

# SPEAKING OF JUSTICE

News From The Florida Bar Foundation

volume 6

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CASSANDRA SHRADER

"Stephanie Davis" is pursuing her dream of attending art school in New York City thanks in large part to help she received from Miami Law's Children & Youth Law Clinic. Although she asked that her real name not be used, she agreed to be pictured with her art.

## Batchelor Foundation gift supports Miami Law's advocacy for foster youth

**F**reshman class president at Miami's Design & Architecture High School, one of the nation's best magnet schools, Stephanie Davis had ambitions of attending a top arts school and a father intent on helping her achieve her dream.

But as she was getting ready to start her junior year, Davis, who asked that her real name not be used, was plunged instead into a nightmare when her

father, a veteran who had served in Iraq, committed suicide.

"Suicide of a parent is the worst thing ever, and you just don't know what to do," Davis said.

Estranged from her mother, Davis became a ward of the state and was referred to the Children & Youth Law Clinic at the University of Miami School of Law. The clinic, which has been supported since 2004 by a Children's Legal Services grant from The Florida Bar Foundation, aids current and former foster youths in matters of dependency, health care, mental health, disability, independent

see **BACHELOR**, p. 4



Leadership and Funding for Justice in Florida

# Message from the President

Some 32 years ago, Jane Curran arrived in Florida from Washington, D.C., to serve as The Florida Bar Foundation's first executive director. Although the Foundation had been incorporated as a nonprofit organization in 1956, it never had any staff until 1982, when Florida's Interest on Trust Account Program – the nation's first – began generating revenue.

Having shaped the Foundation over three decades as its executive director, Jane has assumed the role of executive director emeritus, a title recognizing her leadership and legacy at the Foundation. Her new role will allow her to focus on providing policy and strategic consultation to the Foundation's leadership.

While Jane will continue to be a part of the Foundation team, I would like to take this opportunity to highlight just a few of her many achievements as executive director.

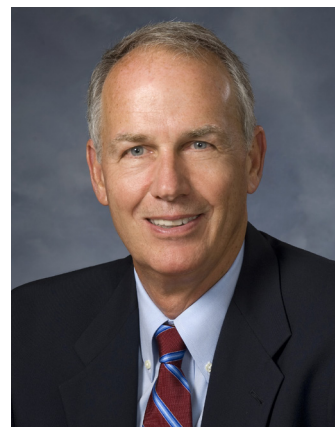
Jane has built the Foundation into a national leader and helped spread the IOTA model throughout the country. Florida, and many other states that have followed its example, have benefited from Jane's work to make the state's IOTA Program mandatory and to achieve interest rate comparability such that

IOTA accounts earn the same interest rates available to similar bank customers. Her forward-thinking approach to grant making has strengthened Florida's legal services delivery system and helped improve our justice system.

Jane was also the director of the Foundation's Improvements in the Administration of Justice Grant Program, which has helped launch or fund a number of important projects, such as the Innocence Project of Florida, the Florida Law Related Education Association and its Justice Teaching program, and Florida's Statewide Plan on Human Trafficking.

The Foundation is deeply grateful to Jane for her contributions to the Foundation, to the national IOLTA movement, and to access to justice statewide and nationally. We at the Foundation – together with all in Florida's legal aid community – are indebted to Jane for her highly effective leadership.

Orlando attorney Bruce B. Blackwell has been selected to serve as executive director of the Foundation, a role he will perform pro bono on an interim basis from his downtown Orlando office. Bruce is a past president of the Foundation, a recipient of its Medal of Honor Award,



John Patterson

and a recipient of the ABA's 2013 Pro Bono Publico Award. Supporting Bruce in management of day-to-day operations are Lou Ann Powell, the Foundation's chief financial officer, and Melissa Pershing, director of grant programs.

I know you will join me in congratulating Jane on her exemplary service to The Florida Bar Foundation as executive director. We at the Foundation look forward to having her invaluable assistance and guidance on policy and strategic issues in a time of challenge and opportunity in access to justice.



Jane E. Curran is now serving as executive director emeritus, a role in which she advises the Foundation's leadership on strategy and policy.



Orlando attorney Bruce B. Blackwell is the Foundation's executive director. He is a past president of the Foundation and the recipient of its 2011 Medal of Honor Award.

# Bob Butterworth to receive the 2014 Medal of Honor Award June 26

Florida's longest-serving attorney general, Robert A. Butterworth, has been selected to receive The Florida Bar Foundation's 2014 Medal of Honor Award for a lawyer, the Florida legal profession's highest award.

Recognized by his peers as the nation's top attorney general for his leadership in multi-state litigation against the tobacco industry, which brought \$11 billion to Florida, Butterworth was an effective enforcer of victim and consumer protection, environmental, civil rights and anti-trust laws as Florida's attorney general from 1987 to 2002.

"Bob Butterworth's accomplishments as an attorney general alone merit this award," wrote former American Bar Association President Martha Barnett in her nomination letter. "Whether he was leading the multi-state litigation against the tobacco industry or serving on the Florida Constitution Revision Commission, Bob Butterworth's fealty was to the rule of law and he worked tirelessly to make the constitutional promise of access to justice a reality."

But Barnett was quick to point out that Butterworth's achievements as a public servant go well beyond his role as Florida's chief legal officer.

"His resume speaks for itself. It tells the story of a person who quietly, resolutely and tenaciously changed the course of our state's history and in doing so improved the lives of many Floridians, especially children."

Butterworth is renowned for his game-changing leadership of the Florida Department of Children and Families, where he gave foster children a seat at the table, instituted unprecedented transparency and accountability and professionalized the department's corps of lawyers.

Florida's Children First founder and children's rights attorney Howard Talenfeld

wrote that Butterworth "elevated Florida from the dead bottom of national statistics relating to child welfare practice to among the top states in the nation in many performance categories," adding that his leadership set the stage for a 25 percent drop in the number of children in foster care.

Butterworth became a go-to advisor for Florida governors in need of a troubleshooter. He was tapped to head the Department of Highway Safety and Motor Vehicles, the parent agency of the Florida Highway Patrol, to reform that police force and implement diversity within its ranks, and, again, to serve as interim mayor of a South Florida city plagued by political corruption. In addition, Butterworth has served as a county judge, circuit judge, prosecutor and Broward County Sheriff.

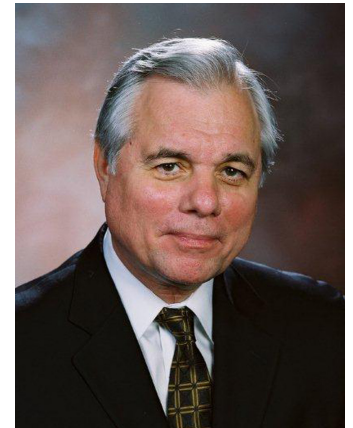
After leaving public office in 2006, he became dean of the College of Law at St. Thomas University in Miami Gardens, where he worked to advance the science of jurisprudence and instill a sense of duty and service to the public in the school's students, leaving his mark on future generations of lawyers.

He is now of counsel with Buchanan Ingersoll & Rooney | Fowler White Boggs.

"His entire career path is an example of commitment to integrity and the public good," wrote George Sheldon, Butterworth's successor as secretary of the Florida Department of Children and Families. "No lawyer represents a higher standard for the Bar than Bob Butterworth."

Butterworth will receive the Medal of Honor Award June 26 at The Florida Bar Foundation's 38th annual reception and dinner, to be held in conjunction with The Florida Bar Annual Convention at the Gaylord Palms Resort in Orlando.

*As of press time, a nonlawyer Medal of Honor Award recipient had not yet been identified. If one is selected, he or she will be featured in the next issue.*



Robert A. Butterworth

*"His entire career path is an example of commitment to integrity and the public good."*

– George Sheldon,  
in his nomination of  
Bob Butterworth

## ANNUAL DINNER INFORMATION

June 26, 2014

Gaylord Palms Resort, Orlando

Cocktail reception at 6:30 p.m.

Dinner at 7:30 p.m.

Tickets can be ordered at \$100 per person with the reply card at [www.floridabarfoundation.org/rsvp](http://www.floridabarfoundation.org/rsvp)

Please send the completed reply card with your check to:

The Florida Bar Foundation  
875 Concourse Parkway South,  
Suite 195  
Maitland, FL 32751

*(Invitations will be mailed in mid-May.)*



living, education, immigration and other civil areas, ensuring that they have a voice in court proceedings.

The Children & Youth Law Clinic received a special \$100,000 grant in 2013-14 from The Florida Bar Foundation made with funds provided by the Miami Beach-based Batchelor Foundation. The grant, which honors Miami Law alumnus and past Florida Bar Foundation President Burton Young, is enabling the clinic to continue to help clients such as Davis, just as the Bar Foundation's revenue from Florida's Interest on Trust Accounts Program has slowed to a trickle.

Marielle Moore was one of two law students assigned to Davis' case. At that time Davis, 17, was living with a relative. When neither that arrangement nor her initial foster placement worked out – a shooting near her first foster home convinced her it was time to leave – Moore helped ensure her placement with a foster family that one of the clinic faculty knew from prior cases.

"The foster placement was such a good fit because so many people had input and so many people were pushing for her to be in a good environment for her to flourish academically," Moore said.

Davis commuted from her foster home more than an hour each way by bus and rail so that she could continue attending DASH, which paid off when she was accepted at the School of Visual Arts in New York. But getting in was just the first step. Davis earned a host of scholarships and saved money to pay for school by working in an upscale furniture store, but she still needed the Road to Independence benefits that help former foster youth pay for living expenses and college tuition. Even after she helped Davis secure the benefits, Moore faced a number of hurdles. Enrolling in an out-of-state private art school would require paying a seat deposit, buying a plane ticket and other expenses not typical for beneficiaries of the program.

"There is no box on the form for 'fancy art school in New York seat deposit,'" Moore said. "That took a lot of explaining." Working with the Guardian ad Litem Program and the Department of Children and Families, Moore advocated successfully for Davis' academic needs.

Moore sent a slew of e-mails over the course of Davis' senior year and attended several status hearings trying to make sure that all the parties from Davis' caseworker to the judge to the college's financial aid office were keeping everything on track. Meanwhile, the clinic gave Davis the opportunity to provide the illustration for a handbook it was publishing on youth health rights, which is now part of her portfolio.

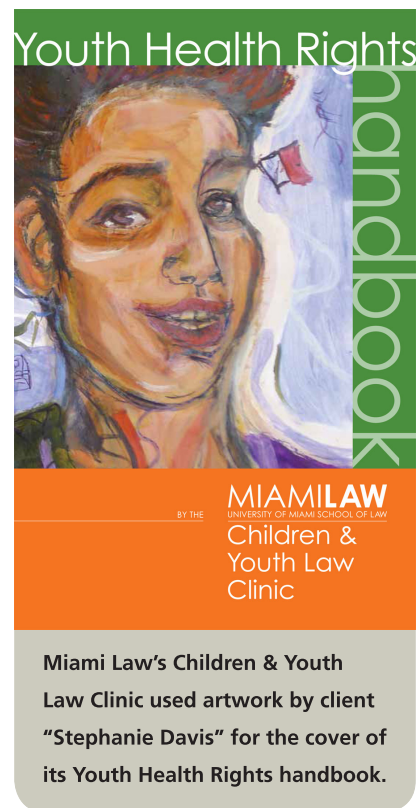
Davis said unlike her caseworkers, who encouraged her to stay in Florida for school, the students and faculty at the law clinic took her goal of getting into a first-tier art school seriously and did all in their power to make it happen. She calls art her "anchor" and hopes that one day it will also become a tool for helping others.

"I want to become well known and successful so that I can use my life as an example of how you can pursue your dreams when the odds are against you," said Davis, who continues to search for scholarships and other forms of financial support to help her finish her degree.

Many of the children who get help from Miami Law's Children & Youth Law Clinic have much more basic needs than getting into the right college. Another of Moore's clients was a young girl with a genetic disorder that has left her nonverbal and unresponsive.

"The rights of her parents were terminated when she was very young because they couldn't and refused to care for her," Moore said. "People like that don't have anyone in their corner."

As with Davis, one of the keys to that child's case was ensuring she had the right placement, in her case in an appropriate medical foster home, which required working closely with the Agency



for Persons with Disabilities and making home visits.

Moore said the range of her experiences at the law clinic taught her how to work independently to solve client problems. Meanwhile, the systemic work that the clinic is now emphasizing with the support of the Batchelor Foundation funds has inspired her to pursue big-picture solutions.

Bernie Perlmutter, co-director of the Children & Youth Law Clinic, said the clinic is making a concerted effort with the grant to increase its policy-related work in health-care access, guardianship, independent living, and education for youth aging out of foster care, as well as the trafficking of foster children.

"We wanted to recognize the Batchelor gift as a special gift," Perlmutter said. "We've redoubled our efforts to do systemic work. We want to take the advocacy and the analysis applied to our work to a higher level, so we are not just thinking of a single client but of other clients and how they will be impacted."

# Fellowship funded by Greenberg Traurig and The Florida Bar Foundation to address barriers to health-care access

International law firm Greenberg Traurig LLP and The Florida Bar Foundation are joining forces to fund a program that will help low-income and disadvantaged Floridians in Miami-Dade County receive better access to health care.

Charlotte Joseph Cassel, who is expected to graduate from the University of Miami School of Law in May, will pursue the two-year Health Access Now! Project as the 2014-16 Equal Justice Works Fellow in the Miami office of Florida Legal Services Inc. Cassel's fellowship, which begins in September, falls under the auspices of Equal Justice Works, a national nonprofit organization that creates fellowship opportunities for more than 50 young lawyers each year to positively impact vulnerable communities around the country.

With 10 percent of the nation's uninsured, Florida has major challenges in the face of the current health-care overhaul, which includes the rollout of the Affordable Care Act and significant changes to the state's Medicaid program.

More than 2 million low-income Floridians are newly eligible for federal subsidies through the Affordable Care Act's Insurance Affordability Programs. Many of these people traditionally have difficulty accessing public benefits because English is not their first language or they have a mental or physical disability.

Cassel's project will identify and resolve barriers to health-care access faced by these disadvantaged populations in Miami-Dade County through a combination of direct representation, community outreach and training, and

systemic advocacy. The Greenberg Traurig Holly Skolnick Fellowship Foundation and The Florida Bar Foundation each will provide \$56,000 to support Cassel's fellowship.

Cassel holds a master's in public health from Columbia University and a bachelor's degree in psychology from Barnard College and has extensive internship experience serving low-income populations through her work in both law- and health-related organizations.

"Greenberg Traurig is proud to partner with The Florida Bar Foundation in support of this important work," said Bill Silverman, a Greenberg Traurig shareholder and head of the firm's Fellowship Foundation. "Helping people of limited means gain access to justice is a core value of our firm."

Greenberg Traurig has a long-standing partnership with Equal Justice Works and since 1999 has invested more than \$7.3 million to support 120 Equal Justice Works Fellows. This makes Greenberg Traurig the top supporter of Equal Justice Works Fellowships. The Florida Bar Foundation has provided support for 69 Florida Equal Justice Works Fellows since 1999.

Cassel will work under the supervision of Miriam Harmatz, senior health law attorney at Florida Legal Services Inc., a nonprofit organization that provides civil legal assistance to low-income populations, as well as service delivery coordination, training, case consultation and technical assistance for all legal services providers in Florida.



Charlotte Joseph Cassel

*"Greenberg Traurig is proud to partner with The Florida Bar Foundation in support of this important work. Helping people of limited means gain access to justice is a core value of our firm."*

**– Bill Silverman  
Greenberg Traurig**

# Foundation helps lead statewide advances in access to justice

**W**ork has begun on a reinvigorated technology initiative that will help The Florida Bar Foundation further live up to its “Leadership and Funding for Justice in Florida” tagline.

“Many people are aware of the Foundation’s role as a funder but are less familiar with its significant leadership role when it comes to access to justice, and particularly the role of technology in making the justice system more accessible,” said Melissa Pershing, the Foundation’s director of grant programs.

The Foundation launched a technology effort in 2009 with the acquisition and statewide deployment of case management system software called LegalServer, which is in use by 27 of the Foundation’s 30 general support grantees. The Foundation is now exploring the expansion of its strategic investment in technologies designed to increase access to civil legal assistance and support high-quality, collaborative advocacy.

In January, the Foundation reimbursed the registration cost for grantees attending the national Technology Initiative Grants (TIG) conference hosted by the Legal Services Corporation (LSC) in Jacksonville. The conference focused exclusively on the use of technology in the legal aid community. The Foundation also contracted with consultant and former LSC TIG staff member Joyce Raby to facilitate the Florida group’s discussions at the TIG conference, to manage the statewide technology planning process and to provide project management expertise. A possible next step under consideration is to create a technology advisory council with tech-savvy representation from grantees, court, law firm, business and other Florida entities to provide further input.

Pershing obtained a grant from the Center on Court Access to Justice for All, a project of the National Center for State Courts, that enabled the Foundation to send a delegation to Chicago March 18-19 to visit staff of Illinois Legal Aid Online, recipient of the 2014 Law Technology News Innovation Award in the pro bono category, as well as the Illinois Coalition for Equal Justice. The delegation included representatives from the Foundation, The Florida Bar Vision 2016 Committee on Access to Justice, the Florida Courts Technology Commission, the Palm Beach County Clerk & Comptroller’s Office, and the Office of the State Courts Administrators.

The group learned about best practices exemplified by Illinois Legal Aid Online, the legal self-help centers in every Illinois county, and how these two programs work independently and in collaboration with each other. In Illinois, legal self-help centers are collaborative projects with a local planning committee and include free legal information websites as well as spaces in the county courthouse or in public libraries where pro se litigants can access online legal resources and referral information. Illinois Legal Aid Online is responsible for the website on which the self-help centers are based and provides training and support to center partners, including court staff and librarians.

An evening reception for the Florida delegation enabled them to gain further insights from members of the Illinois legal community, including Chief Justice Rita Garman and Justice Mary Jane Theis of the Illinois Supreme Court, as well as Mike Tardy, director of the Administrative Office of the Illinois Courts.

The trip helped participants understand and better anticipate the potential impact to Florida’s legal

service providers and court system of the implementation of these two models.

Julio Jaramillo, the Foundation’s first vice president and a member of The Florida Bar’s Vision 2016 Committee on Access to Justice, was among those who made the trip to Chicago.

“With funding in short supply, leadership is critical, so the Foundation wants to help move Florida forward with technology that will enable the legal services system, with its increasingly limited resources, to serve clients as efficiently as possible,” Jaramillo said. “We saw some great examples of how to do that. At the same time, we realize there is still much to be done outside the technology realm when it comes to access to justice.”

In addition to its technology initiative, the Foundation is engaging in a more comprehensive assessment of the statewide legal services delivery system that includes an analysis of the Foundation’s role in its future. It has contracted with Bonnie Allen, a Florida native and former director of the ABA Center for Pro Bono, to conduct this assessment through a process of stakeholder interviews and national best practices research. Allen and Raby will share information with each other related to statewide technology systems, and Allen will be sharing pertinent information with The Florida Bar Vision 2016 Committee on Access to Justice, led by past Florida Bar Foundation President Adele Stone.

“As we strive to identify opportunities for improvement, the Foundation intends to work closely with all key stakeholders, including The Florida Bar, the courts, and legal services providers so that Florida can do its best to deliver on the promise of justice for all, even when times are tight,” Jaramillo said.



# Innocence Project of Florida achieves its 14th exoneration

## Cheydrick Britt goes free after more than nine years of wrongful imprisonment

**W**hen the State Attorney's Office for the Thirteenth Judicial Circuit dropped all charges against Cheydrick Britt Nov. 20, he became the 14th Floridian freed as a result of DNA evidence through the work of the Innocence Project of Florida, which receives the majority of its funding from The Florida Bar Foundation through an Improvements in the Administration of Justice grant.

"We can't do what we do (at all or with any chance at success) without the longtime and continued support of the Bar Foundation. So thank you, thank you, thank you," wrote IPF Executive Director Seth Miller in sharing the news with The Florida Bar Foundation.

The Foundation's 2012-13 grant to the Innocence Project of Florida was \$294,516.

Britt's charges were related to a 2002 sexual battery. His convictions and



**Cheydrick Britt, second from right, with his legal team (L-R) IPF Executive Director Seth Miller, local counsel Charles Murray, and IPF staff attorney Melissa Montle.**

sentence for the sexual battery were vacated and he was released from prison Sept. 24, 2013, based on new DNA test results indicating his innocence of the sexual battery and lewd and lascivious molestation. Thirteenth Judicial Circuit Court Judge Chet Tharpe signed the order vacating the convictions.

"I have been waiting for this moment for almost a decade. I always maintained my innocence and now the DNA testing has proven what I always knew to be true. Thank God for DNA," Britt said upon his release.

## Trial Lawyers Section makes its third consecutive major gift

**T**he Florida Bar Trial Lawyers Section has made its third major gift to The Florida Bar Foundation in three years with a \$50,000 contribution in February 2014 that follows \$75,000 gifts in 2012 and 2013.

"We know that what the Foundation does is essential to our judicial system and access to courts for low-income individuals and families," said Ted Eastmoore, Trial Lawyers Section chair.

The Section initiated the series of gifts when its leadership realized the impact of declining revenue from Florida's Interest on Trust Accounts Program on the state's legal aid and pro bono programs. In the last five years, an era marked by near-zero interest rates, IOTA revenue has

averaged about \$6 million a year, which is just 14 percent of the \$43 million a year it averaged from 2003 to 2008.

Eastmoore said the Section's contributions represent "our attempt to help bridge the gap" during the IOTA revenue slump.

Foundation President John Patterson said the Trial Lawyers Section's early and continued support has generated a ripple effect.

"The Trial Lawyers Section not only contributed \$200,000 from their own reserves over the last three years, but as the first to respond in such a big way to the legal aid funding crisis, they encouraged other Bar sections and divisions, who have followed with



**Ted Eastmoore**

major gifts of their own," Patterson said. "We couldn't be more grateful for their generosity and leadership."



Leadership and Funding for Justice in Florida

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## Campaign brings in more than \$83,000

The Florida Bar Foundation raised \$83,786 through a campaign last fall that asked Fellows who had completed payment of their \$1,000 pledge to increase their lifetime giving to the Bronze Society level. The Bridge to Bronze campaign received support from 114 donors, most of whom are now members of the Foundation's Bronze Society, which recognizes donors whose lifetime contributions are between \$2,000 and \$4,999. One donor, Bryan K. Gart, pledged \$10,000 in response to the Campaign, making him a member of the Legacy for Justice. Apart from the Bridge to Bronze campaign, the Foundation received two gifts of \$10,000 each from Larry S. and Pat Stewart, who are also now members of the Legacy for Justice. The Stewarts' gifts and all Bridge to Bronze contributions are designated for the Foundation's Legal Assistance for the Poor Grant Program. The Foundation is grateful for its donors' tremendous response to the Bridge to Bronze campaign and to Larry and Pat Stewart for their generous support.

## SPEAKING OF JUSTICE



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*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.*