



COUNTY JUDGE

7/1/687

COUNTY COURT

PINELLAS COUNTY

STATE OF FLORIDA

CRIMINAL DIVISION F
CRIMINAL COURTS BUILDING
5100 - 144TH AVENUE, NORTH
CLEARWATER, FLORIDA 33520
(813) 530-6465

January 14, 1988

*Fla Bar
re - Small
Claims*

The Honorable Parker Lee McDonald
Chief Justice of the Supreme Court of Florida
The Supreme Court Building
Tallahassee, Florida 32399-1925

71,687
FILED
JAN 21 1988
CLERK SUPREME COURT
By _____
Deputy Clerk

Dear Chief Justice McDonald:

I have just received a copy of the Rules for Implementation of Florida Statutes Section 44.301-.306, and I notice especially Rule 1.750 Small Claims matters.

The rule requires that the mediation conference be held during or immediately after the pretrial conference unless otherwise ordered by the Court.

In order to allow each judge the flexibility to choose to have mediation conferences during the pretrial conference it would be very helpful if the Supreme Court would decline to amend Rule 7.090 in the manner currently being recommended by the Florida Bar, which would require that the judge shall personally conduct the pretrial conference. Almost everything that is normally done at a pretrial conference in Small Claims cases is not "judicial", but is ministerial. The truly judicial acts needed can be done by the judge according to procedures set up which bring the parties and the matter to the judges attention subsequent to the pretrial conference. This has been working very well in Pinellas County and the proposed change in Rule 7.090 would eliminate our flexibility to efficiently follow Rule 1.750.

Thank you for your consideration.

Very truly yours,

[Handwritten signature of Horace A. Andrews]

Horace A. Andrews

HAA/lis

★ 5-13-88
cc: Judge Elliott