

P.O. Box 2476,
Berkeley, CA 94702
May 2, 1977

Sexual Law Reporter
1800 N. Highland Ave, Suite 106,
Los Angeles, Calif. 90028

Dear Sirs:

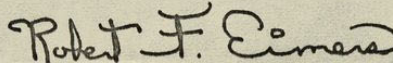
I applied for admission to the Florida Bar in June, 1975. I sat for the bar exam in February, 1976; and was notified that I had passed all parts of it in May, 1976. Since that time, the Examiners sat on my application for one reason or the other. During the course of their investigation into my background, they learned that I am an admitted homosexual. Finally on February 23, 1977, the Examiners transmitted the matter to the State Supreme Court for whatever disposition they might order, stating that they had found me fully qualified in all respects to practice law, other than they didn't know whether an admitted homosexual could qualify. Subsequent to this, the State Supreme Court decided to treat the matter as a request for an advisory opinion, and have given me until June 1, 1977, to submit a brief outlining my position in the matter.

Has your organization ever conducted a survey of Bar Examiners to determine what their attitudes might be towards the subject of admitted homosexuality? Do you happen to have any kind of syllabus of gay cases, that I might use in preparing the brief?

Any kind of aid that you can give me would be most greatly appreciated.

I wish to thank you in advance for your trouble and effort on my behalf.

Sincerely,



Robert F. Eimers

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THOMAS F. COLEMAN

Attorney at Law

May 5, 1977

Robert F. Eimers
Box 2476
Berkeley, CA 94702

Dear Mr. Eimers:

I am responding to your letter to the Sexual Law Reporter regarding your application for admission to the Florida Bar.

I am aware of a case in Ohio in which the very issue of homosexuality was considered and a formal opinion was written by the State Committee on Character and Fitness after two years of hassle. They recommended, in a split opinion, that the applicant be admitted to the bar and that homosexuality per se was not a ground to deny admission. The California Bar Examiners have taken the position in a letter written in 1972 that homosexuality is not a bar to admission. The New York Court of Appeals decided over 2 years ago that a disbarred Florida attorney (disbarred because of a sodomy conviction) had the right to be admitted in New York. The U.S. Supreme Court has admitted a known homosexual to practice.

Please call me and discuss these things with me. I will put you in touch with the appropriate people and give you the citations.

(213) 464-6666

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