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Established 1968

**Admitted in Florida,
District of Columbia**

November 9 , 2018

Florida Supreme Court
Attn.: Clerk's Office
500 South Duval Street
Tallahassee, Florida 32399-1927

Re: Proposed Parental Leave Rule - "Coddle The Attorney" Rule

Honorable Justices:

The proposed Parental Leave Rule, for a three month parental leave because of a pregnancy, is a "coddle the attorney" rule and suggests that trial court judges and opposite counsel are unsympathetic to a pregnancy situation as a basis for a continuance and need a new rule to dictate their decisions.

Trial courts control their own calendars and, in the ordinary course, will grant reasonable requests for a continuance for good cause. Moreover, most attorneys are professionals and will accommodate the other side in a case when a reasonable request for a continuance is requested, including a pregnancy. A new rule should not impinge on the discretion and judgment of trial courts and opposite counsel.

The female attorney who is pregnant or the male attorney who will be the father generally know about eight months ahead of time of the birth date. Accordingly, the attorneys involved in the birth should be able to arrange their calendars to avoid the conflict between their clients interests and their personal interest.

Does the proposed Rule mean that the excused attorney is going to be at home with the new born child the entire three months or longer? If not, how much time after the birth will the impacted attorney resume his or her duties as an attorney on behalf of the client. If less than three months, why have an arbitrary rule making the time three months? I suggest every worker, including many clients, would like the ability to stay at home for at least three months after a pregnancy.

Courts and attorneys do not exist for the benefit of judges and attorneys. Rather, they exist to resolve disputes between litigants in the speediest and most cost effective manner. This proposed Rule delays the resolution of the legal dispute and will probably cost litigants money.

Respectfully yours,


RICHARD N. FRIEDMAN

CLERK, SUPREME COURT

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JOHN A. TOMASINO