

March 24, 2010

Honorable Robert Williams Lee  
Broward County Courthouse  
201 SE 6<sup>TH</sup> Street, Ste., 331  
Fort Lauderdale, Fl 33301-3372

Re: Letter Supporting Rule 7.090 Modifications

Dear Judge Lee:

The County Court Judges of the Fourth Judicial Circuit, which encompasses Duval, Clay and Nassau Counties, support the amendment to Rule 7.090, which adds the words, "by a judge." We firmly believe that it is our judicial responsibility to be present at Pre-Trial to address the matters that "shall be considered," that are consistent with Rule 7.090(b). We agree that the public is entitled to have a member of the judiciary preside at the Pre-Trial in order to make a determination of the issues.

We are opposed to the use of Clerks as the presiding officer at Pre-Trial. Even though we recognize that some smaller counties may have problems with having a judge at the proceedings if a judge is either ill, or unable to preside for a given reason and may desire to have a hearing officer preside in their absence. The judges in the smaller counties of Clay and Nassau support the amendment.

The judges in the Fourth Judicial Circuit stand ready to assist and to be of service to the public. By presiding over Pre-Trial, we instill confidence in the judiciary and insure that consumers in the public understand the process. To the public consumer, a claim is never "small," but one which has a large impact on their personal lives.

In Duval County, judges are assigned to preside over Pre-Trial on Thursday afternoon of each week. Further, our appearance at the Pre-Trial Conference is consistent with the language found in

the mandatory form 7.322, which is currently in use. We are pleased that more counties are currently assigning judges to the Pre-Trial Conference.

If I can be of further assistance, please feel free to contact me.

Sincerely,

Pauline M. Drake

PMD/aji