

**IN THE SUPREME COURT OF FLORIDA**

**IN RE: AMENDMENT TO THE RULES  
REGULATING THE FLORIDA BAR-  
RULE 4.15(f)(4)(B) OF THE RULES OF  
PROFESSIONAL CONDUCT**

---

**CASE NO.:SC05-1150**

**COMMENT RE AMENDMENT THREE**

To Whom It May Concern:

I write this letter in opposition to the proposed rule on Amendment 3. The realm of Amendment 3 is far larger than what its proponents disclose to the public. Amendment 3 does not just affect the amount of attorney's fees one can receive from a medical malpractice case, but it also has a crippling effect on the public, the same people who may be subject to medical malpractice. Despite claims by its proponents that Amendment 3 will protect plaintiffs by guaranteeing them a larger recovery, Amendment 3 does the contrary. Amendment 3 renders the issue of attorney's fees moot, as it restricts a claimant's access to court by making claim representation cost prohibitive for most attorneys. As possible plaintiffs will have no access to court, they will be unable to be compensated for the negligent acts committed upon them by individuals in the medical field. Consequently, Amendment 3 does away with the checks and balances needed to ensure the safety and efficiency of the Florida healthcare system.

Amendment 3 also has a direct effect on the standard of care as it relates to the practice of medicine in the State of Florida. As Plaintiff's will have no remedy against healthcare professionals to hold them responsible for their negligent acts, the standard of care in the State of Florida will drastically decline, thus putting the same citizens that Amendment 3 purports to protect, at risk.

Amendment 3 is not about attorney's fees. Amendment 3 is about efficient health care and access to courts. The proposed rule Amendment 3 will make it burdensome for Floridians to receive adequate healthcare, a burden that the citizens of the great State of Florida should not have to bear. Furthermore, Amendment 3 denies Floridians their constitutional right to be heard in court. As members of the legal profession, we took an oath to support the Constitution of the United States and the Constitution of the State of Florida. Your opposition to the proposed rule Amendment 3 will ensure the upholding of the Constitutions of the United States and State of Florida, as well as efficient healthcare and access to courts to all Floridians.

Respectfully Submitted,  
***PARKS & CRUMP, LLC***  
240 N. Magnolia Drive  
Tallahassee, FL 32301

---

**STENISE L. ROLLE, ESQ.**  
**FBN:0582174**

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished via US Mail to: John F. Harness, Jr., Executive Director of the Florida Bar, 651 E. Jefferson Street, Tallahassee, FL 32399-2300 and Stephen H. Grimes, Post Office Drawer 810, Tallahassee, FL 32303 this 18<sup>th</sup> of October, 2005.

---

STENISE L. ROLLE, ESQ.