

**In The  
Supreme Court of Florida  
Case No. SC21-284**

**IN RE: AMENDMENT TO RULE  
REGULATING THE FLORIDA BAR  
6-10.3**

**REQUEST FOR ORAL ARGUMENT BY TWYLA SKETCHLEY**

The undersigned wishes to participate in oral argument, and hereby requests that oral argument be scheduled in this matter.

It is clear from the over 200 pages of comments filed in this matter thus far that oral argument will assist this Court to further hear from Florida Bar members in the following ways:

- Diversity policies for attorney credit--the number of which are not capped unlike admission policies cited by the Court's precedent--are not a "quota" and do not result in the denial of the relevant benefit to anyone else;
- The ease in which any person that does not voluntarily wish to participate in minimally diverse panels can apply for, and receive, his own credit;
- This Court's Order poses an unnecessary burden on admitted attorneys in good standing as well as those members who are Florida Bar Board Certified;

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- The underlying question in evaluating whether the *challenged conduct* constitutes state action under the Equal Protection Clause (here, diversity policies of private entities or voluntary sections of The Florida Bar) is whether the conduct allegedly causing the deprivation of a federal right must be fairly attributable to the state, and not, as one public official stated in his comments (filed during normal business hours in his public position), the Court's new Rule 6-10.3 itself; and why a state agent's "approval" of private action (the granting of educational credit) does not constitute state action;
- *Liberty Counsel v. Florida Bar Bd. Of Governors*, 12 So.3d 183 (Fla. 2009) holds that in the absence of "legal or constitutional prohibitions against the actions" by a voluntary section (and certainly private attorneys in private associations), the Supreme Court of Florida is not to "micromanag[e] the affairs of the Bar . . . ." And in fact has no jurisdiction to do so. *Cf. id.* at 192 (Polston, J. dissenting, joined by Canady, J., arguing that the Court has a duty to supervise The Florida Bar through its exclusive jurisdiction to regulate admission and to discipline attorneys).

Respectfully submitted this 9th day of July, 2021.

s/ Twyla Sketchley

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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the forgoing comments was filed with the Clerk of Court via the Florida Courts ePortal this 9th day of July, 2021.

s/ Twyla Sketchley

Twyla Sketchley

Florida Bar No. 478822

**CERTIFICATE OF COMPLIANCE**

Pursuant to Fla. R. App. P. 9.045, the undersigned certifies that the foregoing complies with the applicable font requirements (14-point Arial).

s/ Twyla Sketchley

Twyla Sketchley

Florida Bar No. 478822