

IN THE SUPREME COURT OF FLORIDA

IN RE: AMENDMENTS TO THE RULES
REGULATING THE FLORIDA BAR -
10-9.1 (PROCEDURE FOR ISSUANCE OF
ADVISORY OPINIONS ON THE UNLICENSED
PRACTICE OF LAW)

CASE NO.

THE FLORIDA BAR, pursuant to R. Regulating Fla. Bar 1-12.1, petitions this court for an order amending the Rules Regulating The Florida Bar and further requests any necessary waiver of R. Regulating Fla. Bar 1-12.1 applicable to these proceedings. As grounds, The Florida Bar (“the bar”) states the following:

I. Florida Bar Board of Governors Action

This petition has been authorized by the Board of Governors of The Florida Bar.

The amendments and action proposed in this petition were specifically approved by the Board of Governors of The Florida Bar on December 10, 2010.

All requested amendments were promulgated in full compliance with applicable rules and policies, including review by both the Program Evaluation Committee and the Budget Committee of the Board of Governors of The Florida Bar, respectively, for consistency with the bar’s strategic plan and for fiscal impact.

II. Discussion of Proposed Amendments

The bar proposes amendments to the procedures for the issuance of advisory opinions in Rule 10-9.1. The rule currently prohibits the Standing Committee on Unlicensed Practice of Law (“committee”) from issuing an advisory opinion if there is a pending case or controversy in a Florida court or tribunal. The Supreme Court of Florida, in *Harold Goldberg v. Merrill Lynch Credit Corp.*, 35 So. 2d 905 (Fla. 2010), directed the bar to propose a rule change that would allow the committee to render a formal advisory opinion with respect to a pending case or controversy when the Supreme Court of Florida has not previously ruled that such activity is the unlicensed practice of law. The Clerk of Court, in a June 2010 letter, requested that

the bar study and propose amendments to make the Subchapter 10 rules consistent with *Harold Goldberg v. Merrill Lynch Credit Corp.*, 35 So. 2d 905 (Fla. 2010). The proposed amendments were to be included in the bar's next regular rule change submission. Because the bar was going to be filing its next rule amendment submission within the next several months the bar filed a motion for extension of time to file proposed amendments to the Subchapter 10 rules. In its motion, the bar indicated that it would file the amendments as soon as they were ready instead of waiting until the 2013 rules submission. This motion was granted in a June 2010 letter from the Clerk of Court.

The amendments would require the committee to issue a formal advisory opinion despite a pending case or controversy under circumstances described by the Court in *Harold Goldberg v. Merrill Lynch Credit Corp.*, 35 So. 2d 905 (Fla. 2010) when the Court has not previously ruled that such activity is the unlicensed practice of law.

Oftentimes, the question presented in a request for formal advisory opinion is lengthy, making it expensive to publish the public hearing notice in the newspaper. The proposed change will reduce the costs of providing public notice by amending the public hearing notice requirement so that the newspaper advertisement, instead of including the full question presented, need only include a general description of the subject matter of the request along with the bar website and address where a full copy of the question presented can be obtained.

III. Summary and History of Amendments

Consistent with this court's administrative order No. AOSC 06-14 of June 14, 2006 in *In Re: Guidelines for Rules Submissions*, each of these entries provides information regarding the development of these proposals as specified in Part III of the court's guidelines regarding petitions to amend the Rules Regulating The Florida Bar: *i.e.*, an explanation of each amendment; the reasons for each change; the sources of each proposal; the names of groups or individuals who commented or collaborated on a proposal during its development; voting records of pertinent committees and the bar's governing board; and, dissenting views within the board, if any, regarding each proposal.

Chapter 10 Rules Governing the Investigation and Prosecution of the Unlicensed Practice Of Law
Subchapter 10-9 Advisory Opinions

Rule 10-9.1 Procedures for Issuance of Advisory Opinions on the Unlicensed Practice of Law

Explanation:

Within subdivision (c), requires the standing committee to issue a formal advisory opinion despite a pending case or controversy under circumstances described by the Court in *Harold Goldberg v. Merrill Lynch Credit Corp.*, 35 So. 2d 905 (Fla. 2010).

Within subdivision (f)(1), amends the public notice requirement for a hearing so that the newspaper advertisement, instead of including the full question presented, need only include a general description of the subject matter of the request along with the bar website and address where a full copy of the question presented can be obtained.

Reasons:

In *Harold Goldberg v. Merrill Lynch Credit Corp.*, 35 So. 2d 905 (Fla. 2010), the Court directed the bar to propose a rule change that would allow the committee to render a formal advisory opinion with respect to a pending case or controversy when the Court has not previously ruled that such activity is the unlicensed practice of law. The Clerk of Court, in a June 2010 letter, requested that the bar study and propose amendments to make the Subchapter 10 rules consistent with above-referenced case.

Oftentimes, the question presented in a request for formal advisory opinion is lengthy, making it expensive to publish the public hearing notice in the newspaper. The proposed change will reduce the costs of providing public notice.

Source: Standing Committee on Unlicensed Practice of Law

Background Information – Member Commentary / Committee Action:

- Initiated by the Standing Committee on Unlicensed Practice of Law and favorably reported by voice vote of 27-0 at its June 2010 meeting.
- The Rules Committee favorably reported substantive and procedural review by voice vote of 6-0 on August 30, 2010 conference call.
- Budget Committee favorably reported fiscal review by ballot vote of 9-0 on August 31, 2010.
- Program Evaluation Committee favorably reported by unanimous vote on September 30, 2010.

- On October 1, 2010 board meeting agenda for first reading.
Board Action: Board of Governors approved on consent on December 10, 2010.

IV. Official Notice

Pursuant to R. Regulating Fla. Bar 1-12.1(g), formal notice of intent to file the proposals in this petition was published in the January 1, 2011 issue of *The Florida Bar News*. A photocopy of that published notice, printed from the Internet version of that *News* issue is included with this petition, in Appendix C. This notice can also be found at:

<http://www.floridabar.org/DIVCOM/JN/jnnews01.nsf/Articles/37730A2FBF446FD4852577FA0058D361>.

VI. Other Pending Petitions

Four other filings approved by the board of governors and seeking separate amendments to the Rules Regulating The Florida Bar have already been tendered to this court and are still pending – *Petition to Amend The Rules Regulating The Florida Bar – Biannual Filing 2010*, No. SC10-1967 (filed October 15, 2010); *Petition to Amend The Rules Regulating The Florida Bar – Biannual Filing Housekeeping 2010*, No. SC10-1968 (filed October 15, 2010); *In re: Amendments to the Rules Regulating The Florida Bar – Rule 4-7.6, Computer Accessed Communications*, Nos. SC08-1181 and SC10-1014 (filed June 1, 2010).

The proposed amendments within the instant filing are unrelated to these four different rules matters and may be considered independent of them.

VII. Appendices

The complete text of all proposals is included in Appendix A to this petition, presented in legislative format (*i.e.*, deleted language struck through, shown first, followed by new language underlined).

A separate two-column presentation follows within Appendix B, which includes extracted text of affected rules, proposed amendments, and an abbreviated recitation of the reasons for such changes, which are more fully stated in this petition.

As discussed above, the notice of intent to file this petition is included in Appendix C.

As discussed above, the request from the Court is included in Appendix D.

VIII. Response to Proposed Amendments

The bar has received no comments regarding the proposed amendments within this petition. However, in anticipation that comments may be provided to this court in response to this filing, the bar requests leave to file a reply to all such commentary, no later than 20 days after the 30-day period for comment in response to this petition has expired pursuant to R. Regulating Fla. Bar 1-12.1(g).

IX. Oral Argument

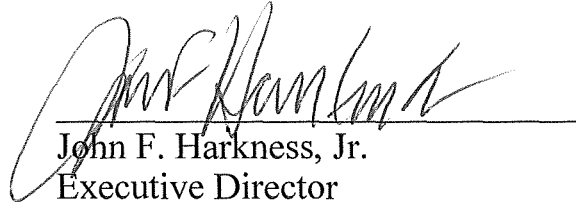
The bar does not presently seek oral argument of any matters within this petition, absent further court order or any intervening comments of significance on these proposed amendments that might require additional response or appearance.

X. Effective Date of Court Order

As to the amendments sought in this filing, the bar requests that any changes be made effective 30 days after the date of this court's order, to provide the bar with the time necessary to implement the order and inform bar members of the amendments.

WHEREFORE, The Florida Bar prays this court will enter an order amending the Rules Regulating The Florida Bar requested in this petition.

Respectfully submitted,



John F. Harkness, Jr.
Executive Director
Florida Bar Number 123390

Mayanne Downs
President 2010-11
Florida Bar Number 754900

Elizabeth Clark Tarbert
Ethics Counsel
Florida Bar Number 137430

Nancy Wood Gregoire
Chair, Rules Committee 2010-11
Florida Bar Number 475688

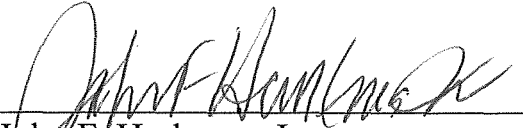
Lori S. Holcomb
UPL Counsel
Florida Bar Number 501018

The Florida Bar
651 East Jefferson Street
Tallahassee, Florida 32399-2300
850/561-5600

April 1, 2011

CERTIFICATE OF TYPE SIZE AND STYLE

I HEREBY CERTIFY that this petition is typed in 14 point Times New Roman Regular type.




John F. Harkness, Jr.
Executive Director
Florida Bar Number 123390

April 1, 2011

CERTIFICATE OF READ-AGAINST

I FURTHER HEREBY CERTIFY that the Rules Regulating The Florida Bar set forth within this petition have been read against the most recent copy of *West's Florida Rules of Court 2011*.

A handwritten signature in cursive script that reads "Rebecca S. Burke". The signature is written in black ink and is positioned above a horizontal line.

Rebecca S. Burke
Rules Administrative Coordinator

April 1, 2011

APPENDIX A

**PROPOSED
AMENDMENTS IN
LEGISLATIVE FORMAT**

Rule 10-9.1
**PROCEDURES FOR ISSUANCE OF
ADVISORY OPINIONS ON THE
UNLICENSED PRACTICE OF LAW**

April 1, 2011

RULES REGULATING THE FLORIDA BAR

CHAPTER 10. RULES GOVERNING THE INVESTIGATION AND PROSECUTION OF THE UNLICENSED PRACTICE OF LAW

SUBCHAPTER 10-9 ADVISORY OPINIONS

RULE 10-9.1 PROCEDURES FOR ISSUANCE OF ADVISORY OPINIONS ON THE UNLICENSED PRACTICE OF LAW

(a) Definitions.

(1) *Committee.* The standing committee as constituted according to the directives contained in these rules.

(2) *Petitioner.* An individual or organization seeking guidance as to the applicability, in a hypothetical situation, of the state's prohibitions against the unlicensed practice of law.

(3) *Public Notice.* Publication in a newspaper of general circulation in the county in which the hearing will be held and in *The Florida Bar News*.

(4) *Court.* The Supreme Court of Florida (or such other court in the state of Florida as the supreme court may designate).

(b) Requests for Advisory Opinions. A petitioner requesting a formal advisory opinion concerning activities that may constitute the unlicensed practice of law shall do so by sending the request in writing addressed to The UPL Department, The Florida Bar, 651 East Jefferson Street, Tallahassee, Florida 32399-2300. The request for an advisory opinion shall state in detail to the extent practicable the operative facts upon which the request for opinion is based and contain the name and address of the petitioner. The request shall be reviewed by UPL staff counsel. If the request complies with the requirements of the rule as stated herein, the request will be placed on the agenda for the next scheduled meeting of the committee. At that meeting, the committee will determine whether to accept the request, such determination being within the discretion of the committee. Should the committee accept the request, a public hearing as provided in rule 10-9.1(f) shall be scheduled.

(c) Limitations on Opinions. No opinion shall be rendered with respect to any case or controversy pending in any court or tribunal in this jurisdiction and no informal opinion shall be issued except as provided in rule 10-9.1(g)(1). However, the committee shall issue a formal advisory opinion under circumstances described by the court in *Harold Goldberg v. Merrill Lynch Credit Corporation*, 35 So.3d 905 (Fla. 2010) when the petitioner has filed a lawsuit and that suit has been stayed or voluntarily dismissed without prejudice.

(d) Services of Voluntary Counsel. The committee shall be empowered to request and accept the voluntary services of a person licensed to practice in this state when the committee deems it advisable to receive written or oral advice regarding the question presented by the petitioner.

(e) Conflict of Interest. Committee members shall not participate in any matter in which they have either a material pecuniary interest that would be affected by a proposed advisory opinion or committee recommendation or any other conflict of interest that should prevent them from participating. However, no action of the committee will be invalid where full disclosure has been made and the committee has not decided that the member's participation was improper.

(f) Notice, Appearance, and Service.

(1) At least 30 days in advance of the committee meeting at which a hearing is to be held with respect to a potential advisory opinion, the committee shall give public notice of the date, time, and place of the hearing, state a general description of the subject matter of the request, the bar website and address where a full copy of the question presented can be obtained, and invite written comments on the question. On the announced date the committee shall hold a public hearing at which any person affected shall be entitled to present oral testimony and be represented by counsel. Oral testimony by other persons may be allowed by the committee at its discretion. At the time of or prior to the hearing any other person shall be entitled to file written testimony on the issue before the committee. Additional procedures not inconsistent with this rule may be adopted by the committee.

(2) The committee shall issue either a written proposed advisory opinion, a letter that declines to issue an opinion, or an informal opinion as provided in rule 10-9.1(g)(1). No other form of communication shall be deemed to be an advisory opinion.

(3) A proposed advisory opinion shall be in writing and shall bear a date of issuance. The proposed opinion shall prominently bear a title indicating that it is a proposed advisory opinion and a disclaimer stating that it is only an interpretation of the law and does not constitute final court action. The committee shall arrange for the publication of notice of filing the proposed advisory opinion and a summary thereof in *The Florida Bar News* within a reasonable time. Interested parties shall be furnished a copy of the full opinion upon request.

(g) Service and Judicial Review of Proposed Advisory Opinions.

(1) In the case of any proposed advisory opinion in which the standing committee concludes that the conduct in question is not the unlicensed practice of law, it shall decide, by a vote of a majority of the committee members present, either to publish the advisory opinion as provided in rule 10-9.1(f)(3) as an informal advisory opinion, or to file a copy of the opinion with the court as provided in rule 10-9.1(g)(2).

(2) In the case of any proposed advisory opinion in which the standing committee concludes that the conduct in question constitutes or would constitute the unlicensed practice of law, the committee shall file a copy of the opinion and all materials considered by the committee in adopting the opinion with the clerk of the court. The proposed advisory opinion, together with notice of the filing thereof, shall be furnished by certified mail to the petitioner.

(3) Within 30 days of the filing of the opinion, the petitioner may file objections and a brief or memorandum in support thereof, copies of which shall be served on the committee. Any other interested person may, within 30 days of the filing of the opinion, seek leave of the court to file and serve a brief, whether in support of or in opposition to the opinion, in accordance with this same procedure. The committee may file a responsive brief within 20 days of service of the initial brief. The petitioner, as well as other interested persons having leave of court, may file a reply brief within 10 days of service of the responsive brief.

At its discretion, the court shall permit reasonable extension of these time periods. Oral argument will be allowed at the court's discretion. The Florida Rules of Appellate Procedure shall otherwise govern the above methods of filing, service, and argument.

(4) Upon the expiration of the time to file objections, briefs, and replies thereto, the court shall review the advisory opinion, regardless of whether any such objections are in fact made, together with any briefs or objections filed in support of or in opposition to such opinion. Upon review, it shall approve, modify, or disapprove the advisory opinion, and the ensuing opinion shall have the force and effect of an order of the court and be published accordingly. There shall be no further review of the opinion except as granted by the court in its discretion, upon petition to the court.

APPENDIX B

**SELECTED TEXT OF
PROPOSED
AMENDMENTS WITH
REASONS FOR CHANGE**

**Rule 10-9.1
PROCEDURES FOR ISSUANCE OF
ADVISORY OPINIONS ON THE
UNLICENSED PRACTICE OF LAW**

April 1, 2011

RULES REGULATING THE FLORIDA BAR

CHAPTER 10. RULES GOVERNING THE INVESTIGATION AND PROSECUTION OF THE UNLICENSED PRACTICE OF LAW

SUBCHAPTER 10-9 ADVISORY OPINIONS

RULE 10-9.1 PROCEDURES FOR ISSUANCE OF ADVISORY OPINIONS ON THE UNLICENSED PRACTICE OF LAW

- (a) **Definitions.** [no change]
- (b) **Requests for Advisory Opinions.** [no change]

(c) **Limitations on Opinions.** No opinion shall be rendered with respect to any case or controversy pending in any court or tribunal in this jurisdiction and no informal opinion shall be issued except as provided in rule 10-9.1(g)(1). However, the committee shall issue a formal advisory opinion under circumstances described by the court in *Harold Goldberg v. Merrill Lynch Credit Corporation*, 35 So.3d 905 (Fla. 2010) when the petitioner has filed a lawsuit and that suit has been stayed or voluntarily dismissed without prejudice.

- (d) **Services of Voluntary Counsel.** [no change]
- (e) **Conflict of Interest.** [no change]
- (f) **Notice, Appearance, and Service.**

(1) At least 30 days in advance of the committee meeting at which a hearing is to be held with respect to a potential advisory opinion, the committee shall give public notice of the date, time, and place of the hearing, state a general description of the subject matter of the request, the bar website and address where a full copy of the question presented can be obtained, and invite written comments on the question. On the announced date the committee shall hold a public hearing at which any person affected shall be entitled to present oral testimony and be represented by counsel. Oral testimony by other persons may be allowed by the committee at its discretion. At the time of or prior to the hearing

The rule currently prohibits the standing committee from issuing an advisory opinion if there is a pending case or controversy in a Florida court or tribunal. The Supreme Court of Florida, in *Harold Goldberg v. Merrill Lynch Credit Corp.*, 35 So. 3d 905 (Fla. 2010), directed The Florida Bar to propose a rule change that would allow the standing committee to render a formal advisory opinion with respect to a pending case or controversy when the Court has not previously ruled that such activity is the unlicensed practice of law.

Oftentimes the question presented in a request for formal advisory opinion is lengthy, making it expensive to publish the public

any other person shall be entitled to file written testimony on the issue before the committee. Additional procedures not inconsistent with this rule may be adopted by the committee.

(2) The committee shall issue either a written proposed advisory opinion, a letter that declines to issue an opinion, or an informal opinion as provided in rule 10-9.1(g)(1). No other form of communication shall be deemed to be an advisory opinion.

(3) A proposed advisory opinion shall be in writing and shall bear a date of issuance. The proposed opinion shall prominently bear a title indicating that it is a proposed advisory opinion and a disclaimer stating that it is only an interpretation of the law and does not constitute final court action. The committee shall arrange for the publication of notice of filing the proposed advisory opinion and a summary thereof in *The Florida Bar News* within a reasonable time. Interested parties shall be furnished a copy of the full opinion upon request.

(g) Service and Judicial Review of Proposed Advisory Opinions. [no change]

hearing notice in the newspaper. The proposed change will reduce the costs of providing public notice.

APPENDIX C

NOTICE OF INTENT TO FILE

Published 1-1-11

Rule 10-9.1

**PROCEDURES FOR ISSUANCE OF
ADVISORY OPINIONS ON THE
UNLICENSED PRACTICE OF LAW**

April 1, 2011



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January 1, 2011

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Amendments to how UPL advisory opinions are issued

The Board of Governors of The Florida Bar hereby gives notice of filing with the Supreme Court of Florida, on or about February 1 a petition to amend the Rules Regulating The Florida Bar. The full text of the proposed amendment to Rule 10-9.1 is printed below. A copy of the rule amendment may be requested by contacting the UPL Department, The Florida Bar, 651 East Jefferson St., Tallahassee 32399-2300 or calling (850) 561-5840. Members who desire to comment on these proposed amendments may do so within 30 days of the filing of the Bar's petition. Comments should be filed directly with the clerk of the Supreme Court of Florida, and a copy must be served on the executive director of The Florida Bar.

Rule 1-12.1, Rules Regulating The Florida Bar, governs these proceedings.

RULE 10-9.1 PROCEDURES FOR ISSUANCE OF ADVISORY OPINIONS ON THE UNLICENSED PRACTICE OF LAW

(a) Definitions. [no change]

(b) Requests for Advisory Opinions. [no change]

(c) Limitations on Opinions. No opinion shall be rendered with respect to any case or controversy pending in any court or tribunal in this jurisdiction and no informal opinion shall be issued except as provided in rule 10-9.1(g)(1). However, the committee shall issue a formal advisory opinion under circumstances described by the court in *Harold Goldberg v. Merrill Lynch Credit Corporation*, 35 So. 3d 905 (Fla. 2010) when the petitioner has filed a lawsuit and that suit has been stayed or voluntarily dismissed without prejudice.

(d) Services of Voluntary Counsel. [no change]

(e) Conflict of Interest. [no change]

(f) Notice, Appearance, and Service.

(1) At least 30 days in advance of the committee meeting at which a hearing is to be held with respect to a potential advisory opinion, the committee shall give public notice of the date, time, and place of the hearing, a general description of the subject matter of the request, the bar website and address

~~where a full copy of state~~ the question presented can be obtained, and invite written comments on the question. On the announced date the committee shall hold a public hearing at which any person affected shall be entitled to present oral testimony and be represented by counsel. Oral testimony by other persons may be allowed by the committee at its discretion. At the time of or prior to the hearing any other person shall be entitled to file written testimony on the issue before the committee. Additional procedures not inconsistent with this rule may be adopted by the committee.

(2) The committee shall issue either a written proposed advisory opinion, a letter that declines to issue an opinion, or an informal opinion as provided in rule 10-9.1(g)(1). No other form of communication shall be deemed to be an advisory opinion.

(3) A proposed advisory opinion shall be in writing and shall bear a date of issuance. The proposed opinion shall prominently bear a title indicating that it is a proposed advisory opinion and a disclaimer stating that it is only an interpretation of the law and does not constitute final court action. The committee shall arrange for the publication of notice of filing the proposed advisory opinion and a summary thereof in The Florida Bar News within a reasonable time. Interested parties shall be furnished a copy of the full opinion upon request.

(g) Service and Judicial Review of Proposed Advisory Opinions. [no change]

[Revised: 03-24-2011]

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APPENDIX D

**BACKGROUND
MATERIALS**

Rule 10-9.1
PROCEDURES FOR ISSUANCE OF
ADVISORY OPINIONS ON THE
UNLICENSED PRACTICE OF LAW

April 1, 2011



Supreme Court of Florida

500 South Duval Street
Tallahassee, Florida 32399-1925

PEGGY A. QUINCE
CHIEF JUSTICE
BARBARA J. PARIENTE
R. FRED LEWIS
CHARLES T. CANADY
RICKY POLSTON
JORGE LABARGA
JAMES E. C. PERRY
JUSTICES

THOMAS D. HALL
CLERK OF COURT

KEVIN WHITE
ACTING MARSHAL

June 2, 2010

Mr. Jack Harkness
Executive Director
The Florida Bar
651 East Jefferson Street
Tallahassee, Florida 32399-2300

Re: Subchapter 10, "Rules Governing the Investigation and Prosecution of
the Unlicensed Practice of Law"

Dear Mr. Harkness:

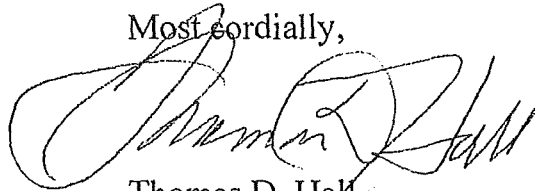
Pursuant to the Court's direction, I am writing to request that The Florida Bar propose amendments to the Rules Regulating the Florida Bar, Subchapter 10, "Rules Governing the Investigation and Prosecution of the Unlicensed Practice of Law." The Court would like the Bar to study and propose amendments to make the Subchapter 10 rules consistent with In Re: Harold Goldberg, et al. v. Merrill Lynch Credit Corporation, et al., Case No. SC08-1360 (Fla. May 13, 2010).

The Bar's proposed amendments should be included in the next regular submission. If the Bar needs additional time to address these issues, please file a motion for extension of time with my office.

Mr. Jack Harkness
June 2, 2010
Page: 2

Thank you in advance for your attention to this matter. If you should have any questions, please do not hesitate to call me.

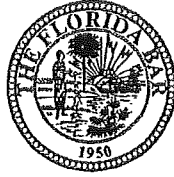
Most cordially,

A handwritten signature in black ink, appearing to read "Thomas D. Hall", written in a cursive style.

Thomas D. Hall

TDH/rh/sb

cc: The Honorable Peggy A. Quince, Chief Justice
Deborah J. Meyer, Director of Central Staff



THE FLORIDA BAR

651 EAST JEFFERSON STREET
TALLAHASSEE, FL 32399-2300

850/561-5600
WWW.FLORIDABAR.ORG

JOHN F. HARKNESS, JR.
EXECUTIVE DIRECTOR

June 17, 2010

Thomas D. Hall
Clerk, Supreme Court of Florida
Supreme Court Building
500 S. Duval Street
Tallahassee, Florida 32399-1927

Re: In re: Proposed Amendment to Subchapter 10 Rules Governing the Investigation and
Prosecution of the Unlicensed Practice of Law

Dear Mr. Hall:

Enclosed please find a Motion for Extension of Time for filing in the above-referenced matter.
If you have any questions, please feel free to contact me.

Thank you for your assistance.

Sincerely,

Lori S. Holcomb
UPL Counsel

LSH/mdw/SC8

Enclosure



Supreme Court of Florida

Office of the Clerk
500 South Duval Street
Tallahassee, Florida 32399-1925

THOMAS D. HALL
CLERK
TANYA CARROLL
CHIEF DEPUTY CLERK
GREGORY J. PHILO
STAFF ATTORNEY

PHONE NUMBER: (850) 488-0125
www.flcourts.org/clerk.html

June 22, 2010

Mr. John F. Harkness, Jr., Executive Director
The Florida Bar
651 East Jefferson Street
Tallahassee, Florida 32399-2300

Re: Subchapter 10 "Rules Governing the Investigation and Prosecution of
the Unlicensed Practice of Law"

Dear Mr. Harkness:

We have received your motion for an extension of time, filed June 21, 2010. Your request for an extension has been granted. The Bar should submit its proposed amendments to my office after they have received final approval from the Board of Governors.

If you have any questions, please do not hesitate to contact me.

Most cordially,

A handwritten signature in black ink, appearing to read "Thomas D. Hall", written over a large, stylized flourish.

Thomas D. Hall

TDH/vm
cc: Lori S. Holcomb