

SPEAKING OF JUSTICE

News From The Florida Bar Foundation

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Institute nurtures legal aid leaders

by Gabrielle Davis

Research funded by The Florida Bar Foundation shows that young legal aid attorneys are willing to step up the leadership ladder, but many feel they haven't had adequate preparation.

The Florida Bar Foundation is working to change that.

The Foundation has allocated \$100,000 and collaborated with the Center for Legal Aid Education (CLAE) to create The Florida Leadership Development Institute, a 14-month program that teaches legal aid attorneys the fundamentals of leadership with support from more experienced legal aid mentors.

A Foundation-funded 2007 study on staff attorney recruitment and retention in Legal Aid demonstrates that young legal aid attorneys are "underutilized and are leaving Legal Aid in two or three years," said Paul Doyle, director of the Foundation's Legal Assistance for the Poor and Law Student Assistance grant programs.

"The Leadership Development Institute is directed toward enabling young,



NANCY KINNALLY

Lissette Labrousse of Legal Services of Greater Miami, right, and her mentor Carol Miller of Jacksonville Area Legal Aid share in a discussion of leadership techniques at a February meeting of the Florida Leadership Development Institute.

promising advocates to be a force for leadership in the programs where they are now," Doyle said.

Through the program, the 30 Leadership Development Institute fellows and mentors develop a comprehensive set of skills essential to the exercise of leadership in a social justice context. A combination of in-person training sessions and Web-based activities provides ongoing support to Leadership Institute fellows as they



Leadership and Funding for Justice in Florida

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CHILDREN'S LEGAL SERVICES BY THE NUMBERS

22

The number of full-time legal aid and legal services attorneys dedicated to addressing the special legal needs of Florida children.

1

The number of legal aid attorneys for every 33,175 low-income children in Florida.

2,699,100

The number of dollars The Florida Bar Foundation awarded in Children's Legal Services grants to 22 local legal aid and legal services programs in 2008.



ISTOCKPHOTO

Something as simple as eating a hamburger was once nearly impossible for "Alvaro."

How you can help: Lawyers can turn their Florida Bar fee statement into a statement for children

by Nancy Kinnally

When Florida Bar members receive their 2009-10 Florida Bar fee statement, they can turn it into a statement that says they care about meeting the legal needs of Florida's low-income children.

Florida Bar President-elect Jesse Diner is asking that members make a voluntary contribution of at least \$45, preferably more, to The Florida Bar Foundation's Lawyers' Challenge for Children campaign to help bring the benefits of the law and of lawyers to the lives of poor children.

"Lawyers who have been involved in their local legal aid programs really understand what a profound difference legal services can make in the lives of poor children," Diner said. "I hope that in these most difficult of economic times, we'll see the Bar membership meet the Lawyers' Challenge for Children with the highest level of contributions ever. These kids need to know someone cares. It's up to us to show them we do."

Lawyers can change children's lives in ways many people would not expect. Take for example the case of "Alvaro," an 11-year-old Central Florida boy who had such a severely misaligned bite that besides being in pain he had difficulty chewing, swallowing and even speaking. His peers made fun of him mercilessly, and he had become withdrawn and dejected. Alvaro was denied orthodontic services by Medicaid, and when he and his mother attended a hearing pro se, the hearing officer told them the child did not meet the medically necessary criteria. Legal Aid found an orthodontist who took Medicaid and who provided an expert opinion that

the child's case met the Medicaid criteria, enabling him to win an appeal and get the treatment he so badly needed.

Last year, nearly 3,060 lawyers together contributed more than \$145,000 for special legal programs dedicated to serving children like Alvaro, as well as children with learning disabilities, children aging out of foster care, and abused and neglected kids.

"Because we have helped the Foundation provide greater support to children's legal services, children like Alvaro can reach their full potential," Diner said.

Florida Bar Foundation President Kathleen McLeroy said that while the Foundation continues to fund annual grants for legal representation of children out of IOTA funds, IOTA revenue has never been enough to meet the need, which has only grown greater during the current economic crisis.

"As lawyers, we have an obligation to ensure that legal assistance is available to the most vulnerable in our society — our children," McLeroy said. "The 80,000 members of The Florida Bar can make a difference in the lives of Florida's children by contributing to the Lawyers' Challenge for Children."

"One hundred percent of all funds contributed to the Lawyers' Challenge for Children provide direct support to programs that better the lives of Florida's children. Unlike many charitable contributions, no administrative fees are deducted from these contributions. Because all of the funds are allocated to address the legal needs of children, even a small contribution can make a big difference."

On the front lines: FIAC attorney empowers immigrant victims of violent crimes

by Nancy Kinnally

As a law student at St. Thomas University in Miami in 1997, Ana Isabel Vallejo was writing an international law paper on forced prostitution.

At the same time, a dedicated group of immigrant advocates in South Florida was busy working on the Cadena case, which soon became part of Vallejo's paper. The case involved dozens of young women who were brought to the United States from Mexico under the guise of legitimate employment, only to be forced into prostitution under unthinkably brutal conditions.

Just over a decade later, Vallejo, 35, is one of 23 attorneys at the very same organization that represented those women — The Florida Immigrant Advocacy Center (FIAC) in Miami.

"Recently I went through my old research boxes, and I found the first indictment that had been faxed to me on that case," she said. "I thought, 'It's really cool to be working now at the agency that was representing those victims and that continues to do that type of work.'"

Cheryl Little, FIAC's executive director, credits The Florida Bar Foundation with making the continuation of her organization's immigration and human rights work possible.

"We wouldn't be up and running if it weren't for The Florida Bar Foundation," Little said. "They gave us the money to open our doors, and they're still our biggest funder. So they're very much responsible for the success we've had."

An important part of Vallejo's role is to help immigrants who have been victimized understand their rights, and to guide and represent them through the long, complicated and intimidating process of assisting in the prosecution of their abusers. In addition, she has helped many of her clients obtain special visas that allow

them to stay in the United States, provided they assist in the investigation or prosecution of the crimes against them.

"They don't understand how the legal system works," she said. "So it's really important that the victim have access to an attorney who can explain to them what their rights are, in order to empower the victim in making decisions as to what their future is going to look like."

Vallejo has enjoyed the satisfaction of seeing some of her former clients move on with their lives after escaping domestic violence and slavery, as well as the success of advocating for and achieving additional legislative protections for immigrant victims.

Unfortunately, though, the need for FIAC's services hasn't diminished in the decade since Vallejo was in law school. She just assisted in a case involving nine victims who were essentially enslaved, their wages withheld because of debts they supposedly owed their captors, who had tied, beaten and locked them up in order to force them to work and prevent them from leaving.

"I still can't wrap my brain around the amount of abuse that I see, and how human beings can treat each other, but the work is very satisfying," Vallejo said.

"My clients find strength even though they have gone through so much. Perhaps I can't help every single problem they have, but somehow I've made their life a little easier. That's the motivation and why I continue to do this kind of work."



COURTESY OF FIAC

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— Ana Isabel Vallejo, Esquire
Florida Immigrant Advocacy Center

Combating human trafficking

One of the states with the highest incidence of human trafficking crimes, Florida has criminal provisions for the prosecution of traffickers. Yet, responses to trafficking still vary tremendously, depending on the awareness and training of state prosecutors and local law enforcement officials. With a \$60,000 Improvements in the Administration of Justice grant from The Florida Bar Foundation, the Center for the Advancement of Human Rights at Florida State University is working on a Florida Strategic Plan to Combat Human Trafficking that involves state and federal law enforcement, as well as state and nongovernmental agencies, in an effort to make Florida's response to human trafficking more effective.

How the Foundation helps

The Legal Aid Society of the Orange County Bar Association received \$675,482 in general support grants from The Florida Bar Foundation in 2007-2008, as well as a \$134,000 Children's Legal Services grant and a \$25,000 one-time grant for nonrecurring expenses. Attorney volunteers took 1,284 new cases and donated more than 17,860 hours to the Legal Aid Society of the Orange County Bar Association in 2007. Together, staff and volunteers served 5,059 new clients in 2007 and closed more than 4,700 cases.



Positively pro bono: Real estate attorney becomes a lifeline for a woman and a young boy

by Nancy Kinnally

Within three months' time, Sandra Infante lost her mother, her sister and her brother-in-law, and not too long after that, her job.

Adding to her emotional strain, at the age of 51 she suddenly found herself the unofficial guardian of her 12-year-old nephew, the sole survivor of a household wiped out by illness and old age.

"I felt like I was drowning," Infante said. "Had I not been helped, I don't know what I would have done."

In the end, it was Jessica Parker, a pro bono attorney assigned to Infante's case by the Legal Aid Society of the Orange County Bar Association, who helped Infante keep her head above water.

"She saw past a lot of stuff," Infante said. "She just heard my need."

Parker had a long list of legal hurdles to overcome on the way to helping Infante achieve legal temporary custody of "John," who arrived in Orlando from New York in March 2007 without the documentation necessary for Infante to enroll him in school or even take him to a doctor.

With John's mother and stepfather deceased and the whereabouts of his biological father unknown, Parker knew it would take at least four months for Infante to obtain custody of her nephew. But the school year was about to start.

Meanwhile, Infante's apartment complex was threatening to evict her for having someone in her house who wasn't



MICHELLE LYLES

*"I felt like I was drowning.
Had I not been helped, I
don't know what I would
have done."*

— Sandra Infante

on the lease. And after losing her job in June 2007, her money had run out.

Parker recommended Infante apply for Social Security survivor's benefits for her nephew, which turned out to be a saving grace.

"Had it not been for that, we would have been homeless," Infante said.

While John's custody case was still pending, Parker — with the help of the Legal Aid Society — was able to convince the school district to allow him to start eighth grade. Now 14 and a high school freshman, he is excelling academically and playing trumpet in his high school band, with his sights set on attending college.

In order to make sure his college dreams come true, Infante has gone back to school herself. She rides the bus two hours each way to attend a medical transcriptionist course so that she can become self-supporting again.

Infante has set high standards for herself and for John, accepting nothing less than A's and B's on his report card.

"If I thought he were C material, it would be okay, but he's not," Infante said. "Just because of his circumstances and

what happened to him, that's no excuse for not being everything he can be."

For Parker, being involved in Infante's legal case was meaningful to her personally, but she also believes such pro bono work makes her well-rounded professionally.

"As a transactional attorney," Parker says, "I generally avoid spending time in court," but she has now been to court four times in the course of handling pro bono custody cases and learned something each time.

A commercial real estate lawyer with Baker Hostetler in Orlando, Parker is proud of her firm for its encouragement of her pro bono work.

"Baker is 100 percent supportive of all my work with pro bono," Parker said. "They feel it's important, and that's important to me."



MICHELLE LYLES

Working with the Legal Aid Society of the Orange County Bar Association, pro bono attorney Jessica Parker of Baker Hostetler, left, helped Sandra Infante obtain legal temporary custody of her nephew, then 12, after the boy's mother, grandmother and stepfather died unexpectedly within a few months of each other.

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apply new concepts and skills to actual projects they have proposed based on problems they've identified in their legal aid communities.

In February, the fellows and mentors met for the first time in Orlando.

One attorney is working to get financial support for domestic violence victims so that they are able to remain independent outside their former abusive households.

"When they get their injunctions to have their safety ensured, they can have the money to stay out of the relationship and hopefully end the cycle of violence," said Kim Banister, of Community Legal Services of Mid-Florida in Daytona Beach.

Another is working on ways to address systemic changes to recurring problems identified through the implementation of a landlord-tenant legal hotline.

Ilenia Sanchez-Bryson of Legal Services of Greater Miami, who was tasked by her agency with developing the hotline, found that many of the clients' recurring problems fell outside the realm of legal

advice the hotline was set up to provide.

"The problems are much bigger than me or my agency," Sanchez-Bryson said. "This is a great opportunity for me to know who the powers are and to figure out who to bring together and make things happen."

Her colleague Lissette Labrousse is researching better ways for low-income Haitians to access legal services.

Labrousse plans to recruit Creole-speaking attorneys and law office staff, and to utilize Language Line, a phone-based translation service funded in part by the Foundation, to break down some of the barriers Haitian immigrants face in receiving legal services.

In looking over the fellows' project ideas, many of them have what it takes to be in leadership, said Dick Bauer, CLAE senior equal justice training fellow.

"The Institute will teach them how to use those skills to get results," he said.

The Institute will convene again in Orlando in May and September and will conclude in January 2010.



COURTESY OF LEGAL SERVICES OF GREATER MIAMI

"The problems are much bigger than me or my agency. This is a great opportunity for me to know who the powers are and to figure out who to bring together to make things happen."

Ilenia Sanchez-Bryson, Esquire

Legal Services of Greater Miami



Alan Crotzer celebrates after the Florida Legislature's passage of a bill awarding him \$1.25 million in compensation for the more than 24 years he spent behind bars for a crime he did not commit.

COURTESY OF THE INNOCENCE PROJECT OF FLORIDA INC.

Disproving guilt: The Innocence Project of Florida helps the wrongly convicted

by Gabrielle Davis

All Alan Crotzer wanted was for someone to listen, but no one did.

Having served two years in prison for armed robbery, Crotzer had a record that made the prosecutor's case more convincing.

He would spend more than 24 years in prison, wrongly convicted of rape, burglary, robbery and aggravated assault, and might have remained there for the rest of his life, were it not for the Innocence Project of Florida Inc.

"Nobody knew I was wrongfully convicted until they listened to me," Crotzer said.

Mistaken identity, a misconstrued statement from a victim, botched evidence – without the help of modern crime analysis these missteps have led to wrongful convictions of Crotzer and many others for heinous crimes.

The Innocence Project of Florida Inc. has worked since 2003, using post-conviction DNA testing, to free those unjustly serving life sentences and even facing the death penalty.

They won freedom for Crotzer in 2006.

A grantee of the Foundation's Improvements in the Administration of

Justice Grant Program, the IPF has aided in the release of seven innocent prisoners, many of whom have spent more than half their lives behind bars.

The Foundation has provided nearly \$900,000 to help the project accomplish its mission.

"We wouldn't exist without The Florida Bar Foundation. They were there with us from the beginning," said IPF Executive Director Seth Miller. "Without them there would have been an incredible void in the criminal justice community."

Florida has had the most Death Row exonerations of any state – 26 since 1973, according to the IPF. The organization is currently working on a dozen exoneration cases and more than 100 cases that are up for review.

"Our sole mission is to find and free wrongly convicted people in Florida's prisons," Miller said.

Freedom's Footnote

After Crotzer was released, he began a hard-fought battle to receive \$1.25 million in compensation from the Florida Legislature.

Along the way, he met an unlikely friend and advocate in retired Judge John Blue – the same John Blue whose signature was on a denial for DNA testing that delayed Crotzer's exoneration.

Blue had since retired and was working at the law firm of Carlton Fields in St. Petersburg, where he began working pro bono in collaboration with the IPF on Crotzer's claims bill to the Legislature for compensation.

"As we were going through his papers there was an order in there that one of his motions had been denied," Blue said. "That was signed by me."

Blue and Crotzer now joke about the meeting, but Crotzer believes it had deeper meaning.

"I looked at him and I said, 'You denied me; now God put you in my life

to get compensated,' " said Crotzer, who now works part time with at-risk youth at the Department of Juvenile Justice.

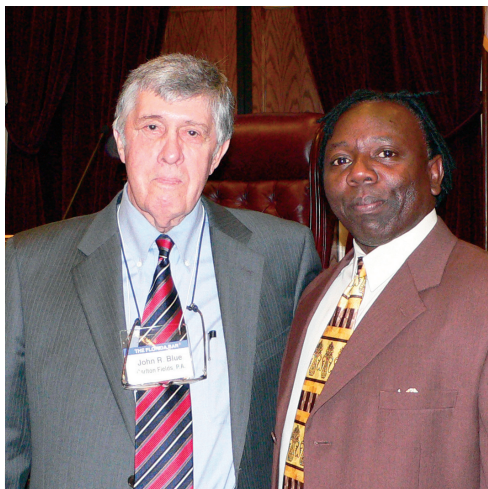
Blue said he wasn't sure that he ever saw the motion, but as the chief judge at the time he got automatic credit for all the denials.

The pair has become good friends who travel together, educating young lawyers on Crotzer's case and the importance of pro bono work.

And the two celebrated together as Blue received the Chief Justice's Distinguished Judicial Service Award during the annual Pro Bono Awards in Tallahassee in January.

Crotzer amazes people when he tells his story and how he has forgiven those who put him in prison.

"He decided he couldn't live with not forgiving people," Blue said.



MARK KILLIAN

Retired Judge John Blue, left, and Alan Crotzer enjoy a moment together Jan. 29 at The Florida Bar/Florida Supreme Court Pro Bono Awards Ceremony.

"We wouldn't exist without The Florida Bar Foundation. They were there with us from the beginning. Without them there would have been an incredible void in the criminal justice community."

— Seth Miller, Esquire

Executive Director,
Innocence Project of Florida Inc.

Top 10 Ways You Can Support The Florida Bar Foundation

- 10 Become a Fellow or fulfill an existing Fellows pledge.
- 5 Donate a portion of your IRA distributions to the Foundation.
- 9 Meet the Lawyers' Challenge for Children on your 2009-10 Florida Bar Fee Statement with a gift of \$45 or more.
- 4 Direct a cy pres award to the Foundation if you have the appropriate opportunity.
- 8 Buy a Kids Deserve Justice license plate.
- 3 Encourage a colleague to become a Florida Bar Foundation Fellow.
- 7 Name the Foundation as a beneficiary in your will.
- 2 Donate an insurance policy you no longer need to the Foundation.
- 6 Establish a charitable gift annuity with The Florida Bar Foundation (if you're 60 or older).
- 1 Visit www.flabarfndn.org to find out more about how you can do all of the above.

www.flabarfndn.org

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Leadership and Funding for Justice in Florida

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The Florida Bar Foundation is the only statewide organization that provides funding for Legal Aid and promotes improvements in addressing the civil legal needs of the poor.

FOUNDATION FACTS:

Through its Legal Assistance for the Poor general support grants, the Foundation contributed \$19.7 million, or 25 percent, of the total funding received by Florida's legal aid and legal services programs in 2007, the most recent year for which complete figures are available.

For the last two years, The Florida Bar Foundation has received the highest rating possible from Charity Navigator, an organization that evaluates nonprofits across the nation for their efficiency and effectiveness.

Forty students from all 10 Florida law schools and out-of-state law schools such as Emory and Duke will train May 21-22 in Ft. Lauderdale to serve for the following 11 weeks as Legal Services Summer Fellows at 28 Foundation-supported legal aid programs.

SPEAKING OF JUSTICE

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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 system works best when it works for everyone.



Leadership and Funding for Justice in Florida