IN THE

SUPREME COURT OF FLORIDA

IN RE: STANDARD JURY
INSTRUCTIONS IN CRIMINAL
CASES (NO. 2005-2)

Case No. SC05-960

COMMENTS OF THE FLORIDA ASSOCIATION OF CRIMINAL DEFENSE LAWYERS

The Florida Association of Criminal Defense Lawyers ("FACDL") supports the revisions to Florida Standard Jury Instruction (Crim.) 7.11 (Penalty Proceedings – Capital Cases) proposed by the Committee on Standard Jury Instructions in Criminal Cases. However, FACDL's support for the revisions to the instruction is qualified by the reasoning set forth in FACDL's comments filed in Case Number SC05-1890 (pertaining to the revisions to Florida Standard Jury Instruction (Crim.) 7.11 proposed by the Criminal Court Steering Committee).

CERTIFICATE OF SERVICE

I HEREBY CERTIFY a true and correct copy of the foregoing instrument

has been furnished to:

The Honorable Dedee S. Costello Bay County Courthouse P.O. Box 1089 Panama City, Florida 32402-1089

by mail delivery this 3rd day of January, 2006.

Respectfully submitted,

/s/ Paula S. Saunders
PAULA S. SAUNDERS
Co-Chair, FACDL Amicus Curiae
Committee
Office of the Public Defender
Leon County Courthouse
301 South Monroe Street
Tallahassee, Florida 32301
(850) 488-2458/fax (850) 487-7964
FL Bar No. 308846

/s/ Michael Ufferman
MICHAEL UFFERMAN
Co-Chair, FACDL Amicus Curiae
Committee
Michael Ufferman Law Firm, P.A.
660 East Jefferson Street
Tallahassee, Florida 32301
(850) 386-2345/fax (850) 224-2340
FL Bar No. 114227

Amicus Counsel for FACDL