

# SPEAKING OF JUSTICE

NEWS FROM THE FLORIDA BAR FOUNDATION  
Volume 9 Issue no. 1

## SPECIAL ANNUAL REPORT ISSUE



Florida Bar President William J. Schifino Jr. discussed the \$600 million annual economic impact of civil legal aid in Florida at a press conference at the American Bar Association Midyear Meeting in Miami Feb. 2.

## Study finds civil legal aid yields seven-fold return on investment

With funding for civil legal aid in Florida at its lowest point in 10 years, a new study shows that every dollar spent on civil legal services for the state's low-income residents yields more than \$7 in economic impacts.

Commissioned by The Florida Bar Foundation, the study found that 33 Florida nonprofit civil legal aid organizations produced \$600 million in economic impact with \$83 million in total funding from sources including the Foundation, the Legal Services Corporation, local governments, donors and others in 2015.

"Equal justice under law is not only a basic underpinning of our democracy; it's also good economic policy," said Florida Bar Foundation President Matthew G. Brenner. "This study adds to a large body of empirical data – from Florida as well as other states – that clearly demonstrates that society at large benefits when the rights of the poorest and most vulnerable among us are protected."

One of the largest economic impacts of civil legal aid results from assistance in obtaining the federal benefits, child support, wages and unemployment compensation to

which Florida residents are entitled, income that is in turn spent within Florida. The federal benefits obtained for legal aid clients include:

- \$120.6 million in Social Security benefits
- \$70.7 million in Medicaid and Medicare reimbursements, and
- \$2.7 million in veterans' benefits.

With civil legal aid helping capture \$264.3 million in such income and reimbursements for Floridians, Florida businesses are estimated to have experienced \$274.8 million in increased

[see IMPACT p. 4](#)

# Message from the President

In the midst of perhaps the most challenging period in its history from a financial standpoint, as the chart below indicates, The Florida Bar Foundation has recently made significant progress addressing access to justice issues for all Floridians.

During the past year our board adopted a strategic reset, in which the new emphasis is on serving as a “strategic leader and catalyst in the cause of increased access to justice for all” and “an agent of rapid, effective and high-impact change.” This focus on catalytic philanthropy includes investments in training, technology, technical assistance, assessment and capacity-building for the legal aid delivery system, as well as the creation and expansion of innovative pro bono initiatives. This reset will allow us to help more despite fewer resources.

Led by Ericka Garcia, our pro bono department has developed and launched a new online platform for connecting lawyers directly to the pro bono cases they choose. The new website, FloridaProBonoMatters.org, is featured on page 5 and was introduced in the March issue of The Florida Bar Journal, where pro bono work was in the spotlight as never before. This special issue of the Journal was conceived by Florida Bar President Bill Schifino and brought to fruition by the Foundation’s communications director, Nancy Kinnally, who was chief author. If you missed the issue, I urge you to find it and read it. It will impact you.

The Foundation also is working to develop new models for legal services delivery with a pilot program at Pathways for Change, a Pensacola nonprofit community service center (whose CEO Connie Bookman is a public member of the Foundation’s board). Through “The Escambia Project,” interdisciplinary design teams led by Margaret Hagan of Stanford Law are developing services and programs to address specific community needs, including legal services based on the end-user’s/client’s perspective. Read more about that project on page 6.

Meanwhile, the Foundation has begun applying funds from the nationwide Bank of America settlement to collaborative grantee projects addressing targeted populations and societal challenges. These projects are in the areas of legislative advocacy, medical-legal partnerships, migrant/agricultural work, expungements, social/racial/economic justice, identity/documentation, and LGBTQ inclusion.

With such exciting things happening, it’s easy to forget that the Foundation is still funding longstanding programs such as its Children’s Legal Services grants, which address the special legal needs of low-income and foster children. Contributions from Florida lawyers through their Florida Bar fee statement have become absolutely critical to these grants, providing about a third of the \$926,000 the Foundation distributed last

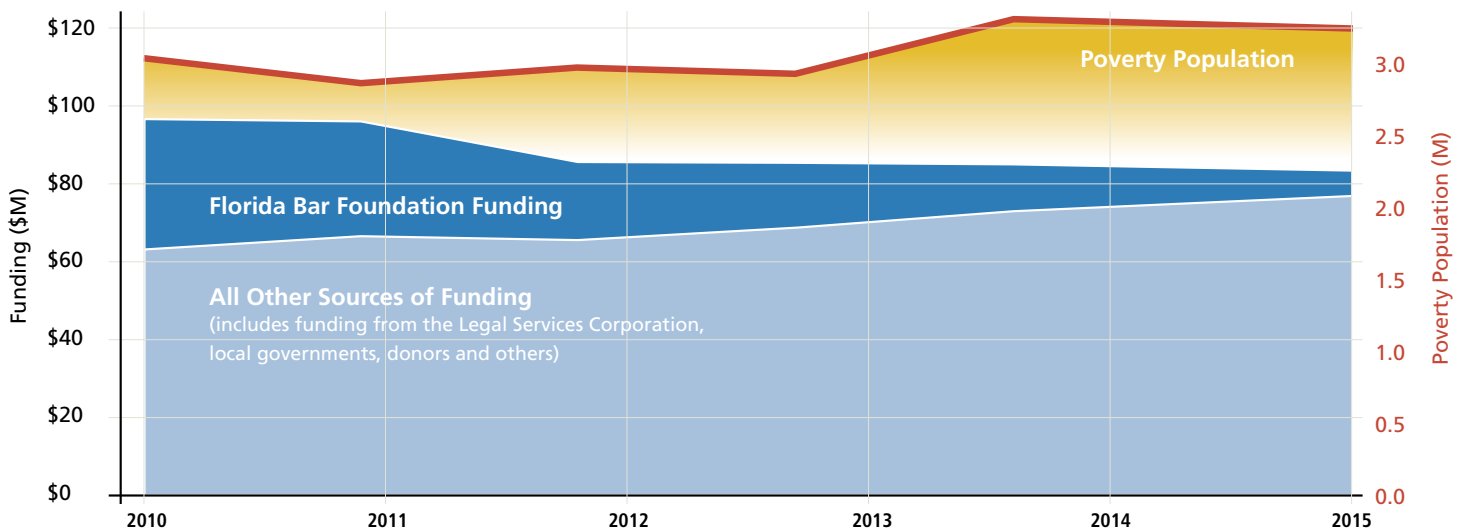


Matthew G. Brenner

year. The Bar fee statements will go out in late May, and I urge my fellow lawyers to take the opportunity to add to their Bar dues a donation to support Children’s Legal Services.

Finally, I would like to offer my heartfelt congratulations to longtime Florida Bar Executive Director Jack Harkness and the Foundation’s first Executive Director Jane Curran, who will be honored together this year with the Foundation’s highest recognition, the Medal of Honor Award. Both are legends without whose leadership The Florida Bar Foundation would not be the national leader that it is today. I encourage you to purchase your tickets early for our annual dinner, as it is sure to sell out quickly given the enormous stature and exceptional service of this year’s honorees. As always, we are grateful to all the event sponsors, who are recognized on the next page. At times such as these, it’s especially gratifying to have the support of such valued partners.

## Civil legal aid Funding as compared to poverty population in Florida 2010 - 2015



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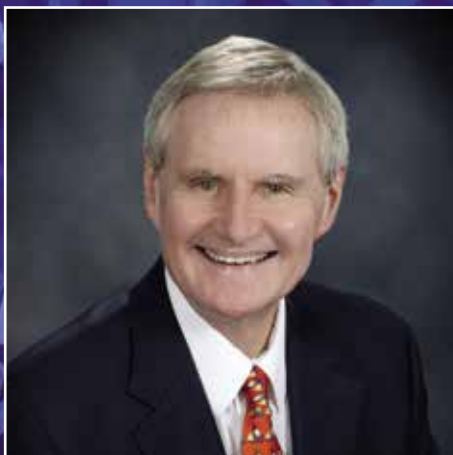
## ANNUAL RECEPTION & DINNER

Thursday, June 22, 6:30 p.m.

Boca Raton Resort & Club

Tickets \$150

[www.TheFloridaBarFoundation.org/tickets](http://www.TheFloridaBarFoundation.org/tickets)



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**THE FLORIDA BAR  
FOUNDATION**

SPEAKING OF  
JUSTICE





Florida Chief Justice Jorge Labarga addresses reporters during a media availability session just before the Feb. 3 meeting of the Florida Commission on Access to Civil Justice in Tallahassee. On the agenda was a Foundation-funded study that found \$83 million in civil legal aid funding produced \$600 million in economic impacts in Florida in 2015.

income in 2015. Investment in civil legal aid also is estimated to have generated 2,243 new jobs.

Not only does civil legal aid put dollars directly into the economy, it also saves money for the government, businesses, nonprofits, clients and others in a variety of ways. The study found that:

- \$2.9 million in costs for emergency shelter were avoided for low-income families who, with the assistance of legal aid advocates, were able to avoid eviction or gain time to seek alternative housing;
- \$50.6 million in foreclosure costs were avoided by low-income homeowners, lenders, neighbors and local governments;
- \$6.9 million in costs associated with domestic violence were avoided.

The study points out that civil legal aid also helps ease the burden on Florida's court system by helping people who are self-represented navigate the system and helping the public understand legal processes. Civil legal aid organizations also support and leverage the pro bono work

of private attorneys. In 2015, volunteer attorneys in Florida completed nearly 12,000 pro bono cases through legal aid and pro bono programs, donating 79,000 hours of time valued at more than \$9.5 million.

"Civil legal aid helps ensure fairness in our justice system," said Florida Chief Justice Jorge Labarga. "But its benefits extend well beyond that. A large number of our citizens fall in the legal services gap. They just cannot afford a lawyer at today's prices. This study shows that when they have a good way to resolve their civil legal problems, they can remain important assets to their families, on their jobs and in their communities."

Results of the study suggest that every additional \$100,000 in funding enables legal aid organizations to generate \$719,000 in economic benefits. The analysis was conducted by The Resource for Great Programs, a research firm with more than 20 years' experience conducting similar economic impact studies.

The economic return-per-dollar findings are similar to those from legal aid

economic impact studies conducted in other states, including Texas (\$7.42), Iowa (\$6.71), Tennessee (\$11.20), and Virginia (\$5.27), and by other researchers. A previous study performed by Florida TaxWatch in 2010 using 2008 data found an economic impact of \$4.78 for every dollar spent on civil legal aid in Florida.

American Bar Association President-elect Hilarie Bass, co-president of the international law firm of Greenberg Traurig, said funding is needed not only to provide direct services to low-income clients, but also to implement technology that will make the legal system more accessible to all.

"Through innovation, we can maximize the tools that technology affords us to make legal information more readily available to all persons otherwise unable to afford an attorney," Bass said. "We can provide pro se litigants with greater access to the information and forms they need to navigate a complex judicial system, and recognize that there are multiple new forms of assistance for the millions of Americans who seek legal assistance, but who have been turned away for years for lack of funding."

# New interactive pro bono website puts attorneys in driver's seat

Lawyers in Miami-Dade County who want to volunteer their services now have an easy way to find just the right case through an interactive website being developed by The Florida Bar Foundation.

"This system puts pro bono attorneys in the driver's seat, giving them a user-friendly way to filter and search for cases that suit their interests," said Ericka Garcia, the Bar Foundation's statewide director of Pro Bono Partnerships. "Pro bono attorneys I've met with from across the state over the last year have all been telling me this is exactly the tool they want. It enables them to see in real time what pro bono cases are available and creates efficiencies for both the attorney and the legal aid organization."

Florida Pro Bono Matters is being piloted right now with Legal Services of Greater Miami, Americans for Immigrant Justice and CABA Pro Bono Legal Services. All are displaying the cases for which they are seeking pro bono attorneys. It will soon involve virtually all of the state's pro bono programs for civil legal aid.

Hilarie Bass, American Bar Association president-elect and co-president of the international law firm Greenberg Traurig, spearheaded planning meetings with Miami-Dade legal aid organizations, more than 10 of which will participate in the pilot project.

"With a limited amount of legal aid funding available, it is critical that The Florida Bar Foundation and local legal aid organizations find more efficient and effective ways to deliver pro bono services," Bass said. "Technology like this interactive pro bono website will help more Floridians gain access to justice. The key is making it easier for pro bono attorneys to see the need and answer the call for help."

FloridaProBonoMatters.org, which can also be accessed through FloridaProBono.

org, serves as a marketing tool for specific pro bono cases. Lawyers can filter available cases by practice area, location and participating organization, and with the click of a button they can register their interest in taking on a particular case.

It is designed to allow any organization that wants to advertise pro bono opportunities – whether a law school, law firm or legal aid organization – to display specific cases. Developed by Wiedza Creations LLC, a company based within the University of Central Florida's Business Incubation Program, the site can easily be expanded to include additional organizations. The Foundation will take it statewide over the next six months.

U.S. District Court Judge Patricia A. Seitz, who led the planning meetings along with Bass, said she has seen first-hand through her work as a federal judge the multiple issues faced by those recently released from prison.

"I have long thought it would be wonderful if there were a direct and easy way to share with lawyers the life-impacting legal needs facing these individuals who lack

the means and knowledge to hire a lawyer," Seitz said. "This site makes it possible to do that. I am optimistic that it can make a difference, not just for ex-offenders but for all disadvantaged people in our community."

Eli Mattern of Wiedza Creations LLC knows full well the benefit to the attorney, as she and her business partner James Haggard are both experienced legal aid attorneys in addition to being the co-founders of the legal tech start-up.

"This website takes away a common fear among attorneys, which is that legal aid may send them a pro bono case that they aren't comfortable handling," Mattern said. "By letting the pro bono attorney choose the case, we're prioritizing the pro bono attorney's time and input in a way the legal aid system hasn't been able to do before. To do this, we used cutting-edge technology to curate the cases, so that we can display them on any website that wants to advertise pro bono opportunities. We want to make it easy to find a case and help a person with his or her legal issue."

# The Escambia Project utilizes community design to create new legal services models in Pensacola

For two and a half days in early February, legal aid attorneys, community activists, social service providers, law professors, Florida Bar Foundation staff and others gathered at a community service center in Pensacola to design new approaches to the delivery of legal services.

Led by Margaret Hagan, director of the Legal Design Lab at Stanford Law's Center for the Legal Profession, the group began with a question: "How do we get legal help to those who need it and who may not even know they need it?"

Hagan, a member of the advisory council for the American Bar Association Center for Innovation and the facilitator for the Foundation's 2015 Legal Aid Summit, said the project is using a model of participatory service design employed by service innovation labs in Malmo, Sweden and Milan, Italy.

"Rather than starting from the usual lawyer-first or court-first point of view, we are starting with the people. It's not about setting up more traditional law offices or clinics and hoping that people realize they have a legal need and then find their way to a lawyer," Hagan said. "This proposition of people-driven legal services has been rumbling around as a concept in classes, conferences, and discussions about improving the legal system."

The Escambia Project, tentatively named for the Florida county where it's located, is an effort to turn that talk into action.

The project is hosted by Pathways for Change, which takes a holistic approach to its mission of transforming the lives of people on the wrong path because of poverty, substance abuse or lack of education. The Pathways for Change family center stands amid four public housing blocks in Pensacola and offers a continuum of services including education, prevention,



With funding from The Florida Bar Foundation, design teams for The Escambia Project are mapping out new models of legal services delivery based on the client perspective at Pathways for Change in Pensacola.

intervention and aftercare.

Pathways for Change CEO Connie Bookman, a public member of The Florida Bar Foundation board, has worked closely with Melissa Moss, the Foundation's deputy director for strategic initiatives, to bring together the team that is collaborating on the project.

"Our staff has worked since 2004 to ensure that those we serve at Pathways for Change have all the resources they need to really turn their lives around," Bookman said. "Legal services, while they have been available to a limited extent, have really been the missing piece in terms of providing residents of this underserved community with a comprehensive set of tools to overcome barriers to success."

The Escambia Project's design teams met on site during the first week of February to map out needs, brainstorm, propose and vet design ideas, and narrow those ideas to a few worth piloting. Bookman invited 10 members of the Pathways for Change Men's Residential Treatment Program to serve as design reviewers. All are men who have been convicted of non-violent, non-sexual crimes and who are participating in the organization's rehabilitation program.

Based on the feedback they received, each of three design teams prioritized and

refined their ideas. The three projects they decided to pilot are:

- Justice on the Block, through which community centers would host free legal help sessions that would integrate legal aid and pro bono lawyers in person, via Skype or by appointment;
- One-Stop Life-Shop, which would bring together legal and other social services at the Pathways Family Center;
- and Smart Intake, a tech tool that would enable a volunteer – not necessarily a lawyer – to better spot when people have a legal issue and craft a game plan for how he or she could access legal services.

The next step is to develop and implement pilots that would run through the summer.

"We want to create something meaningful and to challenge the status quo, but in just enough of an incremental way that we can actually implement it, fix its bugs, and measure exactly what it's doing," Hagan said. "We are also in a second round of scouting out inspiring models and experts in the field. Rather than try to reinvent models, logistics, and best practices, we're looking for people who have already built out similar parts of the system we are creating in Pensacola."



# ANNUAL REPORT

2015-16

## Message from 2015-16 President Donny MacKenzie

**O**n June 16, 2016, The Florida Bar Foundation board of directors unanimously resolved to execute a “strategic reset.” This decision came about as the result of eight years of drastically reduced revenue from Florida’s Interest on Trust Accounts (IOTA) Program, which almost a decade ago reached a high of approximately \$44 million per year but has been reduced to less than \$6 million annually for the past several years.

At least 3.1 million Floridians live at or below the poverty level, which does not include the working poor whose incomes exceed federal poverty guidelines, but who can’t afford a lawyer. While \$44 million dollars in funding is a lot of money in many respects, it amounts to \$14 per every person living at or below the poverty level. Current IOTA funding of \$5.5 million dollars equates to \$1.77 for each such person. Thus, it’s easy to see that even at its highest levels, IOTA funding touches only a very small fraction of the need.

Clearly, IOTA funding alone has never been the solution. Resources in addition to increased funding need to be developed in order to adequately address the problem and confront the challenge. Current funding sources, delivery models and grant evaluation methods must be looked at carefully. Results, benchmarks, measurable outcomes,

efficiencies, redundancies and accountability measures need to be studied and changed where necessary. Best practices and successes need to be replicated and encouraged. Technology needs to be embraced and harnessed.

The simple reality is that most Floridians, including the working poor but also many in the middle class, simply cannot afford an attorney. The Foundation’s overarching objective is to assist everyone by increasing access to justice. As to its existing grantees, the Foundation’s objective is to enable and empower them to become more self-sustaining.

As to The Florida Bar, the Foundation’s goal is to complement, not compete with, working lawyers seeking to provide greater access to the courts. The Foundation will continue to be an information resource and partner in initiatives to increase access to justice. It will also continue to identify and share best practices and assist the Bar in its statewide efforts, as well as collaborate and lead on projects consistent with our core mission principles.

The Foundation has always drawn on its most valuable resources: its people; its mission; its collective genius; and its undaunted commitment to the rule of law. From the staff to the board, professionalism and civility are the hallmarks of this



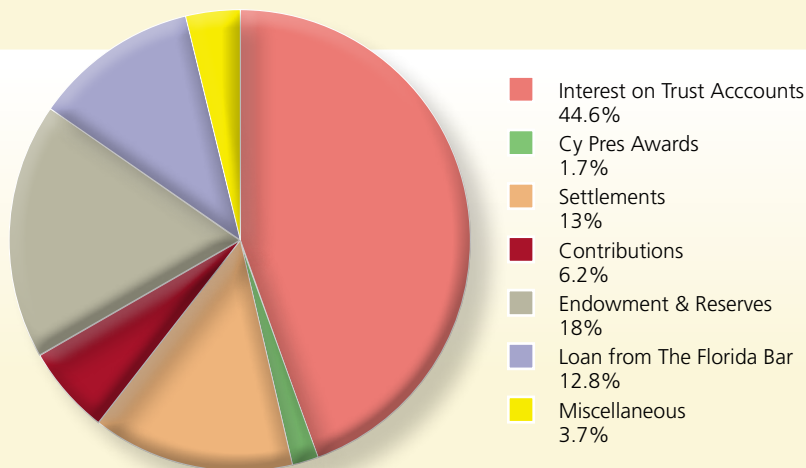
Donny MacKenzie

organization. Experience and wisdom are the bricks and mortar that make up our foundation and establish us as “catalytic philanthropists,” as described by Mark R. Kramer in the fall 2009 issue of the Stanford Social Innovation Review.

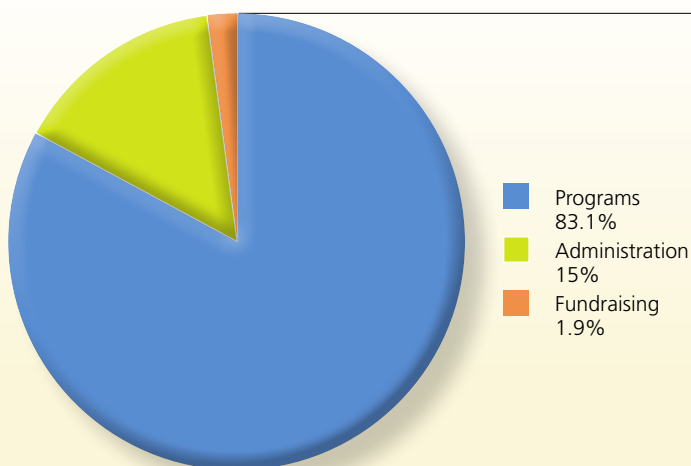
Throughout the course of its history, The Florida Bar Foundation has exhibited the ambition and courage to improve access to justice by promoting collaboration and innovation. And not only have we used all available tools to create change, but in many notable instances, such as the very creation of IOTA, we have invented those tools for ourselves and others. We have created actionable knowledge that has improved our effectiveness and influenced the behavior of others. And along the way, we have helped pave the path toward social justice.

It was my extreme honor to have helped move the Foundation forward during 2015-16, and I thank everyone for their undaunted courage and continuing support of the Foundation and the overall cause of justice for all. Thank you.

## 2015-2016 FUNDING SOURCES



## HOW WE SPENT THOSE FUNDS IN 2015-2016



### PROGRAMS:

Grants*	\$10,385,853
Loan Repayment Assistance for Legal Aid Attorneys	\$814,082
Pro Bono Partnerships Program*	\$145,399
Capacity-Building for Grantees	\$204,877
Special Projects	\$242,604
Justice System Technology	\$276,977
Incentive Awards for Legal Aid	\$46,502
<b>Total</b>	<b>\$12,116,294</b>

\* includes grants and pro bono program salaries and administrative costs

## MAKING STRATEGIC INVESTMENTS IN FLORIDA'S CIVIL LEGAL AID AND JUSTICE SYSTEMS

The Florida Bar Foundation makes strategic investments to build the capacity of its grantees and of Florida's civil justice system. This includes planning and hosting statewide training and conferences, as well as covering expenses for certain legal aid staff to attend national events such as the Legal Services Corporation's Technology Innovations Grant (TIG) conference, the Equal Justice Conference, the National Legal Aid and Defender Association's annual conference and others.

In November 2015 the Foundation hosted a statewide Legal Aid Summit to introduce nearly 200 legal aid staff to design thinking for access-to-justice problem-solving under the guidance of Stanford Center for Legal Design Director Margaret Hagan and emerging legal aid leaders from around

Florida. That fall the Foundation also secured a pro bono business process improvement partnership for Florida Rural Legal Services (FRLS) with a multi-national corporation. The Toyota Production System Support Center, Inc. team spent a year working with FRLS to analyze and streamline their intake process prior to and during the installation of centralized telephone intake systems technology that had been funded by the Legal Services Corporation.

Special projects in 2015-16 also included all pre-launch and start-up activities for the Florida Justice Technology Center, which was established with a Florida Bar Foundation Improvements in the Administration of Justice grant. Along with the Foundation, this new center has been instrumental in the development of the Florida Legal Access Gateway, the signature

project of the Florida Commission on Access to Civil Justice. Settlement funds provided to the Foundation by Attorney General Pam Bondi's office covered the cost of the Clay County pilot for this new online legal triage system, which uses expert systems technology to guide users to the legal resources best suited to their needs.

Also in 2015-16, the Foundation worked closely with its legal aid grantees to develop outcome measures and incorporate them into LegalServer, the case management system the Foundation had previously invested in for its grantees and continues to help support. The outcomes information collected will help the Foundation and its grantees make more strategic decisions in the future as well as build a compelling case for financial support for civil legal aid.



# Annual Giving Circles - FY 2015-2016

Cumulative annual giving from July 1, 2015, to June 30, 2016

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July 1, 2015 to June 30, 2016

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\*Deceased

# Investing in access to justice for a brighter tomorrow

You, our donors, are investors in America's promise of justice for all. It's a promise we as a nation have not quite figured out how to keep. The right to counsel does not exist for those with civil legal problems. In Florida, state funding for civil legal assistance has been zeroed out. Federal funding, administered by the Legal Services Corporation, is limited and subject to Congressional restrictions. Interest on Trust Accounts revenue has fallen victim to the global recession and its after-effects. For these reasons, low-income Floridians in need of civil legal aid now rely on your generosity to a greater extent than ever before. On behalf of the tens of thousands of Floridians whose futures are now brighter because of free civil legal aid they received this year, we thank you. And we give special thanks to those of you who have earned membership in The Legacy for Justice.

## The Legacy for Justice

Through June 30, 2016

The Legacy for Justice recognizes those who have included the Foundation in their estate planning, made a single planned or pledged gift of more than \$10,000, directed a significant cy pres award to the Foundation, or facilitated a colleague's major gift. We offer the members of this prestigious group our sincerest gratitude for their deep and abiding commitment to the Foundation.

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After being placed in foster care following her father's suicide, "Stephanie Davis" of Miami was able to pursue 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 continues support of University of Miami children's clinic

The Children & Youth Law Clinic at the University of Miami School of Law has been supported since 2004 by a Children's Legal Services grant from The Florida Bar Foundation. Beginning in 2014, the clinic has received three special grants of \$100,000 each from The Florida Bar Foundation with funds provided by the Miami Beach-based Batchelor Foundation, which has long focused on health-related needs of children. With each of its gifts The Batchelor Foundation has honored Miami Law alumnus and past Florida Bar President Burton Young, who was both attorney and friend of the late aviation entrepreneur and philanthropist George E. Batchelor. The clinic represents children in foster care and former foster youth in dependency, health care, mental health, disability, independent living, education, immigration and other general civil legal matters, ensuring that they have a voice in court proceedings. Under the supervision of three Florida-licensed attorneys, approximately 24 second- and third-year law students each year assume primary responsibility for all aspects of a client's case. Students learn fundamental lawyering skills, substantive law and professional ethics.

## Summer Fellows program revival provides meaningful giving opportunity

The Florida Bar Foundation has launched a campaign to raise \$150,000 to revive its Summer Fellows program, which places law students at Florida legal aid organizations to develop projects in areas of need such as homelessness, juvenile justice and medical-legal partnerships.

Florida Bar Foundation board member Stephen R. Senn of Peterson & Myers in Lakeland recently contributed \$2,500 toward an effort to revive the program, which had to be suspended in 2012 due to

a lack of funds. His gift follows a \$50,000 campaign kickoff pledge from fellow board member David Prather of Clark, Fountain, La Vista, Prather, Keen & Littky-Rubin in West Palm Beach.

In a survey of past Summer Fellows participants, one said "The Florida Bar Foundation summer fellowship program literally made me who I am today as an attorney," while another said it "cemented for me that a career in legal aid could be a reality."



Jarred Reiling, now an associate with Gelber Schachter & Greenberg in Miami, was a Florida Bar Foundation Summer Fellow at the Legal Aid Society of Palm Beach County in 2009.

**Want to make a gift to support the reestablishment of the Foundation's Summer Fellows Program?**  
Contact Development Director Donna Marino, CFRE, at (407) 960-7000 or [dmarino@TheFloridaBarFoundation.org](mailto:dmarino@TheFloridaBarFoundation.org)

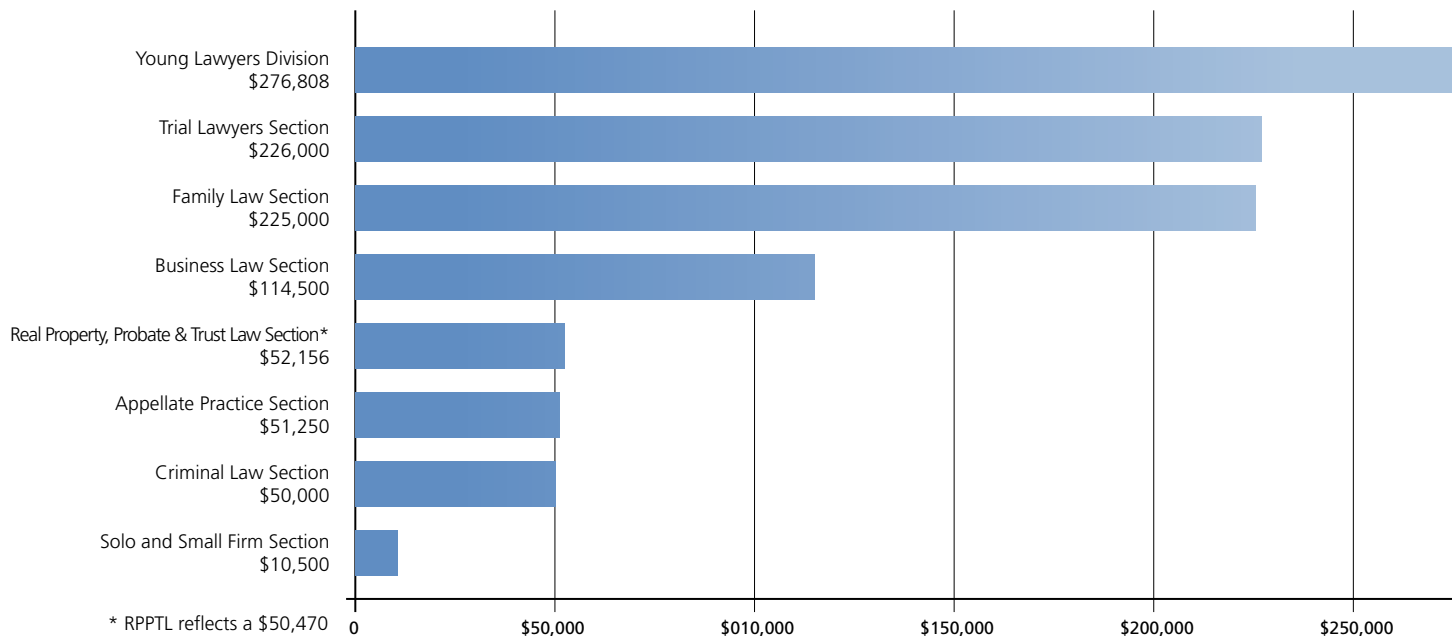
## Business Law Section pro bono committee makes \$10,000 gift

Under the leadership of its chair, John B. Macdonald, the pro bono committee of The Florida Bar Business Law Section made a \$10,000 gift to The Florida Bar Foundation to support staffing to expand pro bono opportunities for transactional attorneys statewide through the Foundation's recently established Pro Bono Partnerships Program. Business Law Section communications chair and Foundation board member Paige Greenlee presented the check March 17

during the Foundation's quarterly board meeting. The program works to develop pro bono partnerships with bar associations, law firms, courts, law schools and legal aid organizations. It also provides technical and expert support for organizations creating, implementing or analyzing pro bono programs. The Business Law Section is one of many Florida Bar sections and divisions that has made major gifts to The Florida Bar Foundation, placing them in the Foundation's prestigious Legacy for Justice.



## Lifetime contributions from Florida Bar Section and Divisions 10K and up



\* RPRTL reflects a \$50,470 refund in past sponsor fees paid by the Foundation, rather than a direct section contribution.



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