

Florida Supreme Court  
Office of the Clerk  
500 S. Duval Street  
Tallahassee, FL 32399-1927

November 1, 2018

Re: Proposed parental-leave

Dear Justices:

By this letter I urge the Supreme Court to follow the "no action report" of the FL. Bar's Rule of Judicial Administration Committee.

I am a retired circuit judge. I served for one year as the first general magistrate in the First Judicial Circuit and thereafter as a circuit judge for 10 years. There were many occasions when pregnant female attorneys would appear, but all were aware of their condition and all made advanced plans; each would request that calendars be adjusted to accommodate their times of delivery. Trials were sometimes extended for the time for birth and recovery. There was never an occasion when any female attorney was forced or even requested to attend a hearing when such might adversely affect her health or that of the child. Even on those occasions when an emergency arose the court, attorneys and parties worked together to accommodate the mother and the birth of a child. There were also occasions when the fathers requested hearing and trials be scheduled to accommodate the new father and such was granted.

I am not aware in this circuit of any female attorney that had any problem obtaining time to have her child. Of course, emergencies do come up for both males and females and requests for continuances were made, but on every occasion the one suffering the emergency received the requested continuance.

It is not unusual that attorneys must be reminded that the court system is not for the convenience of the judges or attorneys. The court system is for the people-the litigants. If this request for parental leave is granted, there should be some requirement that the attorney requesting the leave attach a client's approval, otherwise attorneys will blame the court for again continuing trials and hearings.

This type of leave should be left to the discretion of the judge. Since females now comprise over one-third of the judges, it is likely that the judge will have experienced what the pregnant attorney is undergoing and would have a good idea as to the natural process.

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W. Howard LaPorte

JOHN A. TOMASINO

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CLERK, SUPREME COURT

I hereby certify a copy of the foregoing was mailed to the following by regular US Mail on the 2<sup>nd</sup> day of November 2018:

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