

IN THE SUPREME COURT OF FLORIDA

IN RE: PETITION FOR APPROVAL OF  
REVISIONS TO SIMPLIFIED  
FORMS PURSUANT TO  
RULE 10-2.1(a) OF THE RULES  
REGULATING THE FLORIDA BAR

CASE NO.

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PETITION FOR APPROVAL OF REVISIONS TO SIMPLIFIED FORMS  
PURSUANT TO RULE 10-2.1(a) OF THE RULES REGULATING THE  
FLORIDA BAR

The Board of Governors of The Florida Bar hereby petitions the Supreme Court of Florida, pursuant to Rule 10-2.1(a) of the Rules Regulating The Florida Bar, for approval of revisions to the following simplified forms and in support thereof says:

1. Rule 10-2.1(a) of the Rules Regulating The Florida Bar allows “nonlawyers to engage in limited oral communications to assist individuals in the completion of legal forms approved by the Supreme Court of Florida.” Pursuant to the rule, oral communication between the nonlawyer and the individual being assisted is restricted to those communications reasonable necessary to elicit factual information to complete the blanks in the forms.

2. Since the implementation of rule 10-2.1(a) in 1987, The Florida Bar has developed, and this court has approved, simplified forms for use by nonlawyers.

3. Recently, the Real Property, Probate and Trust Law Section of The Florida Bar (hereinafter "the Section") proposed revisions to several Court-

approved simplified forms. The Board of Governors of The Florida Bar has voted to submit revisions to the forms to the Court for review and approval. The forms are as follows:

Residential Lease for Single Family Home and Duplex (for a term not to exceed one year) 2000 version

Residential Lease for Apartment or Unit in Multi-Family Rental Housing (Other than a Duplex) Including a Mobile Home (for a term not to exceed one year)

Residential Landlord-Tenant Forms

The forms were last revised in 1998 and 2000. The proposed changes in the present matter primarily reflect statutory changes.

4. A copy of the forms in legislative format is attached in “Appendix A.” A copy of the forms as amended is attached in “Appendix B.”

5. In addition to revising the simplified forms, the Section is recommending deletion of the following forms:

Residential Lease for Unit in Condominium or Cooperative (for a term not to exceed one year)

Residential Lease for Single Family Home and Duplex (for a term not to exceed one year) 1992 version

The Section felt that the 2000 Residential Lease for Single Family Home and Duplex was better than the 1992 version and that it should be used in lieu of the older form. Similarly, the multi-family form and the condominium and cooperative unit form appeared to be virtually identical except that the latter had one extra paragraph dealing with condominium and cooperative documents. The Section combined these two forms into one. The deleted forms are attached hereto in "Appendix C." The Board of Governors approved the deletion of these forms.

6. Prior to presenting the lease forms to the Board of Governors, the Section forwarded the lease forms to the Florida Association of Realtors® and the Housing Group of Florida Legal Services, Inc. as both groups participated in the 2000 revision of the forms. Both groups suggested changes. The material changes were incorporated into the forms. In addition, the residential landlord-tenant forms were presented to the Housing Group of Florida Legal Services, Inc. as they commented on the original forms and the 1998 revisions. The Housing Group suggested changes, most of which were incorporated into the final forms. Again, the primary changes in the forms reflect statutory changes since the forms were last amended in 1998 and 2000. Notice of the filing of the forms was published in *The Florida Bar News* on January 1, 2009, with a link to The Florida Bar's website. One comment was received, a copy of which is attached hereto in Appendix "D" as is The Florida Bar's response to the comment.

WHEREFORE, Petitioner prays as follows:

1. That this court approve the aforementioned changes and deletions to the simplified forms noted above.

Respectfully submitted,

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