

IN THE
Supreme Court of Florida
Case No. SC21-284

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

**COMMENTS OF
THE MIAMI-DADE COUNTY BAR ASSOCIATION, INC.**

The Miami-Dade County Bar Association respectfully disagrees with the Florida Supreme Court's *sua sponte* ruling revoking credits for continuing legal education for seminars that followed guidance encouraging diversity among panelists.

We acknowledge that the use of racial quotas has been ruled unconstitutional. See *Grutter v. Bollinger*, 539 U.S. 306, 334 (2003). However, in this situation, the inclusion of minorities as presenting panelists does not exclude other non-minority participants. The guidance from the American Bar Association or the Florida Bar Association's Business Law Section does not function as a quota, rather as an aspiration to diversity and encouragement to include minority experts on legal subjects. Unlike college admission classes

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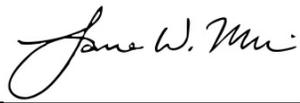
that have a limit on the number of accepted students, there is no limit on the number of CLE events that may be held, and so to require minority panelists does not function as a quota. Minority members can be added without excluding non-minorities or causing other unintended consequences.

This ruling may cause attorneys to miss their deadlines to fulfill continuing education requirements by revoking their earned credit. It will likely dissuade Florida lawyers from attending ABA-sponsored events, and discourage Florida attorneys from educating themselves in their areas of practice. It will certainly cause the ABA to rethink any plans to hold meetings in Florida, depriving our State of favorable attention and tourism dollars.

Moving into the future, the Florida Bar and voluntary bars across the state and country should be striving to be inclusive and to showcase our community's rich diversity.

We encourage the Florida Supreme court to reconsider revoking continuing education credit for the seminars that complied with the diversity requirement, and instead provide guidance to the Bar on promoting diversity in an acceptable manner.

Respectfully Submitted,

By: 
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing comments was filed with the Clerk of Court via Florida Courts ePortal this 29th day of June, 2021.

By: 
Jane W. Muir
Florida Bar No. 70065

CERTIFICATE OF COMPLIANCE

Pursuant to Florida Rules of Appellate Procedure 9.045 and 9.210, the undersigned certifies that the foregoing comment complies with the applicable font requirements because it is written in 14-point Bookman Old Style. The comment contains 285 words, excluding those parts exempted by Rule 9.045(e).

By: 
Jane W. Muir
Florida Bar No. 70065