

IN THE SUPREME COURT OF THE STATE OF FLORIDA

**IN RE AMENDMENTS TO RULES
REGULATING THE FLORIDA BAR
CHAPTER 21 MILITARY SPOUSE
AUTHORIZATION TO ENGAGE IN THE
PRACTICE OF LAW IN FLORIDA AND
FLORIDA BOARD OF BAR EXAMINERS
AMENDMENTS TO RULES OF THE
SUPREME COURT RELATING TO
ADMISSIONS TO THE BAR 2-23
APPLICATION FEES**

CASE NO.: SC18-158

COMMENT

For myself and on behalf of the Military Spouse JD Network (MSJDN), this letter is submitted as a Public Comment to Florida Supreme Court Docket Number SC18-158, Amendments to Rules Regulating the Florida Bar Chapter 21 Military Spouse Authorization to Engage in the Practice of Law in Florida and Florida Board of Bar Examiners Amendments to Rules of the Supreme Court Relating to Admissions to the Bar 2-23 Applications Fees (the “Petition”).

This Comment is submitted in support of the Florida Bar and the Florida Board of Bar Examiners joint Petition and to commend the State of Florida for its initiative on the issue of military spouse law licensing. The proposed rule demonstrates the Florida legal community’s commitment to the United States Armed Forces and their family members. In adopting the rule presented in the Petition,

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Florida recognizes the importance of mitigating the economic consequences of military service. After more than 15 years of continued armed conflict that has strained military families, the Florida legal community can recognize the sacrifices of military families within its own ranks by addressing the licensing restrictions that burden military spouses.

The only certainty of military life is uncertainty. Military spouses do not decide where we live, or how long we live there. Service members cannot turn down a transfer or quit their jobs because a reassignment might not be best for their family. Military spouses take great pride in their service and in their role within a military family. The proposed rule would be a modest accommodation to make this difficult life slightly less so and have minimal impact on the Florida Bar.

Lawyers married to service members face significant barriers to employment due to uncertainty about where they will live in the next year. Military families move often -- 79 percent of military families have moved in the past five years; 50 percent have moved two or more times in the same time span.¹ Also, a service members' orders to stay at or leave an installation often come with less than six months' notice. Military orders are based on the needs of the service, with no regard for licensing restrictions or bar exam deadlines. This uncertainty is

¹ Military Officers Association of America & Institute for Veterans and Military Families at Syracuse University, *Military Spouse Employment Report* (February 2014), available at https://ivmf.syracuse.edu/wp-content/uploads/2016/06/MilitarySpouseEmploymentReport_2013.pdf

extremely disruptive to careers, particularly when the process of applying for, taking, and waiting for the results of a bar exam can last almost a year.

The Military Spouse JD Network (MSJDN), a bar association for military spouses, formed in 2011 to support attorney spouses of service members. The most recent annual survey of the MSJDN showed 17% of military spouse attorneys are unemployed and seeking employment and 8% are unemployed and no longer seeking employment. Approximately 32% of military spouse attorneys reported that they have lived apart from their service member for at least a year in order to maintain their legal career.²

In recognition of the unique challenges facing military spouse attorneys, twenty-six states and one U.S. territory have enacted rules that allow attorney spouses of service members to practice law while accompanying their spouses on orders. These rules have a broad range of support, including the Conference of Chief Justices,³ the American Bar Association,⁴ the U.S. Chamber of Commerce, and the Military Officers Association of America.

² Military Spouse JD Network, *2016 Annual Military Spouse Attorney Survey Report of Findings* (April 2017) , available at <https://www.msjdn.org/wp-content/uploads/2012/12/2016AnnualMilitarySpouseAttorneySurvey.pdf>

³ Resolution 15: Encouraging Adoption of Rules Regarding Admission of Attorneys Who are Dependents of Service Members (July 25, 2012), available at <http://ccj.ncsc.org/~media/Microsites/Files/CCJ/Resolutions/07252012-Encouraging-Adoption-of-Rules.ashx>

⁴ Resolution 108, adopted by the American Bar Association House of Delegates on February 6, 2012 (submitted by the ABA Commission on Women in the Profession), available at http://www.americanbar.org/content/dam/aba/administrative/house_of_delegates/resolutions/2012_hod_midyear_meeting_108.doc

As the Proposed Rule is written, it would greatly improve the lives of military spouse attorneys and their families. MSJDN hopes that Florida's legal community will continue its tradition of supporting the military community by supporting military spouses, not only as clients but also as professional peers and colleagues. MSJDN is truly grateful for your careful consideration of this issue. It is a testament to the great support our military families receive from this state.

Respectfully submitted,

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