

SPEAKING OF JUSTICE

News From The Florida Bar Foundation
 volume 1 issue no. 2

INSIDE

- 2 President stresses need to continue building the Foundation's endowment
- 3 Sylvia Walbolt receives Medal of Honor for 45 years of pro bono service
- 4 Legal Services attorney works to preserve affordable housing in the heart of Overtown
- 6 Summer Fellow committed to protecting the rights of domestic violence victims
- 7 Foundation grant helps demystify the bankruptcy process for pro se filers



LEO ORIOLO

Lois Rigby, left, recalls the 2007 explosion and fire that severely burned four children at Town Park Village. With her, from left to right, are fellow residents Juanita Lester and Dana Milson, and Legal Services of Greater Miami attorney Shahrzad Emami.

Saving Overtown's "Little Oasis"

by Nancy Kinnally

Lois Rigby has lived in Overtown's Town Park Village for two decades, but long before the HUD complex opened in 1971, she remembers the little shotgun houses that occupied the neighborhood when her grandmother lived there.

Back then, you could walk to the store and get all the groceries you

needed for \$30, and when the circus came to Miami, children gathered along Overtown's streets to watch the elephants parade past. Black nightclubs welcomed celebrities like Ella Fitzgerald, Nat King Cole and Aretha Franklin.

"You couldn't walk down Second Avenue unless you were *dressed*," Rigby recalls.

Her memories reveal a deep connection rooted in a simple fact: Overtown is the only home she's ever known.

see OASIS, p. 4



Leadership and Funding for Justice in Florida

Message from the President

It is an honor for me to assume leadership of the Foundation, but I do so with full awareness of the challenges that will present themselves in the coming months.

The numbers are staggering. In Florida – mostly due to unprecedented low interest rates – IOTA revenue has dropped from \$44 million in 2007-08 to less than \$11.5 million in 2008-09. Meanwhile, demand on the state's legal aid system is rising as the foundering economy leaves more and more Floridians in crisis. More than 268,000 foreclosures were filed in Florida in the first six months of 2009, an increase of 42 percent over the same period in 2008 according to RealtyTrac. So while the Foundation's revenue is decreasing, conversely, the needs of those it serves are on the rise, at an alarming rate.

The Foundation had the foresight to set aside a reserve from a few years of increased IOTA revenue, but the reserve is only a cushion, not a substitute for normal IOTA revenue. The steep drop in revenue in the last few years, which is forecast to continue, clearly demonstrates the need to build the Foundation's endowment as a

means of ensuring a stable future source of revenue and mitigating the effect of economic ups and downs on our grantees.

Under the leadership of Tim Bachmeyer, director of development, the Foundation has created a planned giving program, including charitable gift annuities, to provide a way for those who care deeply about the organization's future to leave a lasting impact.

Meanwhile, as you can see from this newsletter, the good work of the Foundation and its grantees goes on – with programs to preserve affordable housing, foster the next generation of legal aid attorneys and develop ways to improve the effectiveness of our courts and the experience of those passing through them.

As we look at these results, I'd like to commend Immediate Past President Kathy McLeroy for her insightful and steady leadership of the Foundation this past year. Kathy has been a beacon of reason during her 10 years with the Foundation. Also, I would be remiss if I did not acknowledge the many contributions of former President Bruce Blackwell. Bruce's commitment to justice and fair

play was evident in everything he did on behalf of our board. Where would the Foundation be without leaders like Kathy, Bruce and Sylvia Walbolt, who was recognized as the Foundation's 2009 Medal of Honor winner for her lifelong dedication to pro bono service?

The Florida Bar Foundation is truly a flagship Bar Foundation in the United States and one to be proud of. Over the next year, I will visit voluntary bar associations across the state to tell the Foundation's story and create a greater awareness of our work. I hope to collect many stories from our grantees of how the Foundation has improved the lives of those it seeks to serve, so that I can retell those stories in future issues of "Speaking of Justice."



Adele I. Stone, Esquire

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Sylvia Walbolt accepted The Florida Bar Foundation's 2009 Medal of Honor Award June 25 from then Foundation President Kathleen McLeroy.

Positively Pro Bono: Walbolt receives Medal of Honor for 45 years of service

by Nancy Kinnally

In recognition of 45 years of providing free legal services to clients ranging from Guantanamo detainees to a St. Petersburg organization that feeds the hungry, Sylvia H. Walbolt received the highest honor bestowed upon a lawyer by the legal profession in Florida.

The Florida Bar Foundation presented Walbolt, a shareholder with Carlton Fields in Tampa, with its Medal of Honor Award June 25 at the organization's 33rd annual reception and dinner, held in conjunction with the Florida Bar Annual Convention at the Orlando World Center Marriott.

Walbolt's wide-ranging pro bono work also has included obtaining a settlement for the widow of a migrant worker killed in a trailer fire, helping exonerate the wrongly convicted in death

penalty cases, and successfully challenging the inhumane conditions of prisoners in Florida's "close management," or solitary confinement system.

"Unlike a lot of lawyers who – when someone comes to them with a problem – they'll volunteer to help for no fee, Sylvia's approach is a little different," said Kathleen McLeroy, immediate past president of the Foundation.

"She'll read about something in the paper and say, 'This is wrong. We should take care of this.' She is not just helping people who come to her with a problem, but identifying the problems and figuring out a solution, sometimes before people even ask. To me, that is what makes her very special."

Known statewide and nationally for her legal skills and commitment to pro

bono, Walbolt was called upon numerous times by Chief Judge Hatchett of the Eleventh Circuit Court as well as the Florida Supreme Court for assistance in pro bono matters. She also has served as chair of the Access to Justice Committee of the American College of Trial Lawyers and a member of the board of the nonprofit Lawyers' Committee for Civil Rights Under Law.

"Pro bono work is the most satisfying part of my professional life; there is nothing else quite so rewarding," Walbolt said.

Walbolt is a former president of The Florida Bar Foundation and recipient of the Tobias Simon Pro Bono Service Award, given annually by the chief justice of the Florida Supreme Court to the attorney in Florida who has given the most outstanding pro bono service. She earned her juris doctor from the University of Florida in 1963.

The Florida Bar Foundation Medal of Honor Awards were established in 1977 to recognize outstanding achievements by members of The Florida Bar in duty and service to the public, improvement of the administration of justice and advancement of the science of jurisprudence in Florida. The award can also be bestowed upon non-lawyers whose accomplishments warrant The Florida Bar Foundation's highest recognition.

"Pro bono work is the most satisfying part of my professional life; there is nothing else quite so rewarding."

– Sylvia Walbolt

How the Foundation helps

The Affordable Housing Advocacy Project Grant Program that is helping to preserve stable housing for low-income Florida residents such as those in Town Park Village is one of several Florida Bar Foundation grant programs benefiting Legal Services of Greater Miami Inc. In 2008-09, Foundation grants to LSGMI totaled nearly \$1.5 million and included:

General Support
\$915,585

Staff Attorney Salary Supplementation
\$316,348

Affordable Housing Advocacy
\$156,060

Children's Legal Services
\$58,300

Regional Foster Youth Collaborative
\$30,000

For more information about LSGMI, visit www.lsgmi.org.



LEO ORIOLO

Legal Services attorney Shahrzad Emami, right, talks with residents about the renovation of the Town Park Village laundry facility, which had been inadequately maintained for years and now stands gutted and locked up, awaiting new plumbing and equipment. Emami discovered that the company operating the laundry was not a registered corporation in Florida. The self-renewing, 15-year contract the company had convinced the board to sign was therefore invalid.

OASIS, from p. 1

"I don't want to leave from here until I'll be in a pine box," Rigby says, and she means it.

Rigby's loyalty to her community has withstood riots, hurricanes, the disruption of I-95 cutting right through Overtown in the late '60s, and more recently a fiery explosion that resulted in the leveling of one building in her housing complex and the boarding up of another.

Although it had nothing to do with the poor maintenance of the housing complex, the 2007 explosion, in which four children received second- and third-degree burns, brought more heat down on Town Park Village, which had already failed its U.S. Department of Housing and Urban Development (HUD) inspection more than once.

Behind on its mortgage payments to the tune of \$800,000, Town Park Village was about to get shut down by HUD, which had created the complex

at the height of the urban revitalization movement with the goal of making it a tenant-run cooperative.

That worked for a time, but as integration opened the doors of opportunity all over Miami, many of Overtown's professionals, business owners and community leaders left. The composition of the Town Park Village board changed, and gradually responsibility for the operation of the complex fell more into the hands of private, for-profit management companies that came and went.

Under the most recent of these companies, the chief order of business became neglect. Payments were collected from residents, none of whom knew where their money was going. Utility bills that were the responsibility of management went unpaid. The buildings, which had gone nearly 40 years with no rehabilitation, fell further



LEO ORIOLO

"After all these years, I'll finally have something that I can say, 'This is mine.'"

— Lois Rigby

into disrepair. HUD stopped receiving mortgage payments. Residents' requests to management for bank statements went unanswered.

With eviction looming for the families and senior citizens residing in the 170 units of Town Park Village, the Local Initiatives Support Corporation (LISC), a national nonprofit that uses corporate, government and private support to further community development efforts, went to HUD with a plan to revitalize Town Park Village and convert it from a limited equity co-op to a condominium form of ownership. This would enable residents, who were more like renters under the existing arrangement, to build equity in their homes and have more of a stake in the survival of their neighborhood.

But to do that, Town Park Village would need a lawyer.

Meanwhile, a short distance away on Biscayne Boulevard, Shahrzad Emami was settling into her new job as a staff attorney at Legal Services of Greater Miami Inc. (LSGMI), where she'd been hired using funds from The Florida Bar Foundation through its new Affordable Housing Advocacy Project Grant Program.

LISC approached LSGMI, and in June 2008, Emami started working on the case and serving as the attorney for the Town Park Village board of directors. With Emami's counsel, change happened fast.

First, the property management company: gone. Also out was the company that managed the laundry facility, where most of the machines were broken and a leaky water heater often flooded the floor.

Next, the HUD mortgage: paid down to \$100,000.

And finally, after a series of evening meetings Emami held with residents to educate them about their ownership options: a 75-5 vote of residents in favor of converting to condominium ownership.

Soon, the complex will undergo a complete renovation, with new plumbing, electrical and flooring, remodeled

kitchens and the like. Many partners are involved, including Neighborhood Housing Services of South Florida, which is providing homeownership training and possibly individual mortgage assistance, and Carrfour Supportive Housing, a nonprofit corporation whose subsidiary, Crossroads, is serving as the new property management company. Carrfour is also acting as the project manager to assist with the condominium conversion and rehab process.

Emami is helping make sure the project maintains the composition of the community. Residents lacking the income usually required to become homeowners will receive grants so that no one is left out.

Dana Milson, a teacher at Miami Norland High School and member of the Town Park Village board, believes the complex is on its way to regaining the stature it once held in Overtown.

"From the beginning when the complex opened in 1971, when it was brand new, everyone who lived in Overtown wanted to live here," Milson said. "With the condo conversion I think it will be that way again – the little oasis."

She points out that as the gateway to Miami – the airport, downtown, the beaches – Overtown is looking at a bright future.

"It's a plus to have Shahr on board because having an attorney and legal services kind of keeps the contractors who are not really worthy at bay," Milson said. "Had we not had an attorney, we'd still have the sharks over here just eating us up."

Fellow resident Juanita Lester agrees.

"Without her leading us, we might not have had the chance of going into the [condo] conversion," Lester said. "The legal counseling from her keeps us from getting into trouble later."

As president of the Senior Residents' Task Force, Lester has helped organize



LEO ORIOLO

“Had we not had an attorney, we’d still have the sharks over here just eating us up.”

– Dana Milson

Town Park Village Board of Directors

resident fundraisers to pay for things like security cameras and floodlights for the common areas of the complex. The group, which became incorporated with Emami's help, holds yard sales and does – as Lester jokes – “anything that's legal” to generate resources to improve the neighborhood.

A fellow member of the task force, Rigby says she feels the change coming to Town Park Village.

“Everything is moving in the right direction,” Rigby said. “After all these years, I'll finally have something that I can say, ‘This is mine.’ ”

The story of Town Park Village's rebirth is far from over, but Emami will continue representing the residents along the way.

“The kind of law we do is not a one step, and in and out, you're done,” Emami said. “You've got to see it through.”

The face of the future: Summer Fellow committed to helping victims of domestic violence

by Gabrielle Davis

Jarred Reiling knows the face of domestic violence.

For nearly three months he has heard the heart-wrenching stories of abused women – one so severely beaten that a judge called it the worst case he had ever seen.

Such emotionally gripping work isn't for everyone, but for Reiling, 23, it pushes him to take action.

"I have the ability to go home and not think about [domestic violence]. Some people don't," Reiling said. "It kind of fuels my fire to do my part and do what I can do."

For the past 11 weeks, Reiling, a second-year student at the Florida International University College of Law, has worked as a Summer Fellow with the Legal Aid Society of Palm Beach County's Domestic Violence Project.

He is one of 40 law students— about half of them minorities – participating in The Florida Bar Foundation's 2009 Legal Services Summer Fellowship Program, through which the students explore careers in public interest law at legal aid offices throughout the state.

For Reiling, the fellowship has added fuel to his passion for helping domestic violence victims, which has been burning since his days as an undergraduate at Florida Atlantic University and ultimately led him to law school.

The Lantana native received his bachelor's degree in women's studies and has worked as an intern at a domestic violence shelter in Pasco County – even staying there for a couple of nights to understand better the experience of those who weren't there by choice.

"I wanted to get the full effect of what it was like to be completely dislocated," Reiling said.



Summer Fellow Jarred Reiling and Supervising Attorney Kathryn Oleksy of the Legal Aid Society of Palm Beach County review a domestic violence case.

NANCY KINNALLY

While emotions can run high at a shelter, Reiling has learned to focus on the methodical, meticulous and relatively emotionally detached process involved in protecting the legal rights of domestic violence victims.

At Legal Aid, Reiling does legal research the staff attorneys don't have the time to do – given their enormous caseloads – and he frequently goes to court with lawyers representing clients, an opportunity envied by his friends from law school.

Reiling's presence is also a tremendous benefit to the office, said supervising attorney Kathryn Oleksy, who heads the Legal Aid Society of Palm Beach County's Domestic Violence Project.

"With the economic crisis we have a real crunch as far as more clients than ever who need services. Jarred has been really good with helping prep our cases," Oleksy said.

Reiling hopes to follow law school with an Equal Justice Works fellowship and one day practice public interest law. If he ends up practicing at the Legal Aid Society of Palm Beach County, he'd be one of several attorneys there who started along their career path by participating in the Foundation's Legal Services Summer Fellowship Program.

"I've always had an interest in doing public interest law, as a result of what brought me to law school in the first place," Reiling said. "But working here this summer has solidified that. It's definitely something I very much want to do."

For more information about the Legal Services Summer Fellowships, including a complete list of 2009 Fellows, visit floridabarfoundation.org

Learn more about the Legal Aid Society of Palm Beach County at www.legalaidpbc.org

Improving the system: Foundation grant helps to demystify bankruptcy process

by Gabrielle Davis

In 2006, when then Florida Bar Foundation Secretary Kathleen McLeroy first heard about the uphill battles faced by those who file pro se bankruptcy cases, she knew something had to be done.

Just a year earlier, the Bankruptcy Abuse Prevention and Consumer Protection Act brought higher legal fees and costs. That, coupled with a slumping economy, would only create more problems in pro se bankruptcy cases.

"What I saw was some sort of program the Foundation could fund that would provide assistance for individuals who would file bankruptcy petitions without counsel," McLeroy said.

Since then, McLeroy – with encouragement from Chief Judge Paul M. Glenn of the U.S. Bankruptcy Court for the Middle District of Florida – suggested the Tampa Bay Bankruptcy Bar Association (TBBBA) and Bay Area Legal Services (BALS) apply for a grant from the Foundation to fund the Bankruptcy Pro Se Assistance Project.

The project comprises a video called "Bankruptcy Basics," which takes pro se filers step-by-step through the bankruptcy filing process, and a series of pamphlets.

U.S. Bankruptcy Judge Catherine Peek McEwen, also on the Middle District bench in Tampa, was the script writer, adapter and producer, and bankruptcy court employees and a host of volunteer lawyers from the TBBBA helped.

Through its Improvements in the Administration of Justice (AOJ) Grant Program, the Foundation provided \$14,500 to create the video and pamphlets, and another \$15,000 last year for the video to be translated into Spanish and Haitian Creole. The second grant, made to the Bankruptcy Bar Association of the Southern District of Florida, was

coordinated by Judge Laurel M. Isicoff of the U.S. Bankruptcy Court for the Southern District of Florida.

The video is available on DVD from federal bankruptcy courts in Florida and online through their Web sites. The Spanish version is on the Web site of the Middle District's bankruptcy court, and the Haitian version and pamphlets will soon be available.

McEwen said the creation of the bankruptcy video couldn't have come at a better time.

"Our filings were ramping up and the economy is going haywire," McEwen said. "It is intimidating to be a part of the bankruptcy process. It takes the stress factor down a little for those who have the opportunity to see the video."

Left to sift through stacks of confusing paperwork, pro se filers would often miss key court hearings, which could hurt their chances of filing successfully.

"For the most part, if you had a pro se bankruptcy case and the petition was not perfect, then it would get dismissed and you'd have to start all over again," McLeroy said.

Consequently, bankruptcy courts were backed up by incorrectly filed cases.

According to BALS, before the new bankruptcy law, 15 percent of bankruptcy cases filed in Florida were pro se and nearly a quarter of those were dismissed.

After the act was implemented, the filing of pro se bankruptcy cases increased slightly to 17 percent, but the percentage of those dismissed shot up to nearly half.

"We are very grateful for the Florida Bar Foundation," said Isicoff, who often refers pro se filers to the video for education on the bankruptcy process, such as the differences between chapters 7 and 13, mandatory court hearings, and available legal assistance.



Judge Catherine Peek McEwen

COURTESY OF JUDGE MCEWEN

The DVD series was originally created for Florida pro se filers, but after word about the series spread, the Administrative Office of the U.S. Courts developed a national version of the video for use by all bankruptcy courts in the country. The national version is featured on numerous Web sites, including those of the U.S. Courts and the American Bankruptcy Institute.

The national version of the video has logged more than 173,000 Web views since it was launched on the Office of the U.S. Courts Web site in October 2008.

The Spanish and Creole versions of "Bankruptcy Basics" may also go national.

"This has been an amazing project – well beyond what was envisioned at the outset – and represents collaboration at its finest," McLeroy said. "It's great to see a relatively small grant morph into a product that can help so many."

Next steps

Judge McEwen is spearheading two new projects designed to provide additional help to pro se bankruptcy filers. To read the latest, visit floridabarfoundation.org



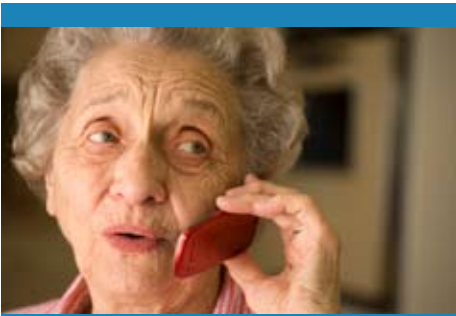
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The Florida Bar Foundation is the only statewide organization that provides funding for Legal Aid and promotes improvements in addressing the civil legal needs of the poor.

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FOUNDATION FACT

The Florida Bar Foundation provides Bay Area Legal Services \$65,000 in matching funds to operate the Senior Legal Helpline, a statewide toll-free telephone service providing seniors, especially underserved elderly residents of Florida, with a convenient point of access to receive legal advice, services, information and referrals for extended representation. Bay Area Legal Services received the Quality Senior Living Award from the Florida Council on Aging in the category of Service to Seniors by an Organization for its administration of the helpline. The award was presented in August at the Florida Conference on Aging in St. Petersburg.

SPEAKING OF JUSTICE

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



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