

**IN THE SUPREME COURT OF FLORIDA**

**IN RE: AMENDMENTS TO THE FLORIDA  
RULES OF JUDICIAL ADMINISTRATION–  
REORGANIZATION OF THE RULES**

---

**CASE NO.: SC05-1588**

**COMMENT ON THE PROPOSED REORGANIZATION  
OF THE RULES OF JUDICIAL ADMINISTRATION**

As a former member of the Rules of Judicial Administration Committee and a former member of the subcommittee who was actively involved in submitting recommendations on the proposed reorganization of the Rules of Judicial Administration, I offer the following comment concerning the titles of proposed Rule 2.225(c) [current Rule 2.125(c)], proposed Rule 2.230(d) [current Rule 2.053(d)], proposed Rule 2.235(d) [current Rule 2.054(d)] and proposed Rule 2.505(b) [current Rule 2.060(b)]. I also point out a typographical error in one of the subsections in proposed Rule 2.265 [current Rule 2.110].

**Proposed Rule 2.225(c) [current Rule 2.125(c)]**

Philosophically, I believe rule titles and rule subsection titles should be as concise as possible, with no unnecessary words. Although a longer title or subsection title may more accurately convey the entire content of a rule or subsection, a person should be able to merely glance at the title of a rule or subsection to glean its content without having to wade through a longer title. The Rules of Judicial Administration Committee seemingly concurred with this philosophy in their reorganization of the Rules.

There are three rule subsection titles, however, that were apparently overlooked when implementing this “no unnecessary words” philosophy. In this vein, I suggest the title of proposed Rule 2.225(c) [current Rule 2.125(c)] be amended as follows:

**PART II. STATE COURT ADMINISTRATION**

~~2.125~~ 2.225 JUDICIAL MANAGEMENT COUNCIL

- (a) Creation and Responsibilities
- (b) Schedule of Reports
- (c) ~~Supreme Court~~ Action by Supreme Court or Chief Justice on Recommendations ~~by the Judicial Management Council~~
- (d) Membership and Organization
- (e) Staff Support and Funding

This suggested amendment to the title of Rule 2.225(c) adds the words “or Chief Justice” for consistency with proposed Rule 2.230(d) [current Rule 2.053(d)] and proposed Rule 2.235(d) [current Rule 2.054(d)].

**Proposed Rule 2.230(d) [current Rule 2.053(d)]**

Following the above-referenced philosophy, I suggest the title of proposed Rule 2.230(d) [current Rule 2.053(d)] be amended as follows:

~~2.053~~ 2.230 TRIAL COURT BUDGET COMMISSION

- (a) Purpose
- (b) Responsibilities
- (c) Operational Procedures
- (d) Action by Supreme Court or Chief Justice on Recommendations ~~of Trial Court Budget Commission~~
- (e) Membership and Organization
- (f) Staff Support and Funding

**Proposed Rule 2.235(d) [current Rule 2.054(d)]**

Following the above-referenced philosophy, I suggest the title of proposed Rule 2.235(d) [current Rule 2.054(d)] be amended as follows:

~~2.054~~ 2.235 DISTRICT COURT OF APPEAL BUDGET COMMITTEE

- (a) Purpose
- (b) Responsibilities
- (c) Operational Procedures
- (d) Action by Supreme Court or Chief Justice on Recommendations ~~of the District Court of Appeal Budget Commission~~
- (e) Membership and Organization
- (f) Staff Support and Funding

**Proposed Rule 2.505(b) [current Rule 2.060(b)]**

The title of proposed Rule 2.505(b) [current Rule 2.060(b)] currently reads: “Persons Employed by the Court Not to Practice.” Although the first sentence of this rule provides a general prohibition on a full-time court employee from practicing law, the second sentence of this rule reads: “Any attorney designated by the chief justice or chief judge may represent the court, any court employee in the employee’s official capacity, or any judge in the judge’s official capacity, in any proceeding in which the court, employee, or judge is an interested party.” Therefore, a more accurate title for this rule would be: “Practice by Persons Employed by the Court.” In that vein, I suggest proposed Rule 2.505(b) [current Rule 2.060(b)] be amended as follows:

**PART V. PRACTICE OF LAW**

**A. ATTORNEYS**

~~2.060(a)(b)(f)(g)(h)(i)(j)(k)~~ 2.505 ATTORNEYS

- (a) Generally Scope and Purpose
- (b) Practice by Persons Employed by the Court Not to Practice
- (c) Attorney Not to Be Surety
- (d) Stipulations
- (e) Appearance of Attorney
- (f) Termination of Appearance of Attorney
- (g) Law Student Participation
- (h) Attorney as Agent of Client

**Proposed Rule 2.265(d) [current Rule 2.110(d)]**

In what appears to be a mere typographical error, I suggest the subsection letter of the “second” proposed Rule 2.265(d) [current Rule 2.110(d)] be amended as follows:

~~2.110~~ 2.265 ADMINISTRATION OF MUNICIPAL ORDINANCE VIOLATIONS

- (a) References to Abolished Municipal Courts
- (b) Costs in County Courts
- (c) Collection of Outstanding Fines
- (d) Judicial Notice of Municipal Ordinances
- ~~(d)~~ (e) Style of Municipal Ordinance Cases

Respectfully submitted this 14th day of February, 2006.

---

David A. Rowland  
General Counsel, Thirteenth Judicial Circuit  
800 East Twiggs Street, Suite 603  
Tampa, Florida 33602  
(813) 272-6843  
Florida Bar #: 861987

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing “Comment on the Proposed Reorganization of the Rules of Judicial Administration” has been furnished to the Honorable Winifred J. Sharp, Fifth District Court of Appeal, 300 South Beach Street, Daytona Beach, Florida 32114-5002, by U.S. Mail this 14<sup>th</sup> day of February 2006.

---

David A. Rowland