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COMMENTARY

Are Doctors More Important Than Lawyers?

Lawyers are not required to do fellowships, residencies, and not even internships. A law school graduate is let loose onto the public and can practice a kind of law, civil or criminal—personal injury, wrongful death and complex business litigation. All allowable and condoned by the Florida Bar.

September 09, 2022 at 10:27 AM

Career Development

By Bruce H. Lehr | September 09, 2022 at 10:27 AM

I just had my yearly physical and was sitting in my cardiologist's office waiting for him to meet with me. As is normal, I reviewed the diplomas on the wall and saw his impressive medical school diploma, as well as certificates showing his internship, residency and fellowship. I was quite impressed and comfortable that his advice was worth following.

Lawyers are not required to do fellowships, residencies, and not even internships. A law school graduate is let loose onto the public and can practice any kind of law, civil or criminal—personal injury, wrongful death and complex business litigation. All allowable and condoned by the Florida Bar.

How would you feel if you were on an operating table and the doctor disclosed to you with great joy and excitement that this was his/her first surgery? Not good.

The Florida Bar, as do most, require continuing legal education (CLE) to fine tune the knowledge of those in practice, as well as to allow those practicing in one area of law to learn about another. These alone do not make anyone competent to practice in a field. There is a definite need for the bar to impose internships or even residencies. I spent a year as an uncertified intern in the appellate division of the Public Defender's Office. I then spent a year as a certified intern in the Office of the State Attorney. I then was the chief prosecutor of the county courts followed by being the senior trial attorney of the Narcotics Division. By the time I left for private practice, and represented my first private client, I had personally conducted well over 125 jury trials.

I have the honor and privilege of having served for the past six years, on the Ad-hoc Committee on Attorney Admissions, Peer Review and Attorney Grievance for the U.S. District Court for the Southern District of Florida. So many of the attorneys referred to the committee for discipline by the district judges are from small firms or are solo practitioners. All too often the "explanation" for the errors committed is that the young lawyers do not have experience and were too "wet behind the ears."

I know this has not been the way things work in Florida, but we have a definite need for some sort of requirement. The practice of law is too important to allow green young lawyers to take on the massive pressure and responsibilities of serious, important cases, both criminal and civil, regardless of how or why they were hired, or how much or little they were paid. The fact that someone can purchase bus enclosures or billboards for wrongful death cases does not mean the bar should condone their handling these cases. The bar spends part of its budget on Grievance Committees assigned to investigate and punish lawyers. Why not spend an equal amount enforcing an internship or residency requirement to avoid the ultimate need for discipline due to inexperience or ignorance?

Lawyers and what they do, in some cases, are as important as doctors. We must put a stop to allowing anyone within minutes of passing the bar, with absolutely no experience, to be able to hold themselves out as competent to represent clients, with no knowledge as to how, and having absolutely no experience.

Whether it be a set number of months with a medium to large firm, or working for the public as a prosecutor or defense attorney, a change must be made. Otherwise the bar, along with members thereof, is abusing the public's trust and confidence.

Bruce H. Lehr, *founding partner of Lehr Levi & Mendez in Miami, has more than 30 years of experience as a criminal defense attorney. Lehr has handled hundreds of cases in Florida and throughout the United States.*

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