

CRANSHAW LAW FIRM
ATTORNEYS AT LAW

479 N.U.S. HIGHWAY ONE
ORMOND BEACH, FLORIDA 32174

TODD M. CRANSHAW, P.A.
MICHAEL SLICK

TELEPHONE (386)615-0515
FACSIMILE (386)615-0616
EMAIL cranshawlawfirm@cfl.rr.com

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Florida Supreme Court
500 South Duval Street
Tallahassee, FL 32399

Dear Sir/Madam:

Please accept this comment in response to the proposed medical malpractice fees rule.

I have been a practicing medical negligence defense attorney for the past seventeen years. I dare say that there are few, if any, categories of cases which are more costly and complex than malpractice cases. For these reasons the public will ultimately be prejudiced by this amendment because fewer qualified lawyers will be willing to handle malpractice cases. Under a simple risk/benefit analysis, fewer cases will be brought. Ultimately, the public may not have outright denial of access to the courts, but they will most certainly have compromised or qualified access.

Of no less importance to me is the notion that a special interest group can successfully wield a constitutional ballot, and have the public arbitrarily limit the income a citizen in this state can earn. Who is next? Will our state be telling real estate brokers that they can only charge a 1% commission on sales transactions? Will we vote to limit the hourly rates of plumbers and electricians?

Respectfully submitted,

Todd M. Cranshaw

TMC/md

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing was sent by U.S. Mail delivery on the 24th day of August, 2005 to John F. Harkness, Jr., Executive Director of the The Florida Bar, 651 E. Jefferson Street, Tallahassee, Florida, 32399-2300, and Stephen H. Grimes, Post Office Drawer 810, Tallahassee, Florida, 32302.

TODD M. CRANSHAW, ESQ.
Florida Bar No.: 776882
MICHAEL SLICK, ESQ.
Florida Bar No.: 0161276
CRANSHAW LAW FIRM
479 N. U.S. Highway One
Ormond Beach, FL 32174
(386) 615-0515