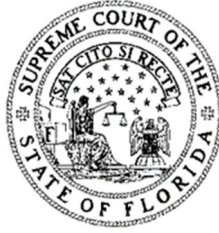


# **APPENDIX D**

## **BACKGROUND MATERIALS**

**February 1, 2022**

RECEIVED, 02/01/2022 03:13:21 PM, Clerk, Supreme Court



# Supreme Court of Florida

500 South Duval Street  
Tallahassee, Florida 32399-1925

CHARLES T. CANADY  
CHIEF JUSTICE  
RICKY POLSTON  
JORGE LABARGA  
C. ALAN LAWSON  
CARLOS G. MUÑIZ  
JOHN D. COURIEL  
JAMIE R. GROSSHANS  
JUSTICES

JOHN A. TOMASINO  
CLERK OF COURT

SILVESTER DAWSON  
MARSHAL

October 29, 2021

Mr. Joshua E. Doyle  
Executive Director  
The Florida Bar  
651 East Jefferson Street  
Tallahassee, Florida 32399-2300

Re: Rules Regulating the Florida Bar

Dear Mr. Doyle:

At the direction of the Court, I am writing you to request that The Florida Bar consider amending Rule Regulating the Florida Bar 3-7.6 to address the use of civil mediation in attorney discipline and other proceedings before a referee.

As you know, in *Florida Bar v. Murtha*, No. SC19-1886 (Fla. Oct. 21, 2021), a Bar reinstatement case, the Court determined that civil mediation was inappropriate based on the facts of that case. However, the Court stated that the issue of whether civil mediation should be prohibited in Bar cases would be referred to the Bar for consideration of a rule change.

Please file your petition or report addressing this issue with my office by February 1, 2022. If you should determine that more

Mr. Joshua Doyle  
Executive Director  
October 29, 2021  
Page: 2 of 2

time is required, please submit a request for extension of time to my office indicating when the petition or report can be filed.

Thank you in advance for your consideration of this matter and please do not hesitate to contact me or the Court's liaison to the Bar, Chief Justice Canady, if you have any questions.

Sincerely,



John A. Tomasino

JAT/jad/sb

Enclosure

cc: Chief Justice Charles T. Canady, Liaison to The Florida Bar  
Ms. Diane West, Director of Central Staff, Florida Supreme  
Court