

Florida Chapters

American Board of Trial Advocates

*Central Florida • Ft. Lauderdale • Jacksonville • Miami • North Florida • Northwest Florida
Palm Beach • Sarasota/Bradenton • Southwest Florida • Tallahassee • Tampa Bay*

October 8, 2015

Neil Brown
Editor and Vice President
Tampa Bay Times
490 First Avenue South
St. Petersburg, FL 33701

Re: Response to Op-Ed by Chamber of Commerce functionaries

Dear Mr. Brown:

A Times op-ed piece by representatives of the Florida and U.S. Chambers of Commerce, in the process of advocating tort reform, gratuitously and unjustifiably accused Florida judges of bias based upon a recent Chamber “study.” The study cited, however, is itself inherently biased; it polled only the *perceptions* of *large* corporate in-house counsel, and failed to control for the extent of their experience, or lack thereof, in Florida courts.

I write on behalf of the Florida Chapters of the American Board of Trial Advocates (FLABOTA), an organization composed of highly experienced trial lawyers who represent both plaintiffs and defendants, corporate and otherwise. In the vast experience of our membership, many of whom represent Chamber members, the overwhelming majority of Florida judges are hardworking, impartial, and deeply committed to avoiding any appearance of bias or prejudice.

The authors also claim, falsely, that lawyers exercise undue influence over the judicial selection process. The authors fail to acknowledge that, indeed, the converse is true; since 1999, Florida’s governors, each of which the Chambers have helped elect and sustain, have been in near complete control of the judicial selection process. All appellate judges and Supreme Court justices are appointed by the governor from lists of names provided by judicial nominating commissions that the governor also appoints. Indeed, five of the seven justices who decided the recent case of which the authors complain were appointed by governors who likely would not have been elected, and could not have governed without Chamber support.

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FLABOTA's membership welcomes a dialogue on judicial issues, and many would agree with the Chamber on a number of points, particularly related to lawyer advertising. Any such dialogue is merely cheapened, however, by unjustified and disingenuous allegations such as those in the recent op-ed piece.

Sincerely,



Gerald F. Richman
President, Florida Chapters
American Board of Trial Advocates

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