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FILED
SID J. WHITE
AUG 30 1985
CLERK, SUPREME COURT
BY *[Signature]*
Chief Deputy Clerk

August 28, 1985

The Supreme Court of Florida
Supreme Court Building
Tallahassee, Florida 32301

Re: Trust Account Disbursements of Uncollected Funds

Gentlemen:

The proposed Rule to allow disbursement of uncollected funds in trust accounts is too broad. It increases the economic risks to attorneys, particularly solo practitioners and small law firms.

With the decrease in legal ethics due to the increase in attorney population, another potential area of abuse and client complaint is foolhardy. Our reputation is buffeted enough by the public without this added risk.

I don't disburse unless it is collected, except where I've received a local bank check. Many of my colleagues will disburse on escrow checks from "respected" real estate firms. If we learn from history, how about all those "large respected" Wall Street underwriting firms that went under 8 - 10 years ago?

Before you act, consider the tremendous risks. Thank you.

Very truly yours,

[Handwritten Signature: Philip M. Francoeur, Jr.]
Philip M. Francoeur, Jr.

PMFjr:mea
cc: Executive Committee
Real Property, Probate & Trust Law Section
The Florida Bar