

Supreme Court of Florida

500 South Duval Street
Tallahassee, Florida 32399-1925

RICKY POLSTON
CHIEF JUSTICE
BARBARA J. PARIENTE
R. FRED LEWIS
PEGGY A. QUINCE
CHARLES T. CANADY
JORGE LABARGA
JAMES E. C. PERRY
JUSTICES

JOHN A. TOMASINO
CLERK OF COURT

SILVESTER DAWSON
MARSHAL

February 3, 2014

Mr. Daniel P. Rock
President, Allgood-Altman American Inn of Courts
Daniel Patrick Rock, P. A.
5426 Crafts Street
New Port Richey, FL 34652-3963

Dear Mr. Rock:

It has come to our attention that a member of The Florida Bar recently attempted to attend a function of a local voluntary bar association but was unable to do so due to the location of the event. This transpired due exclusively to the fact that the lawyer required the use of a wheelchair for personal mobility but the event location was accessible only upon traversing a set of steps or a stairwell without access for those using a wheelchair. Although the business premises in general may have been in formal compliance with the ADA requirements for access from the exterior, the specific location within the facility assigned for the event, described as a wine cellar type area, was not fully accessible for wheelchair access and in fact, precluded the lawyer from participating in the event.

We trust that no actual intent to preclude wheelchair access was involved in this circumstance, but that is not a sufficient excuse to avoid addressing the problem. Benign neglect, oversight, or indifference which produces this type of discrimination is simply not acceptable and will not be tolerated. This event was discriminatory in that the specific location of the event was not fully wheelchair accessible. It is the responsibility of every Florida lawyer to recognize and eliminate all forms of discrimination within our profession.

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This event has demonstrated that we must do more to prevent similar discrimination in the future and we shall take corrective steps to address the damage this type of discrimination inflicts. After consideration and approval by the entire Florida Supreme Court, we request that every voluntary bar association immediately develop and implement a protocol for bar-related activities to ensure compliance with all ADA and access requirements. We request that all voluntary bar associations take immediate action to implement such structural changes as may be necessary to assign ADA compliance to an individual within each local bar.

Sincerely,

A handwritten signature in black ink, appearing to read "Ricky Polston", with a long horizontal flourish extending to the right.

Ricky Polston

RP/rfl/dgh