQUIRE**, 210 Palmetto Avenue, Longwood, FL.

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Vivien J. Monaco

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