

# THE FLORIDA BAR FOUNDATION

## 2009-10 Annual Report



Leadership and Funding for Justice in Florida

# 2009-10 Annual Report

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## The President's Message

That you are reading these words online (or printed from the Web) rather than in print is a sign of the times and a reflection of the careful consideration which the Foundation takes in allocating funds. Yes, communications are increasingly moving from paper to the Web, but The Florida Bar Foundation has resisted this move with its annual report out of a desire to ensure that every member of The Florida Bar has access to the Foundation's financial and grant-making information. But with revenue from Florida's IOTA Program down 93 percent from its peak in 2006-07, the Foundation is taking measures to cut expenses wherever feasible.

In spite of the tremendous effect low interest rates have had on IOTA revenue in recent years, the Foundation, through its foresight, has managed to keep grant funding level by drawing on reserves wisely set aside during a brief, mid-decade spike in IOTA revenue. Through 2009-10, the Foundation has not had to cut programs notwithstanding the severe revenue reductions.

In addition to sustaining funding for Legal Aid, the Foundation has been able to continue its vital support for the Innocence Project of Florida (IPF), which has exonerated 11 Floridians using DNA evidence. One of them, James Bain, gained freedom in December 2009 after spending 35 years in prison for a crime he did not commit. Bain and the other exonerees might not have had access to the excellent representation of the IPF had the Foundation not provided \$1.25 million in Improvements in the Administration of Justice grants to the IPF since 2004-05.

The Foundation also put forward programs in 2009-10 aimed at leveraging the tremendous skills and generous spirits of Florida lawyers through funding of a Pilot Pro Bono Grant Program aimed at expanding and improving the efforts of



Adele I. Stone

organized pro bono programs at legal aid organizations around the state.

And when the Florida Supreme Court and the Florida Legislature sought to address the problem of wrongful convictions, the Foundation stepped forward to supplement the Legislature's funding for the Florida Innocence Commission.

But as we look ahead, it is an unavoidable fact that the Foundation must supplement IOTA revenue if it is to continue to help Florida's legal aid organizations deliver their services and to be a major driving force in improving the administration of justice in Florida. That's why your charitable giving to the Foundation is so important.

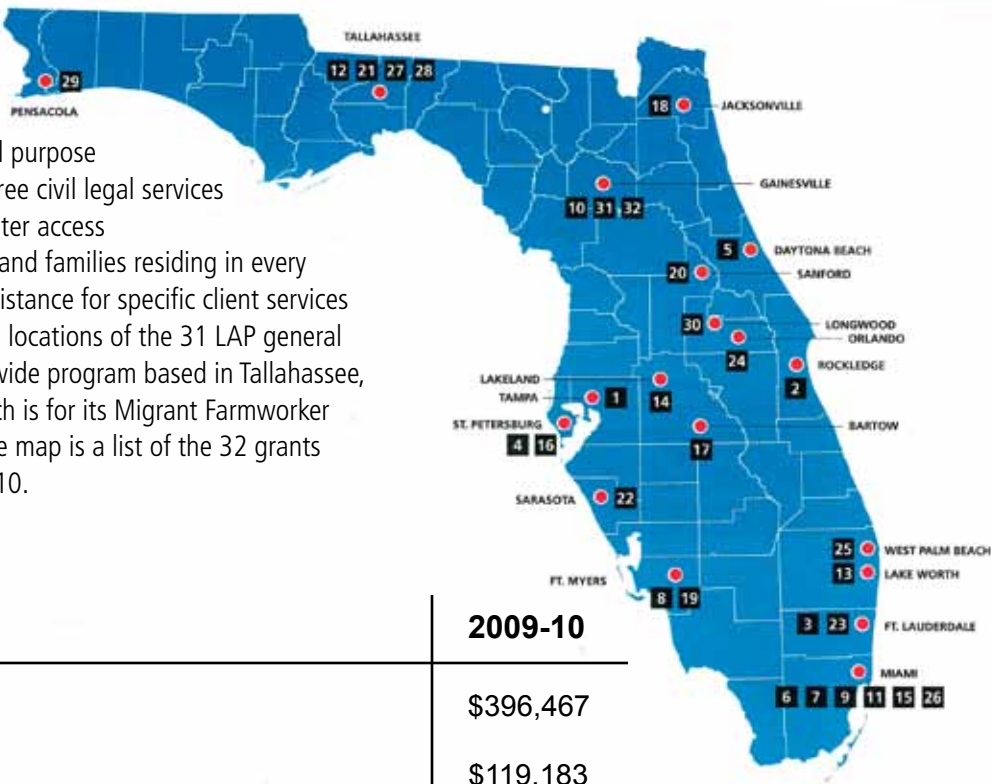
To all of our donors, on behalf of the Foundation, I would like to offer my sincerest thanks.

We hope that you will understand that our gratitude is as heartfelt online as it was in print, and we encourage you to share the link to this annual report, [www.floridabarfoundation.org/2010AR](http://www.floridabarfoundation.org/2010AR), with anyone you know who might be interested in the work of the Foundation.

Adele I. Stone  
President, 2009-10

# Legal Assistance for the Poor Grant Program

The Foundation's Legal Assistance for the Poor (LAP) Grant Program, supported primarily by IOTA funds, provides general support and special purpose grants to a network of organizations providing free civil legal services to the poor. Together, this network provides greater access to the justice system for low-income individuals and families residing in every Florida county. LAP grants also support legal assistance for specific client services and to specific client groups. The map shows the locations of the 31 LAP general support grantees. Florida Legal Services, a statewide program based in Tallahassee, receives two general support grants, one of which is for its Migrant Farmworker Justice Project, based in Lake Worth. Beneath the map is a list of the 32 grants made to LAP general support grantees in 2009-10.



## General Support Grants

### GRANTEE (main office)

GRANTEE (main office)	2009-10
1. Bay Area Legal Services, Inc. <i>Tampa</i>	\$396,467
2. Brevard County Legal Aid, Inc. <i>Rockledge</i>	\$119,183
3. Coast to Coast Legal Aid of South Florida, Inc. <i>Plantation</i>	\$37,100
4. Community Law Program, Inc. <i>St. Petersburg</i>	\$45,500
5. Community Legal Services of Mid-Florida, Inc. <i>Daytona Beach</i>	\$515,656
6. Cuban American Bar Association Pro Bono Project <i>Miami</i>	\$71,741
7. Dade County Bar Association Legal Aid Society <i>Miami</i>	\$553,446
8. Florida Equal Justice Center, Inc. <i>Fort Myers</i>	\$560,819
9. Florida Immigrant Advocacy Center, Inc.* <i>Miami</i>	\$1,213,618
10. Florida Institutional Legal Services, Inc.* <i>Newberry</i>	\$839,648
11. Florida Justice Institute, Inc.* <i>Miami</i>	\$518,086
12. Florida Legal Services, Inc.* <i>Tallahassee</i>	\$3,042,033
13. Florida Legal Services, Inc.* <i>Migrant Farmworker Justice Project Lake Worth</i>	\$861,052
14. Florida Rural Legal Services, Inc.* <i>Lakeland</i>	\$617,969

<b>GRANTEE</b> <i>(main office)</i>	<b>2009-10 AWARD</b>
15. Guardianship Program of Dade County, Inc. <i>Miami</i>	\$92,572
16. Gulfcoast Legal Services, Inc. <i>St. Petersburg</i>	\$1,447,130
17. Heart of Florida Legal Aid Society, Inc. <i>Bartow</i>	\$160,631
18. Jacksonville Area Legal Aid, Inc. <i>Jacksonville</i>	\$1,193,455
19. <i>Lee County Legal Aid Society, Inc.</i> <i>Fort Myers</i>	\$80,451
20. Legal Advocacy Center of Central Florida, Inc. <i>Sanford</i>	\$862,367
21. Legal Aid Foundation of the Tallahassee Bar Association <i>Tallahassee</i>	\$61,383
22. Legal Aid of Manasota, Inc. <i>Sarasota</i>	\$45,500
23. Legal Aid Service of Broward County, Inc. <i>Plantation</i>	\$1,285,642
24. Legal Aid Society of the Orange County Bar Association <i>Orlando</i>	\$763,294
25. Legal Aid Society of Palm Beach County, Inc. <i>West Palm Beach</i>	\$505,343
26. Legal Services of Greater Miami, Inc. <i>Miami</i>	\$915,585
27. Legal Services of North Florida, Inc. <i>Tallahassee</i>	\$321,264
28. North Florida Center for Equal Justice, Inc. <i>Tallahassee</i>	\$107,350
29. Northwest Florida Legal Services, Inc. <i>Pensacola</i>	\$560,943
30. Seminole County Bar Association Legal Aid Society <i>Longwood</i>	\$93,197
31. Southern Legal Counsel, Inc.* <i>Gainesville</i>	\$448,592
32. Three Rivers Legal Services, Inc. <i>Gainesville</i>	\$93,320
<b>TOTAL</b>	<b>\$18,430,337</b>

\* These grants are non poverty-population based or have non poverty-population based components that support statewide legal aid services and activities.

All general support grants not marked with an asterisk are poverty-population based.





Clockwise from left: Chief Judge J. Preston Silvernail; Brevard County Legal Aid Managing Attorney Peter Pancoast; pro bono attorney James Torres; Judge Charlie Crawford; Judge Jim Earp; Brevard County Legal Aid Executive Director Rob Johnson; Florida Legal Services Pro Bono Liaison Adrienne Davis; and Judge Lisa Davidson pictured at the Brevard Pro Bono Promise kick-off in October 2009.

## Foundation Support for Pro Bono Services by Members of The Florida Bar

Members of The Florida Bar donated their time through organized pro bono programs in 2009 to handle 15,115 cases, which represented 15.1 percent of all cases closed by Foundation legal aid grantees. At an average rate of \$120 an hour, the 87,382 hours contributed by Florida attorneys through organized pro bono programs in 2009 represents \$10.5 million of free legal assistance for low-income Florida residents.

Foundation legal aid grants support the intake and referral of cases to pro bono attorneys and provide such volunteers with backup support and training. There is a wide variety of pro bono service opportunities for Florida attorneys, including:

- Handling cases in family law, housing matters, immigration, etc.
- Transactional attorneys helping community groups develop affordable housing
- Providing advice and counsel through clinics
- Representing children in dependency proceedings
- Co-counseling cases with legal aid attorneys in housing and consumer law
- Assisting particularly vulnerable clients, such as the elderly, the disabled and the mentally ill.

Not all pro bono work has to involve direct representation of clients. For example, pro bono attorneys can also:

- Provide substantive law and skills training to legal aid attorneys
- Serve as mentors to less experienced legal aid attorneys
- Do client intake
- Participate in community legal education programs such as being a panelist at a seminar on domestic violence or speaking to the elderly about protection of their homesteads.

The benefits of involving members of The Florida Bar in serving the legal needs of the poor extend well beyond the positive outcomes for individual clients because attorneys make things happen. When talent and commitment are applied to removing the legal barriers poor people face in stabilizing their lives, entire communities benefit.

## Pilot Pro Bono Grant Program

The Foundation increased its support for pro bono in the 2009-10 fiscal year through a new Pilot Pro Bono Grant Program that distributed \$663,440 for new or enhanced pro bono projects at 12 Foundation-funded legal aid organizations. This included a \$146,255 grant to Florida Legal Services to support The Florida Bar's Standing Committee on Pro Bono Legal Service in the development and implementation of its "One" pro bono campaign, and funds to increase Florida Legal Services' staff support for the coordination of statewide efforts to expand pro bono.

The Foundation undertook this organized support for pro bono programs in response to a September 2008 study, "Pro Bono: Looking Back, Moving Forward," which was commissioned by the Standing Committee and funded by the Foundation. The study made recommendations as to how to reinvigorate pro bono in Florida through partnerships among the courts, The Florida Bar, the Foundation, local bar associations, law firms and pro bono programs.

*"One of our goals is making pro bono a community partnership. The pilot pro bono project has allowed us to get out there in a much more public way."*

**Linda Harradine, Executive Director  
Legal Aid of Manasota Inc.**

# How Legal Assistance Grantees Helped in 2009

## Income Maintenance Matters:

Having been abused by his mother throughout his childhood, as a teenager “Martin” ran away and joined the circus – literally. He worked for many years as an assistant elephant handler, followed by years of working on and off as a laborer. Eventually Martin’s mental problems began to interfere with his ability to function, and he ended up on the streets. At 51, he was living at a homeless shelter when a Legal Aid attorney doing outreach there interviewed him. A psychological evaluation resulted in a diagnosis of major depressive disorder, post-traumatic stress disorder, anxiety and panic attacks, among other problems. His symptoms included auditory hallucinations, insomnia and a mistrust of people. Legal Aid represented Martin in his Social Security Disability claim. After being granted disability benefits, he was able to leave the shelter and live independently.

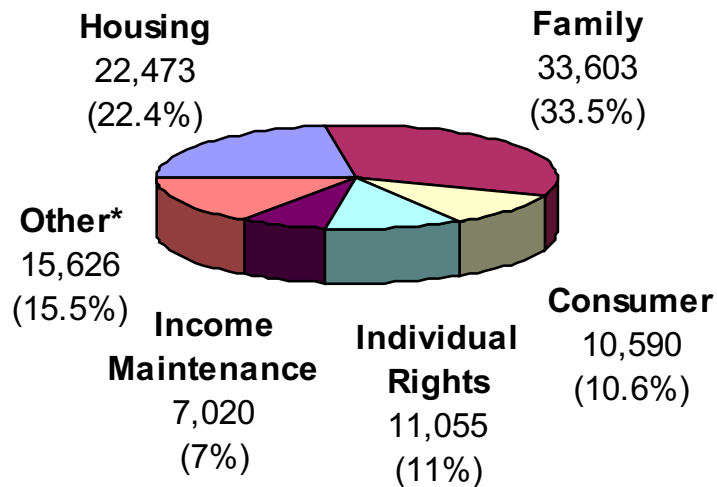
*Gulfcoast Legal Services Inc.,  
St. Petersburg*

## Family Matters:

“Alice,” a mother of five, came to Legal Aid for help with her domestic violence case after her husband had strangled her, shoved her to the ground and spit on her while her children watched through the window. The husband had threatened that – because Alice had cerebral palsy – if she took him to court, she would lose the children. Legal Aid was able to obtain an injunction for protection, and Alice was granted temporary parental custody of all the children, as well as child support and exclusive use and possession of the home. Legal Aid went on to represent her in her divorce case.

*Brevard County Legal Aid Inc.,  
Rockledge*

## 100,367 Cases Closed in 2009



\* Includes employment, health, children, education, etc.

## Individual Rights:

Following the 1991 coup d’etat in Haiti, “Jean” sought asylum in the United States. While her asylum application was under review, she married and had a daughter. Both her husband and daughter are U.S. citizens, and her husband’s petition for her to legalize her status was approved. However, when her asylum case was denied, she was fitted with an ankle bracelet and told to buy a plane ticket to Haiti. Because their then-7-year-old daughter had serious medical problems, Jean’s husband worked two jobs to pay for the child’s medical care, which left Jean as the girl’s primary caregiver. With only a week before her scheduled deportation, Legal Aid became aware of Jean’s case and asked Immigration and Customs Enforcement to defer Jean’s removal, submitting letters from independent physicians who had reviewed the daughter’s medical file and concluded that she needed her mother’s care. Although the request was denied, Legal Aid did

not give up, but rather approached ICE officials in Washington with an emergency request to stay Jean’s deportation. The stay was granted 45 minutes before Jean was scheduled to report for removal.

*Florida Immigrant Advocacy Center,  
Miami*

## Consumer Matters:

An identity thief stole “John’s” identity, obtained a license plate with it and proceeded to run through Dade County tolls with abandon, knowing that the citations would land on John’s doorstep and not his own. By the time John came to Legal Aid, he had 128 outstanding traffic infractions in his name, and the Florida Department of Motor Vehicles had notified him that his license was suspended indefinitely, that his license plate could not be renewed and that a collection agency representing the Miami-Dade Expressway Authority was seeking to collect more than \$21,000 in fines. Because he had multiple medical

problems and needed to be able to drive himself to his doctors' appointments, John had an immediate need to get his license back. Legal Aid obtained police reports from multiple counties and had John sign identity theft affidavits to submit along with other information to all the agencies involved, including the Dade County Clerk of Court. As a result, John's license was reinstated, he was able to get his tag, and his account was recalled from the collection agency.

*Bay Area Legal Services Inc., Tampa*

### **Housing:**

"Wanda," 84, had lived in her home since 1953 but faced losing it to foreclosure after a lender had talked her into refinancing her home in 2006 and she was subsequently unable to make the payments. She had used some of the equity she took out through the refinancing to fix her teeth and pay medical bills, and now her bank had filed a foreclosure action. Meanwhile, the mortgage servicer had put force place insurance on Wanda's home, even though she'd had the same insurance company since 1953. Legal Aid was able to provide proof of insurance to the mortgage servicer, which retracted the insurance charges. Her attorney then learned that the bank claiming ownership of her note and mortgage had filed documents with the Florida Secretary of State to discontinue doing business in Florida. After discovery was prepared and sent and litigation was prepared, the bank filed a dismissal.

*Jacksonville Area Legal Aid Inc., Jacksonville*



**Florida Immigrant Advocacy Center attorneys help eligible Haitians during FIAC's Temporary Protected Status Clinic. The clinic was held in January 2010 at Florida International University's North Campus.**

## **Emergency Haitian Temporary Protected Status Grant Program**

In the aftermath of the earthquake that devastated Haiti Jan. 12, 2010, the U.S. government extended Temporary Protected Status (TPS) to Haitians already living in the United States.

In response, The Florida Bar Foundation awarded grants totaling \$297,000 to legal aid offices in Florida that have seen an influx of Haitians applying for TPS, which would allow them to live and work in the United States for 18 months from January 2010.

The grants were made through the Foundation's Legal Assistance for the Poor Grant Program to seven legal aid offices with sizable Haitian populations in their communities: Jacksonville Area Legal Aid, Legal Aid Society of the Orange County Bar Association, Gulfcoast Legal Services, Florida Equal Justice Center, Legal Aid Society of Palm Beach County, Legal Aid Service of Broward County, and the Florida Immigrant Advocacy Center.



# Children's Legal Services Grants

Since the early 1990s, The Florida Bar Foundation has funded special annual grants for legal assistance to children. Gifts from attorneys to the Foundation from the Lawyers' Challenge for Children on the annual Florida Bar Fee Statement help support these grants, along with proceeds from The Florida Bar's Kids Deserve Justice license plate initiative. The Foundation's priorities for its Children's Legal Services grants include representation of foster-care children and access to special education, medical, developmental and mental health services that are required under law.

GRANTEE	2009-10 AWARD
Bay Area Legal Services <i>Tampa</i> L. David Shear Children's Law Center	\$164,800
Brevard County Legal Aid <i>Rockledge</i> Independent Living Project	\$ 51,500
Community Law Program <i>St. Petersburg</i> Transitioning Dependent Youth Project	\$44,000
Community Legal Services of Mid-Florida <i>Daytona Beach</i> The Child Advocacy Project	\$175,100
Dade County Bar Association Legal Aid Society <i>Miami</i> Teen Legal Collaborative Project (Joint project with Lawyers for Children America)	\$103,000
Florida Equal Justice Center <i>Fort Myers</i> Schoolhouse-Safehouse	\$113,300
Florida Immigrant Advocacy Center <i>Miami</i> FIAC's Children's Legal Project	\$123,600
Florida Institutional Legal Services <i>Newberry</i> Children in Custody Project	\$97,850
Florida International University College of Law <i>Miami</i> Children's Education Advocacy Clinic	\$113,300
Florida's Children First <i>Coral Springs</i> Florida's Children First Children's Systemic Initiatives	\$285,150
Florida Legal Services, Inc. <i>Tallahassee</i> Children's Statewide Litigation and Policy	\$159,650



Florida State University College of Law Public Interest Law Center <i>Tallahassee</i> Health Care Access/ Special Education Project	\$159,650
Gulfcoast Legal Services <i>St. Petersburg</i> GLS CHILD (Children's Immigration Legal Defense)	\$72,100
Jacksonville Area Legal Aid <i>Jacksonville</i> Crisis in Duval Foster Care Education Systems Project	\$82,400
Lawyers for Children America, Inc. <i>Miami</i> Teen Legal Collaborative Project (Joint project with Dade County Bar Association Legal Aid Society)	\$103,000
Lawyers for Children America, Inc. <i>Miami</i> Miami Youth S.H.I.N.E. Project (Striving High for Independence and Empowerment)	\$72,100
Legal Aid Service of Broward County <i>Plantation</i> Children's Advocacy Program Education Legal Rights Project, Broward and Collier	\$139,050
Legal Aid Society of Palm Beach County <i>West Palm Beach</i> Children's Educational Advocacy Law Project	\$144,200
Legal Aid Society of the Orange County Bar Association <i>Orlando</i> Guardian Ad Litem Project	\$138,020
Legal Services of Greater Miami <i>Miami</i> Special Education Advocacy Project	\$58,300
Legal Services of North Florida <i>Tallahassee</i> Children's Legal Representation Project (CLRP)	\$119,480
Southern Legal Counsel <i>Gainesville</i> Education Advocacy Project	\$154,500
University of Miami School of Law Children & Youth Law Clinic <i>Coral Gables</i> Statewide Foster Children's Advocacy Project	\$133,000
<b>TOTAL</b>	<b>\$2,807,050</b>



## Affordable Housing Grants

The Foundation has sought to make an impact on the affordable housing crisis for low-income individuals and families through the implementation of a statewide-regional affordable housing project. The goal of the project is to undertake systemic advocacy to prevent the loss of affordable housing units and to support the development of new affordable housing units. Grants support multi-forum legal advocacy, including legislative advocacy, administrative advocacy, public policy advocacy and litigation on a statewide and local level. In 2009-10, the Foundation provided \$1,183,220 in affordable housing grants to seven regional projects, as well as a \$352,160 grant to Florida Legal Services for its work on affordable housing.

## Statewide Special Project Grants

The following grants were made to support statewide initiatives on behalf of the legal aid community.

Project	2010 Grant Amount
<p><b>The Statewide Website</b> Internet-based resources provided to Foundation-funded legal aid and legal services advocates, volunteer attorneys who provide pro bono assistance to the poor, and members of the client community who need access to self-help legal information and referrals to Foundation grantee organizations.</p>	<p><b>\$177,000</b></p>
<p><b>The Statewide Pro Bono Project</b> Provides staff support for the work of The Florida Bar Standing Committee on Pro Bono Legal Service. Of these grant funds, \$50,000 comes from The Florida Bar.</p>	<p><b>\$108,000</b></p>
<p><b>Statewide Language Line Translation Services</b> A fund to assist Foundation-funded legal aid programs with the cost of translation to encourage and support greater access to legal services to eligible clients despite language barriers.</p>	<p><b>\$23,600</b></p>
<p><b>Statewide Supplemental Training Funds</b> Provides support for organized statewide training events for staff members of Foundation-funded legal aid programs.</p>	<p><b>\$169,804</b></p>
<p><b>Florida Senior Legal Helpline</b> Provides support for expanded access to legal aid statewide by Floridians aged 60 and over by providing callers free legal advice, brief services and referrals by telephone.</p>	<p><b>\$65,000</b></p>

## Regional Grants

The Foundation helps grantees address significant unmet client needs on a regional level through grants that support collaborative efforts involving participation by at least two Foundation general support grantees serving within the same region. These special regional projects include employment benefits, access to health care, pro bono support, housing and immigration. In 2009-10, these regional grants totaled \$1,043,457.

## Small Program Special Needs Grants

The purpose of this competitive grant program is to recognize and support small legal assistance programs with a long history of providing legal representation to special needs clients. The recipients are programs not otherwise supported by a Foundation grant. In 2009-10, the Colombian American Service Association and the HIV, Education and Law Project (HELP) Inc. received a total of \$142,000.

## Attorney General Mortgage Foreclosure Defense Grant Program

In 2009-10, The Florida Bar Foundation initiated a mortgage foreclosure defense grant program using funds provided by Florida Attorney General Bill McCollum from settlement of a class action against Countrywide Financial Corporation.

More than \$4 million was made available over two years, with \$2 million awarded to 19 grantees in 2009-10. The grants funded additional lawyer and paralegal positions devoted to providing free assistance to homeowners facing foreclosure who cannot afford an attorney. Florida has had one of the highest foreclosure rates in the nation.

The funds were distributed through the Foundation in the form of annual grants awarded to legal aid organizations. The grants vary in size depending on the number of foreclosures experienced in a particular area.

## Florida Access to Civil Legal Assistance Act Grants

The Florida Access to Civil Legal Assistance Act (FACLA) was passed by the Florida Legislature and signed into law by the Governor in 2002. Sixty-four legislators cosponsored the act, which was passed unanimously by each subcommittee that reviewed the bill. Before the full Legislature, there was only one dissenting vote.

The free civil legal assistance FACLA has provided to low-income Floridians has furthered the goals of the act to stabilize lives, provide independence and self-sufficiency, and secure protection from domestic violence and abuse.

In 2009-10, \$1 million was appropriated to the unique public-private partnership formed under the act permitting the Foundation to administer a competitive legal aid grant process to support legal assistance throughout Florida. Implementation by the Foundation, an existing 501(c)(3) organization, significantly reduces administrative costs. In 2009-10, 25 local legal aid programs were funded on a poor-person basis.



# Fostering Public Service Careers

The Florida Bar Foundation offers a number of programs through its Legal Assistance for the Poor Grant Program to encourage law school graduates to choose and remain in public interest careers. This includes providing matching funds for Equal Justice Works Fellows who spend two years working on public service projects, as well as providing loan repayment assistance and salary supplementation to Florida's dedicated legal aid attorneys.

## Equal Justice Works Fellowship Program

Since 1999, the Foundation and its Florida funding partners have provided matching funds for 62 Florida Equal Justice Works Fellows. Fellows have designed and led legal assistance projects in affordable housing, welfare-to-work, domestic violence, special education for disabled children, homelessness, immigration, prisoner rights, environmental justice and family preservation. These two-year public interest fellowships are sponsored by the Washington, D.C.-based Equal Justice Works. The Fellows are hosted by Foundation-funded legal assistance organizations. In addition to addressing the civil legal needs of the poor in Florida, the Equal Justice Works Fellowship Program enriches Florida's legal assistance community through the enthusiasm of individual Fellows, who renew and enliven a host program's legal advocacy. In 2009-10, the Foundation approved matching funds for four Fellows in the Class of 2010-12 and was joined by its funding partners, the law firm of Greenberg Traurig and The Florida Bar.

### Equal Justice Works Fellowships Class of 2010-12

Host Legal Aid Program	Fellow	Project
Legal Aid Society of Palm Beach County	Ashley Ortagus	Provide dependent and delinquent pregnant and teen moms with holistic legal representation, system relief through litigation, and empowerment through education advocacy.
Florida Justice Institute	Dante Trevisani	Assist ex-felons re-entering society by using legal advocacy to eliminate re-entry barriers such as loss of voting rights, high financial obligations, and employment restrictions.
Three Rivers Legal Services	Beverly Brown	Provide legal advocacy and outreach to students with disabilities ages 3-21 and their parents/guardians through direct representation and education in Duval, Clay, and Nassau counties.
Jacksonville Area Legal Aid	Karen Winston	Provide legal outreach, advocacy, and representation to immigrant detainees in the new Baker County Detention Center (BCDC).

## Law School Loan Repayment Assistance Grant Program

The majority of law students today graduate with educational debt of more than \$100,000. In 2007 the Foundation released the results of an in-depth study titled, "The Quest for the Best: Attorney Recruitment and Retention Challenges for Florida Civil Legal Aid," which found that one of the top three reasons attorneys were leaving public service careers was "financial pressure due to student loans." The study noted that salary increases alone would not be adequate to alleviate the burden of debt payments on legal aid attorneys. In response, the Foundation strengthened its Law School Loan Repayment Assistance Program, which now pays legal aid attorneys up to 80 percent of their annual payments on need-based law school debt for up to eight years. Annual payments are capped at \$7,500 and are in the form of one-year loans forgiven annually for attorneys who remain employed at a Foundation legal assistance grantee for the full 12-month period. In 2009-10, the Foundation committed \$1,079,316 to the program for benefits to 211 legal aid attorneys.



# Staff Attorney Salary Supplementation Grant Program

The 2007 “Quest for the Best” study found that the median starting salary for a licensed attorney in a Florida legal aid program was \$38,500 and that staff attorneys do not reach a salary of \$50,000 until nine years after law school graduation. Common measures of a middle class lifestyle, such as home ownership, proved beyond the reach of legal aid attorneys in spite of their highly specialized skills. The study also found that “financial pressure due to low salary” was the number one reason legal aid attorneys left their jobs. In accordance with the recommendations of the study, The Florida Bar Foundation developed a plan to help increase staff attorneys’ starting salaries beginning Jan. 1, 2008 to a minimum of \$43,500 with an increase to \$46,000 in 2010. It also established goals that attorneys with three years, six years and 10 years of experience would be earning a minimum of \$50,000, \$60,000 and \$70,000 respectively by 2010. To enable legal aid programs to implement these salary improvements, along with other professional development enhancements recommended by the study, the Foundation initiated a Staff Attorney Salary Supplementation Grant Program. In 2009-10, the program made grants totaling \$5.8 million to 28 legal aid programs. These grants also provided some matching funds to enable legal aid programs to start or improve retirement benefit plans for all of their employees.

## Law Student Assistance Grant Program

### Legal Aid Summer Fellowship Grant Program

The Foundation administers an 11-week summer fellowship program for first- and second-year law students placed at Foundation-funded legal assistance programs. The Foundation awarded \$285,012 in 2010 to support the legal services Summer Fellows. Forty law students from Florida’s law schools and six out-of-state schools participated as 2009 Summer Fellows, having been selected from 266 applicants. As in years past, the Florida Legal Aid Project Directors’ Association (PDA) sponsored a Terry Russell Summer Fellow to honor Russell for his significant contributions to the delivery of legal services for the poor in Florida. This summer, the PDA sponsored Nicole DeAnda as the 2010 Terry Russell Summer Fellow at the Legal Aid Society of Broward County. DeAnda participated in the 2010 Summer Fellows Program as a second-year law student from Ave Maria School of Law.

### Public Service Fellows Grant Program

Through the Public Service Fellows Program, law students complete internships at legal aid offices, guardian ad litem programs and public defender offices, as well as human rights and other public service agencies. The program seeks to promote the concept of pro bono legal services by members of the legal profession, to provide law students with direct involvement in public service activities and to promote the concept of public service legal work on law school campuses. The grants are awarded to law schools, which distribute the funds to students. During the 2009-10 academic year, 110 students participated in the Public Service Fellows Program and contributed an estimated 31,556 hours of direct public service. Foundation funding for the program was \$332,415 in 2010.

### Law School Civil Clinic Grant Program

The Florida Bar Foundation helps support law school civil clinics in an effort to:

- involve law students in the provision of civil legal assistance to the poor;
- provide an in-depth experience in representing the poor and working with individual clients and client groups in civil matters;
- encourage law students to pursue public interest careers representing the poor; and
- promote a commitment to pro bono representation of the poor

Cases handled through the clinics are predominantly in the areas of family law, children’s legal services, homeless advocacy, public benefits (food stamps, Medicaid), immigration, community outreach and education. In 2009-10, the Foundation awarded \$25,000 each to support civil law clinics at the following law schools: Barry University, Florida A&M University, Florida International University, Florida State University, Nova Southeastern University, St. Thomas University, Stetson University, the University of Florida and the University of Miami.

# Improvements in the Administration of Justice Grant Program

## Grantmaking Philosophy

A goal of The Florida Bar Foundation is to focus grants in areas where the funding can have a measurable impact. Toward that end, the Foundation concentrates grants for improvements in the administration of justice in five areas, with emphasis on how the courts can operate more effectively and expeditiously.

## Areas of Funding

- Improvement in the operation and management of the court system;
- Improvement and reform of the criminal, civil and juvenile justice systems;
- Public education and understanding about the law, including law-related education;
- Promotion and support for public interest legal representation; and
- Promotion and support for voluntary bar association-sponsored community-service initiatives.

The Foundation occasionally considers and seeks out projects in other subject areas related to improving the administration of justice in Florida.

## Funding Criteria

Preference generally will be given to:

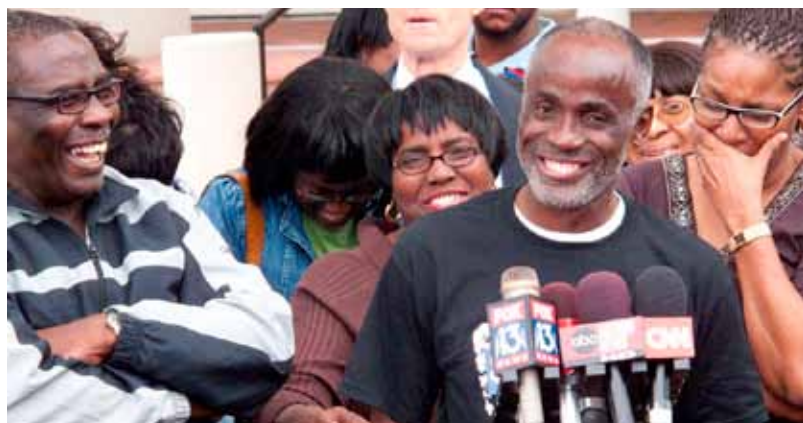
- Applicants seeking start-up funds or seed money over a one- or two-year period;
- Programs with demonstration value or replication potential; and
- Requests for matching funds.

AOJ typically does not fund direct service programs (e.g., drug treatment or counseling), replicas of established programs, local community groups, or programs for which there is a governmental responsibility to provide funding and continuing program support.

<b>GRANTEE</b>	<b>2009-10 AWARD</b>
<b>American Civil Liberties Union Foundation of Florida, Inc.</b> Rethinking Restoration of Civil Rights in Florida <i>Miami</i> To continue providing direct assistance to ex-felons in the rights-restoration process, as well expanding their training program by training trainers in order to increase the number of rights restoration assistance providers in communities across Florida.	<b>\$65,000</b>
<b>Children's Home Society of Florida</b> A Place for Children, Orange County Courthouse <i>Winter Park</i> Emergency funding over two years to provide an on-site, safe, high-quality child-care program for families with official court business while ensuring linkage to available social services.	<b>\$20,000</b>
<b>Florida Law Related Education Association</b> General Support <i>Tallahassee</i> To provide general support for the development and expansion of model civic and law-related education programs in Florida.	<b>\$210,120</b>
<b>Florida Partners in Crisis</b> Mental Disabilities Judicial & Legal Education <i>Merritt Island</i> Two-year grant to help provide judicial and legal education in dealing with mental disabilities.	<b>\$97,900</b>

Surrounded by family, James Bain meets the press on Dec. 17, 2009, after being exonerated by the Innocence Project of Florida, a grantee of The Florida Bar Foundation's Improvements in the Administration of Justice Grant Program.

Bain served 35 years in prison for a rape and kidnapping that DNA evidence proved he did not commit. He is one of 11 people exonerated by the Innocence Project of Florida since 2003.



## GRANTEE

## 2009-10 AWARD

### **Florida State University Center for the Advancement of Human Rights \$65,000**

Advancing the Findings & Recommendations of the ABA Florida Death Penalty Assessment Team Report

*Tallahassee*

To identify objectives that conceivably could be accomplished in the near term and to lend additional emphasis to the substantial costs and fiscal implications associated with Florida's death penalty process.

### **Innocence Project of Florida, Inc. \$319,600**

General Support & Exoneree Emergency Funds

*Tallahassee*

To obtain the release of innocent people in Florida prisons through the use of DNA testing. Also, to advocate for reform in areas that lead to wrongful convictions, and for education of the public on the causes and extent of wrongful convictions.

### **The Florida Bar \$10,000**

Reporting on the Courts and the Law: A Workshop for Journalists

*Tallahassee*

An intensive two-day workshop designed for 24 print, television and radio journalists new to the courts and the legal beat or new to Florida, to educate journalists in the basics in reporting on the law and the court system, including The Florida Bar disciplinary process, and increase awareness of the importance of the judiciary as a co-equal branch of government with the legislative and executive branches.

### **The Florida Bar Young Lawyers Division \$27,000**

Matching Funds for Affiliate Public Service Projects

*Tallahassee*

Matching funds for grants to local Young Lawyers affiliate groups for public service projects.

### **The Florida Supreme Court \$114,862**

The Florida Innocence Commission

*Tallahassee*

The Florida Innocence Commission, established by The Florida Supreme Court, will study wrongful convictions, including false eyewitness identifications, interrogation techniques, false confessions, the use of informants, handling forensic evidence, attorney competence and conduct, processing of cases and the administration of the death penalty.

## **TOTAL**

**\$929,482**

## Voluntary Bar Association Community Service Grant Program

The Voluntary Bar Association Community Service Grant Program is an ongoing program of one-time grants of up to \$5,000 each awarded to voluntary bar associations in Florida to promote new or significant improvement in existing charitable, community-service projects. The goals of the Voluntary Bar Association Community Service Grant Program are:

- To increase community service by Florida's legal profession through voluntary bar association initiatives; and
- To serve as a readily accessible source of funding for a full range of voluntary bar association charitable, community-service projects.

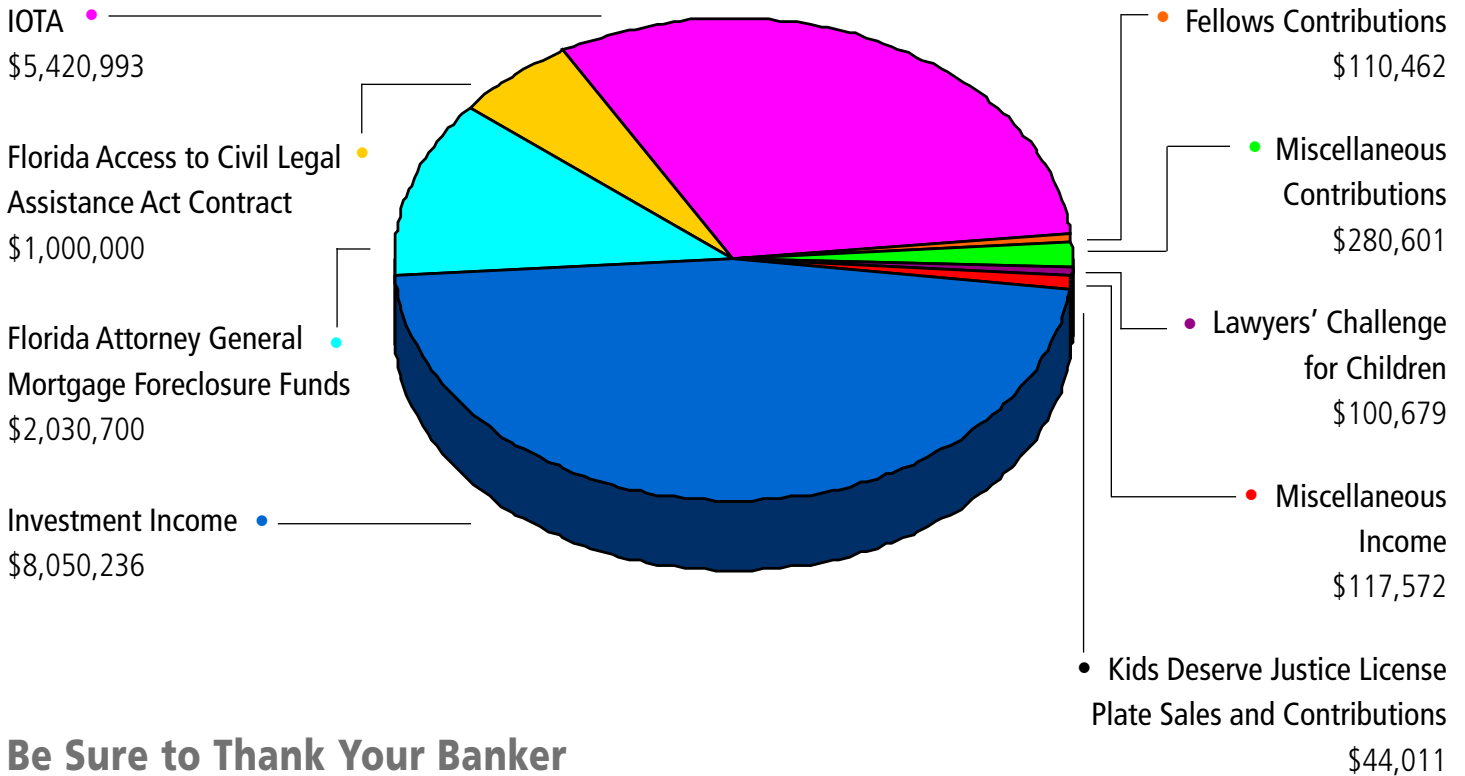
<b>GRANTEE</b>	<b>2009-10 AWARD</b>
<p><b>Brevard County Association for Women Lawyers</b>            Space Coast Community Law Academy  <i>Titusville</i>            To hold a free weekly series of legal seminars to educate the community on current important legal subjects such as foreclosure, bankruptcy, Social Security disability, employment law, landlord-tenant and consumer law/small claims.</p>	<b>\$3,250</b>
<p><b>Caribbean Bar Association</b>            U.S. Citizenship and Temporary Protective Status Drive  <i>Ft. Lauderdale</i>            To provide, in partnership with other local organizations, free assistance to eligible individuals to complete the U.S. citizenship application or Temporary Protective Status application.</p>	<b>\$2,500</b>
<p><b>Central Florida Association for Women Lawyers</b>            Community Outreach Fair  <i>Orlando</i>            To host an event to foster relationships between non-profit organizations and professionals in the Central Florida community.</p>	<b>\$2,000</b>
<p><b>Central Florida Gay and Lesbian Law Association</b>            The Red Door Project  <i>Orlando</i>            To raise awareness of domestic violence within the LGBT community and how domestic violence affects their lives; provide information about legal and therapeutic remedies and train local law enforcement officers on how to address the difficult and complex issue of same-sex domestic violence.</p>	<b>\$4,500</b>
<p><b>Collier County Bar Association</b>            Family Law Assistance Program  <i>Naples</i>            To provide assistance to pro se litigants in family law cases. Local law students, paralegals and attorneys will offer assistance on the completion of pre-approved family law pleading forms.</p>	<b>\$4,000</b>
<p><b>Florida Association for Women Lawyers</b>            Legal Defense for Women Denied Fair Parole Hearings  <i>Miami</i>            To provide legal assistance to women prisoners denied fair hearings by the State of Florida Parole Board.</p>	<b>\$4,000</b>
<p><b>F. Malcolm Cunningham Sr. Bar Association</b>            Know Your Rights Education and Outreach Campaign  <i>West Palm Beach</i>            To host two community forums dealing with hot-button issues affecting the African-American and Caribbean communities, and to develop a "Know Your Rights" guide on issues featured in the forum. A special workshop will be held for tenants of Villa Franciscan apartments, a subsidized housing development for seniors. Topics will include identity theft, landlord-tenant, and consumer law issues.</p>	<b>\$3,000</b>



<b>GRANTEE</b>	<b>2009-10 AWARD</b>
<b>Florida Muslim Bar Association</b> Muslim Community Outreach <i>Miami</i> To provide outreach to the non-attorney Muslim community to educate them about their legal rights and legal processes in Florida.	<b>\$4,500</b>
<b>Greater Orlando Asian American Bar Association, Inc.</b> Alien Land Law <i>Winter Park</i> To provide community outreach and education on Florida's Alien Land Law.	<b>\$4,250</b>
<b>Haitian Lawyers Association, Inc.</b> Community Legal Education <i>Miami</i> To produce a bi-monthly radio program broadcast in Creole in Miami-Dade, Broward, and Palm Beach counties to enhance public awareness about the consequences of the unlicensed practice of law and how to avoid being victimized by such practices, which are provided mainly in immigration, family and foreclosure/loan modifications.	<b>\$2,000</b>
<b>Martin County Bar Association</b> Legal Seminars-Foreclosure <i>Hobe Sound</i> To offer a seminar for the public in Martin County to help residents understand the foreclosure defense process.	<b>\$3,500</b>
<b>Orange County Bar Association</b> Foster Youth Legal Mentoring Initiative <i>Orlando</i> To provide a program developed by members of the judiciary to encourage crime prevention and mentor foster youth. The program includes a mock trial program at the Orange County Courthouse and a tour of the Orange County Jail.	<b>\$3,750</b>
<b>Tallahassee Women Lawyers</b> Tallahassee Women Lawyers 30th Anniversary Year Rookie Camp <i>Tallahassee</i> To support a day-long event for law students and first-year attorneys to encourage them to begin community service and pro bono work early in their careers and to inform participants about professionalism and the importance of relationships in the practice of law.	<b>\$2,500</b>
<b>The Hispanic Bar Association of Central Florida</b> Osceola County Enrichment Program Enhancement Project <i>Orlando</i> To deliver a multi-part curriculum that includes lessons in civics, government and the justice system through interactive activities and field trips. Also, to increase access to the Enrichment Program by providing need-based scholarships for students who would qualify for state subsidy but are denied due to insufficient state funds.	<b>\$4,500</b>
<b>Volusia County Bar Association</b> Educating and Empowering Guardian Advocates <i>Daytona Beach</i> To prepare a 90-page handbook with applicable forms to be posted on the Clerk of the Court's website and distributed to individuals seeking to be appointed as a guardian under expedited guardianship proceedings. Education seminars at interested non-profits, courthouses, and public schools in the Seventh Judicial Circuit will also be offered.	<b>\$1,750</b>
<b>TOTAL</b>	<b>\$50,000</b>

# Financial Information

## 2009-10 Revenues \$17,155,255



## Be Sure to Thank Your Banker

September 1981 marked implementation by the Florida Supreme Court of the country's first IOTA Program and the beginning of an important source of support for civil legal assistance to the poor, projects to improve Florida's justice system and programs to promote public service by law students. While we often mark that milestone and thank those responsible, we don't publicly recognize often enough Florida's banking community. IOTA works because of the support and cooperation of Florida banks – from the superb bank staff who make sure monthly remittance information and interest gets to the Foundation, to the teams who worked so closely with the Foundation to implement the interest rate comparability rule, to the leaders of the Florida Bankers Association who step up to the plate and help IOTA achieve its full potential. The Foundation, its grantees and those they serve are very grateful for the successful partnership between the legal and banking communities that is Florida's IOTA Program.

## The Foundation Thanks You

Several attorneys, law firms and other individuals and organizations contributed to our success in 2009-10 through pro bono services and other in-kind support of the Foundation itself. We would like to thank:

Sarah S. Butters, Holland & Knight  
Tallahassee

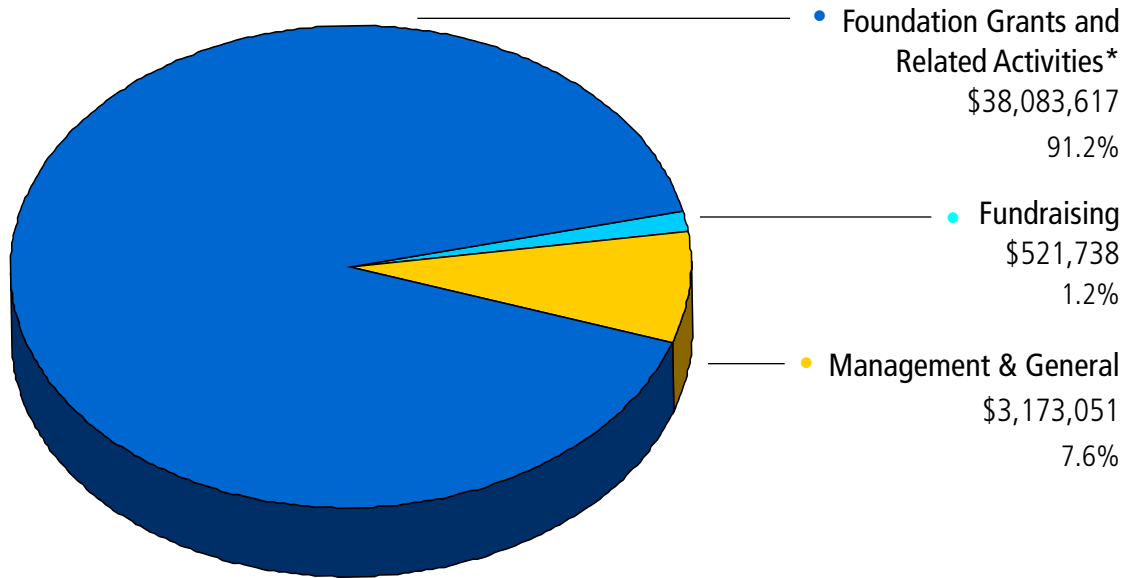
Maria Henderson, Akerman Senterfitt  
Tallahassee

Dominic C. MacKenzie, Holland & Knight  
Jacksonville

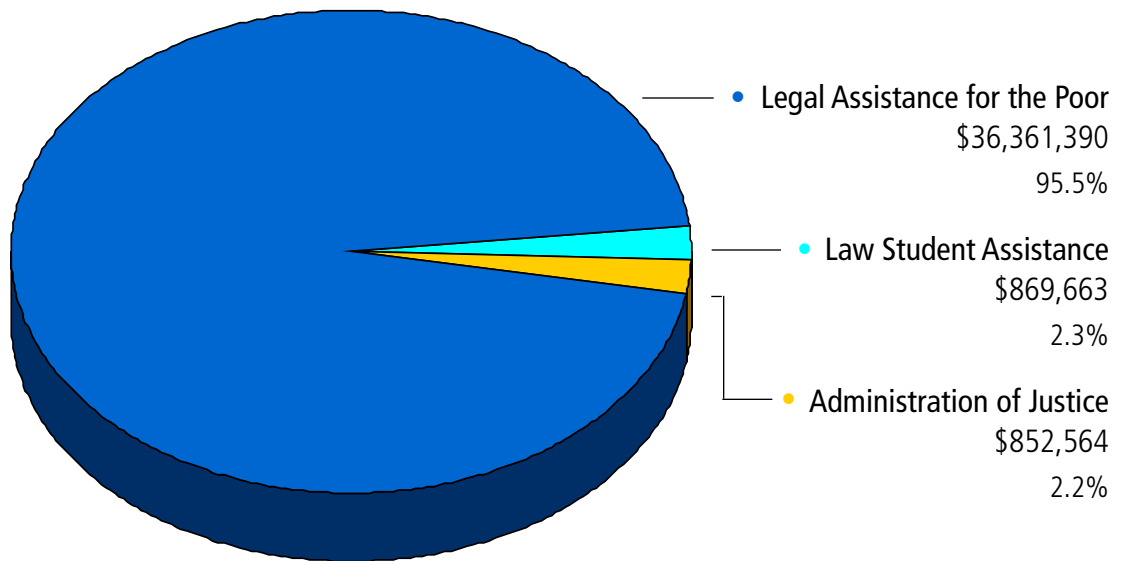
Donald Carlton Works, III, Jackson, Lewis, et. al.  
Orlando

# 2009-10 Fiscal Year

## 2009-10 Expenses \$41,778,406



## 2009-10 Breakout of Grants & Related Activities\* \$38,083,617



Fundraising, management and general expenses represent 8.8% of the Foundation's total expenses in 2009-10.

Audited financial statements are available from the Foundation upon request. The Foundation's IRS Form 990 is available on the Foundation's website at [www.floridabarfoundation.org/finance](http://www.floridabarfoundation.org/finance).

\* Foundation grants are based upon the net revenues of the fiscal year preceding the year being reported. These amounts may differ from the grants listed elsewhere in this report due to conditional and multi-year grants.

# Investing in Access to Justice

The mission of The Florida Bar Foundation is to provide greater access to justice. Foundation grants support leadership and funding for legal aid in Florida, improvements in the state's justice system, and programs designed to instill a spirit of public service in law students.

Many Florida residents have nowhere else to turn but to a legal aid or pro bono attorney to help them when they are facing domestic violence, unlawful evictions, scams such as mortgage fraud, or denial of public benefits to which they are legally entitled.

Although IOTA funds support the Foundation's mission, the need still far outstrips resources at legal services programs. Working together, we can do more to enhance the Foundation's mission and address the legal needs of the state's most vulnerable populations.

Your gifts can support current programs or can be added to The Florida Bar Foundation Endowment Trust as a permanent source of support for Foundation programs.

Florida lawyers – and the broader public – consistently demonstrate their sense of responsibility to care for those in need and their belief in the value of fairness in our justice system. We invite you to support the work of the Foundation and make your investment in access to justice.

To learn more about charitable giving opportunities at the Foundation, please contact me.



Tim Bachmeyer  
Director of Development  
tbachmeyer@flabarfdn.org  
(800) 541-2195 (Toll-free in Florida)  
(407) 843-0045

## Our Network of Philanthropic Support

Through our half-century of existence, thousands of individuals and organizations have supported The Florida Bar Foundation with their charitable gifts. For many of them, their support for the Foundation has blossomed from their original Fellows gift into an ongoing commitment as part of a personal philanthropic tradition.

In gratitude for their dedication, and for their commitment to the Foundation's sustained success over time, we acknowledge our generous donors for both their lifetime (cumulative) giving and for their gifts in the most recent fiscal year.

Our Lifetime Giving Societies pay tribute to the members at each giving level, recognizing the generosity they have shown since they made their first Foundation gift. Our Annual Giving Circles represent gift totals in the fiscal year ending June 30, 2010. The Fellows list documents the name of every person who, with his or her pledge of \$1,000, has committed to become a life member of the Foundation. Finally, our Legacy for Justice members have chosen to create a personal legacy on behalf of the Foundation with a significant commitment of resources to help sustain the Foundation's future.

The Foundation is also grateful for the many gifts made through the Lawyers' Challenge for Children and End-of-Year campaigns, as well as those made in tribute or in memory of special friends and loved ones. For their philanthropic support, which has become so important to the Foundation's mission, we salute our donors. They are recognized individually on our website under:

Legacy for Justice  
Lifetime Giving Societies  
Annual Giving Circles  
Lawyers' Challenge for Children  
Tribute & Memorial Gifts  
Fellows

For a complete listing of donors to  
The Florida Bar Foundation, go to:  
[www.floridabarfoundation.org/donors](http://www.floridabarfoundation.org/donors)



## The Legacy for Justice

For a special group of dedicated supporters, the mission of The Florida Bar Foundation is of such great personal importance that they have chosen to make a significant commitment of resources to help ensure that the Foundation's work can be sustained well into the future. The Legacy for Justice recognizes those who have either included the Foundation in their estate planning, made a pledge of \$10,000 or more, directed a significant cy pres award to the Foundation, or facilitated a major gift. We offer the members of this prestigious group our sincerest gratitude for their deep and abiding commitment to the Foundation.

- |   |  |
|---|--|
| Anonymous   | Holland & Knight LLP                     |
| Anonymous Donor-Advised Fund,<br>Community Foundation of<br>Central Florida | T. Glenn Jackson, Jr.* **                |
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|   | John Yanchunis**                         |
|   | ** Fellow                                |
|   | * Deceased                               |

## Legislature and Cabinet provided support for legal aid, foreclosure assistance

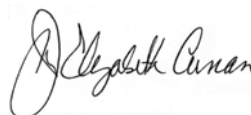
We are extremely grateful that Rep. Rich Glorioso and Sen. Mike Fasano helped ensure that \$1 million in funding for the Florida Access to Civil Legal Assistance Act was in the 2010-11 budget approved by the Legislature.

We also wish to thank Rep. Sandy Adams, Sen. Arthenia Joyner and Sen. Victor Crist, each of whom played vital roles in securing an additional \$1 million appropriation for foreclosure legal assistance to low-income families.

In addition to these timely appropriations, the Foundation was selected to administer the Attorney General's Mortgage Foreclosure Defense Fund, which directed a portion of Attorney General Bill McCollum's settlement with Countrywide Financial Corporation to foreclosure legal assistance grants. The fund provided just over \$4 million spread over two years.

This support from the Legislature and from the Attorney General has helped The Florida Bar Foundation ensure that its grantees were better prepared to address the heightened needs for legal assistance brought on by the recession, which has been accompanied by an increase not only in foreclosures, but also in domestic violence, public benefits claims and other problems associated with families in economic distress.

We are so fortunate to have had such wonderful champions in the Florida Legislature and in the Cabinet. Like our many supporters all over Florida, they understand that access to justice is critical in the effort to stabilize lives and communities, and to make Florida better for all its residents.




Jane Elizabeth Curran  
Executive Director  
The Florida Bar Foundation  
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## Governance

The Florida Bar Foundation is a charitable organization established in 1956 by The Florida Bar Board of Governors under the authority of the Florida Supreme Court. Its mission is to provide greater access to justice. Membership is open to all individuals interested in supporting the mission of the Foundation. Members are eligible to hold office and serve as directors of the Foundation. Participants in Florida's Interest on Trust Accounts (IOTA) Program, administered by the Foundation, are automatically entitled to membership. Membership also is available through annual Foundation dues or through the Foundation's Fellows Program. Both annual dues and Fellows payments are charitable contributions to the Foundation. The Foundation is governed by a 33-member board of directors, which meets quarterly. The board conducts its work through standing and ad hoc committees. The board comprises the officers of the Foundation, six directors by designation (two judicial officers appointed by the Chief Justice of the Florida Supreme Court, the president, president-elect, and immediate past president of The Florida Bar, and the president of Florida Legal Services, which provides coordination, training and other support services to legal aid programs across the state), at least two but not more than four public members and 18 at-large directors. At-large directors serve a maximum of two, three-year terms, with one-third selected by the Board of Governors of The Florida Bar, one-third by the board of directors of the Foundation, and one-third by the Florida Supreme Court. Committees are appointed annually by the board of directors at the request of the president, and include Foundation directors, members of the bar generally, and the lay public. An executive committee appointed annually by the board meets between meetings of the board.



Leadership and Funding for Justice in Florida

250 S. Orange Ave., Suite 600P  
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Orlando, FL 32802-1553

## CONTACT THE FOUNDATION

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E-mail: [fbf@flabarfndn.org](mailto:fbf@flabarfndn.org)  
[www.floridabarfoundation.org](http://www.floridabarfoundation.org)

### EXECUTIVE

**Jane Elizabeth Curran**, Executive Director & Director, Improvements in the Administration of Justice Grant Program  
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**Gabrielle Davis**, Communications Coordinator  
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**Lushawn Phillips**, IOTA Operations Manager  
[lphillips@flabarfndn.org](mailto:lphillips@flabarfndn.org)

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[pdoyle@flabarfndn.org](mailto:pdoyle@flabarfndn.org)

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**Maria E. Henderson**, Second Vice President  
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### EXECUTIVE DIRECTOR

**Jane Elizabeth Curran**

**Every day, in every city in Florida,**

*we help Legal Aid help those least able to afford a lawyer.*

**We are The Florida Bar Foundation,**

*and we believe the justice system works best when it works for everyone.*



Leadership and Funding for Justice in Florida