

SPEAKING OF JUSTICE

NEWS FROM THE FLORIDA BAR FOUNDATION
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JASON NUTTIE

Upon accepting the Foundation's 2017 Medal of Honor Award for a Lawyer, Florida Bar Executive Director Jack Harkness endorsed the concept of a strategic reset for The Florida Bar Foundation. "We have got to reach out to other people, other entities, other ways, in order to accomplish our goal," Harkness said.

Florida Bar Foundation adopts strategic reset, moves in new direction

by Nancy Kinnally

A year after unanimously resolving to adopt a "strategic reset," The Florida Bar Foundation's board of directors June 22 approved a document detailing the approach the organization will take in its future grant making, as well as the rationale for moving the organization in a new direction.

The action comes in the wake of eight years of drastically reduced revenue from Florida's Interest on Trust Accounts (IOTA) program, which almost a decade ago

generated nearly \$44 million a year, but has yielded less than \$6 million annually for the last several years. It also resulted from the board's collective recognition of a changing legal landscape and of the need to embrace and develop technology and help craft a newer and better legal delivery system for all Floridians.

"Given the fact that there will never be enough lawyers nor sufficient funds, the Foundation must be a leader in developing an

improved, more accessible and more efficient delivery model," the document states, pointing out that even when the Foundation's funding was at its highest level, "only a fraction of the legal needs of the poor" were being met.

"While the Foundation's mission of expanding access to justice in Florida remains the same, the board in recent years arrived at the overall consensus that the approach to achieving that mission needs to change in order for the Foundation to continue to

Message from the President

If you've heard there's a lot of change going on at The Florida Bar Foundation, but you're not really sure what it's all about, this expanded issue of Speaking of Justice will bring you up to date. As our cover story explains, the Foundation is undertaking a strategic reset at a time of decreased funding but also new opportunities for Florida's legal services and justice systems. The Foundation board – after much consideration – decided we should do what other leading-edge foundations around the country are doing: serve as a catalyst for innovation and as a collaborator and facilitator in the pursuit of far-reaching, meaningful and sustainable improvements in the communities we serve.

The strategic reset document we've adopted (see TheFloridaBarFoundation.org/reset) is a roadmap for our new path forward, and I encourage you to review it. Several of the projects described in this issue illustrate our new direction: a collaboration with Toyota in applying business process

improvement to legal aid; training staff attorneys to be proactive in working with local communities on racial justice issues; and statewide implementation of FloridaProBonoMatters.org. All are prime examples of how training, collaboration, technology and community lawyering can empower legal aid staff, pro bono attorneys and clients and make civil legal aid operate more effectively and efficiently.

What you won't necessarily discover in these articles is the fact that none of this change would be possible without the extremely talented and hard-working staff of the Foundation. They have not just gone along with this ambitious new approach, they have led it every step of the way. Their work is getting national attention. Melissa Moss, deputy director for strategic initiatives, was invited to serve on an advisory committee to the Legal Services Corporation on the governance and administration of LSC-funded legal aid programs. She also was asked to be a featured

speaker at a Law + Design summit of the Stanford Legal Design Lab. Meanwhile, each of our department heads – Ericka Garcia, Chuck Hays, Nancy Kinnally, Donna Marino, Lushawn Phillips and Jennifer Wimberly – as well as development coordinator Michelle Fonseca has presented at national conferences. Their presentations – at the American Bar Association's Equal Justice, IOLTA, and Access to Justice Chairs conferences, the LSC's technology conference (TIG), and the Management Information Exchange Conference – demonstrate Florida's leadership on technology, outcomes measures, IOLTA administration, pro bono, fundraising, and data visualization and communications.

It's an honor to lead an organization with such a brain trust as that of The Florida Bar Foundation staff and board, and I look forward each day to the next step ahead.



Jewel White

Florida Bar Foundation President Jewel White was named Pinellas County Attorney in July. Board certified in city, county and local government law, White earned a bachelor's degree in sociology, a master's degree in urban and regional planning, and her law degree at the University of Florida. She is a former member of the Florida Supreme Court/Florida Bar Standing Committee on Pro Bono Legal Services and of The Florida Bar Board of Governors. She has served as president of The Florida Bar Young Lawyers Division, president of the Clearwater Bar Association, and a director of the Clearwater Bar Foundation.

FloridaProBonoMatters.org

Father's Eviction Threatens Son's Education

Description

Interested?

School starting. If evicted, child will change from an A school to a D school. Single father working two jobs needs you. Help them build a better tomorrow.

Site: FloridaProBonoMatters.org
Contact: The Florida Bar Foundation
Phone: (407) 960-7000



Where **YOU** make the connection.

Searcy Denney makes largest-ever law firm gift to the Foundation

by Nancy Kinnally

Searcy Denney Scarola Barnhart & Shipley P.A. has made a \$75,000 gift to help fund the revival of The Florida Bar Foundation's Summer Fellows program, which places second- and third-year law students at civil legal aid organizations to get first-hand experience in public interest law.

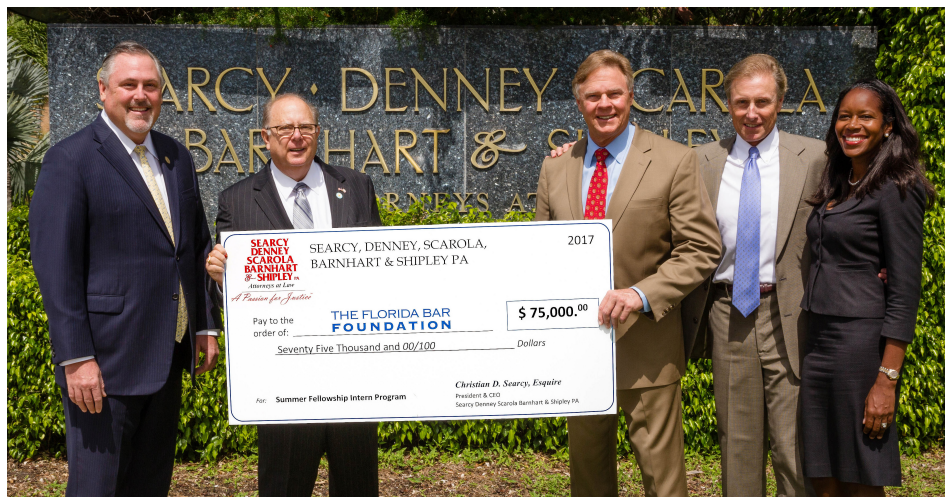
"Searcy Denney's gift is the largest the Foundation has received from a law firm," said Foundation President Matthew Brenner. "That speaks volumes about their commitment to the greater good, and in particular to the Foundation's mission of providing greater access to justice."

Past Florida Bar President Greg Coleman said the origin of the gift is also an example of Searcy Denney CEO Chris Searcy's exemplary ethical standards. The funds came from attorney's fees the firm was awarded in a "friendly" suit against The Florida Bar that sought to clarify advertising rules enacted several years ago related to websites. The firm had been unable to get a definitive answer from The Florida Bar as to whether or not their site was in full compliance.

"He and his firm have always held their ethical conduct to the highest standards," Coleman said. "It was exceptionally important to Chris to ensure his firm was in complete compliance at all times with the Rules Regulating The Florida Bar."

When Coleman was president of The Florida Bar, he and Searcy had worked out a resolution to the litigation, but meanwhile the court ruled in favor of Searcy Denney, and the firm received a \$75,000 fee award.

"Chris immediately called me and told me he did not consider the work they did with The Florida Bar in reference to this litigation to be the type of work where his firm should recover their attorney's fees. He wanted to donate the money to The Florida Bar Foundation," Coleman said. "I would



Greg Coleman, left, a Florida Bar Foundation board member and past president of The Florida Bar, and Florida Bar Foundation CEO Bruce Blackwell accepted a \$75,000 gift to the Foundation from Chris Searcy, middle, Greg Barnhart, second from right, and Sia Baker-Barnes of Searcy Denney Scarola Barnhart & Shipley P.A.

venture to say there is not another lawyer or firm in the state of Florida that would go to these lengths to ensure they are not only 100 percent ethical 100 percent of the time, but thereafter donate such a substantial amount of money to the Foundation after only seeking to ensure their compliance with the Rules Regulating The Florida Bar."

The donation will fund 11-week legal aid fellowships through which law students will develop projects in areas of identified needs, such as homelessness, juvenile justice and medical-legal partnerships. The Foundation had suspended the Summer Fellows program in 2012 due to lack of funding after the organization's major revenue source, Florida's Interest on Trust Accounts program, fell by more than 90 percent.

Last year the Foundation began raising funds to restart the program, which began in 1995. The cost of the program is about \$150,000 a year. With Searcy Denney's gift, the Foundation has raised \$130,000 in gifts and pledges to date. The goal is to relaunch the program in 2018 with funds in hand to maintain it for at least three years.

Based in West Palm Beach, Fla., Searcy Denney is known for its philanthropy and its sponsorship of "Time to Care" public service announcements, which have provided local charities with air time since the 1980s.

"We see this contribution as an investment in the future of civil legal aid and pro bono programs," Searcy said. "At the same time, we know these law students will be helping legal aid organizations do more good in the near term by helping develop projects in areas of need."

Past participants in the Summer Fellows program have said it encouraged them to pursue public interest careers and gave them a greater appreciation of the importance of civil legal aid.

"Legal services programs are vital to the well-being of every community because there is no other type of organization with the time and resources and inclination to help poorer groups and lobby for greater change on behalf of those communities," a past Summer Fellow from Florida State University's law school reported in a recent Florida Bar Foundation survey.



JASON NUTTLE

“The Foundation instead has revised its mission so that it’s going to try to use its limited resources to help those local grantees become more effective in delivering services, and on a broader level to develop and implement more effective overall strategies to provide lower-income Floridians better access to civil justice. Those new strategies will emphasize technology, pro bono service and the exploitation of untapped resources.”

– Judge Ed Scales
Third District Court of Appeal

have an enduring and significant impact,” said Donny MacKenzie, a past president of the Foundation and chair of its strategic reset committee.

The document approved by the Foundation board sets forth three primary strategies: 1) maximize the impact and effectiveness of civil legal assistance to low- and moderate-income individuals and communities in Florida; 2) expand the role of The Florida Bar Foundation as an expert and facilitator of effective civil legal assistance; and 3) serve as a catalyst for broad-based systemic change and innovative solutions to reduce and eliminate the civil justice gap in Florida.

Foundation board member Judge Ed Scales of the Third District Court of Appeal spoke about the strategic reset in his keynote address at the Foundation’s annual dinner, held just hours after the board’s endorsement of the reset document. Scales explained that the Foundation will no longer be making “traditional IOTA grants,” alluding to the Foundation’s decades-old approach of broadly distributing general support funds to local legal aid organizations based on the poverty population of the area.

“The Foundation instead has revised its mission so that it’s going to try to use its limited resources to help those local grantees become more effective in delivering services, and on a broader level to develop and implement more effective overall strategies to provide lower-income Floridians better access to civil justice. Those new strategies will emphasize technology, pro bono service and the exploitation of untapped resources.”

The Foundation will use its funding to create incentives for its grantees to collaborate with each other and with other nonprofits and social service agencies working to solve complex social and systemic problems faced by Florida’s poor. It will invest in projects with clearly focused goals and objectives and measureable outcomes, especially ones that are sustainable and use best practices. This will include funding pilot projects and

the expansion of projects that have proven effective, providing seed money, offering matching grants, investing in improvements and technological advances, building the capacity of advocates and organizations, developing pro bono partnerships, providing professional development opportunities for public interest and volunteer lawyers, and engaging law students in public service through projects such as a restored Summer Fellows program.

“All of these things are in keeping with what foundations – both inside and outside the legal services arena – are doing nationally and internationally,” MacKenzie said. “These are the very strategies in place on the leading edge of philanthropy in America and elsewhere today.”

The Foundation itself will also seek to collaborate with other funders and will put resources into efforts such as a study released earlier this year showing that legal aid generates \$7 of economic impact for every dollar invested, as well as a planned statewide legal needs assessment. These initiatives help build the case for civil legal aid funding and guide the allocation of scarce resources. Meanwhile, the Foundation will work to establish a widely recognized brand for civil legal aid in Florida in order to help legal aid organizations statewide garner greater support.

As is the case with the Florida Commission on Access to Civil Justice established by Chief Justice Jorge Labarga in 2014, the Foundation’s new strategic initiatives encompass moderate-income, as well as low-income Floridians. But MacKenzie points out that doesn’t mean the Foundation is abandoning traditional legal aid.

“What it means is that we recognize that many of the most effective ways of expanding access to justice for low-income Floridians will also serve those in the lower middle class who still can’t afford legal representation in every instance,” MacKenzie said. “It means we believe we can help make

see RESET p. 5

Lean lawyering: Florida Rural Legal Services test drives the Toyota Way

by Stacey Singer DeLoye

At first blush, the industrial challenge of manufacturing automobiles might seem as far from the service-driven job of providing legal aid as launching a rocket is from frosting a cake.

And yet on a sunny April morning in 2016, Toyota advisor Lance A. Lewis sat by the reception desk in the Fort Myers office of Florida Rural Legal Services (FRLS), notebook and pen in hand, scrutinizing workflow with the same intensity he applies to the Toyota factory supply chain. As the receptionist worked, he tracked walk-in visits and hotline calls, counted steps from desk to door, and watched case transfers.

"I observed how much time was spent on actual value-added activity," Lewis explained, "and how much was not value-added."

He was employing the same "go and see" process he might have used to observe factory workers unloading axels at a Toyota assembly plant. This time, the goal was helping improve efficiency and productivity in the service of people in need of civil legal help. As it happened, The Toyota Way had quite a lot to offer a legal aid office, said FRLS Deputy Director Amy Burns.

"Instead of coming in like robots and doing things the same way they have always been done, you start asking, 'Why am I doing



JASON NUTTLE

Evelyn Palencia now uses a headset to do client intake by phone at the Riviera Beach, Fla., office of Florida Rural Legal Services. The organization's intake process has been streamlined with help from Toyota.

this? Is this helping?" Burns said.

For 25 years, Toyota North America's not-for-profit affiliate, the Toyota Production System Support Center (TSSC), has shared the automaker's manufacturing know-how with organizations that have nothing to do with manufacturing cars. Legal aid was an area TSSC hadn't served previously.

The partnership was the idea of Melissa Moss, deputy director for strategic initiatives at The Florida Bar Foundation. After seeing the value of process improvement in other organizations, she believed kaizen — a constant improvement mindset — could help

civil legal aid thrive following a prolonged period of growing demand and shrinking resources.

"The bottom line is, it's a game-changer," Moss said.

FRLS, a Foundation grantee, seemed the best place to pilot Toyota's process improvement strategies because of the important safety-net role it plays in 13 South Central Florida counties, she said. Burns said the organization had recently been awarded a federal Legal Services Corporation Technology Initiative Grant to centralize their intake and install a new digital call center and phone

see **TOYOTA** p. 8

RESET, from p. 4

the administration of justice in Florida better for everyone."

Scales confesses he was skeptical about the reset at first. He argued that the board should commit to an independent assessment in the coming years to gauge its effectiveness, which the board approved.

"It is my sincere hope that when we then reflect on our Foundation's inventive, dynamic, bold experiment — the Strategic Reset Initiative — it will be bearing fruit, providing far more access to civil justice than merely divvying out depleting IOTA funds," Scales said in his speech.

Florida Bar Executive Director Jack Harkness, upon accepting the Foundation's Medal of Honor Award for a Lawyer at the annual dinner, signified his support for the Foundation's new direction.

"I also have to echo what Ed Scales said in his report about the future of the Foundation," Harkness said. "The way I look at it is I am talking to the choir, no question about it. But you need a new song, you really do, or a couple new verses, at least. The old pro bono, lawyers are going to do everything, lawyers are going to give all the money, does

not work. It cannot work. The problem is too big. We have got to reach out to other people, other entities, other ways, in order to accomplish our goal."

Florida Bar Foundation CEO Bruce Blackwell said the strategic reset is designed to do just that.

"I couldn't have said it better," he said.

The full text of the strategic reset document approved by The Florida Bar Foundation board is available at www.TheFloridaBarFoundation.org/reset.

Foundation puts \$1.5 million from Bank of America settlement to work

by Nancy Kinnally

The Florida Bar Foundation is using \$1.5 million from a national settlement with Bank of America to fund seven legal aid projects around Florida, as well as four Equal Justice Works fellowships focused on community economic development.

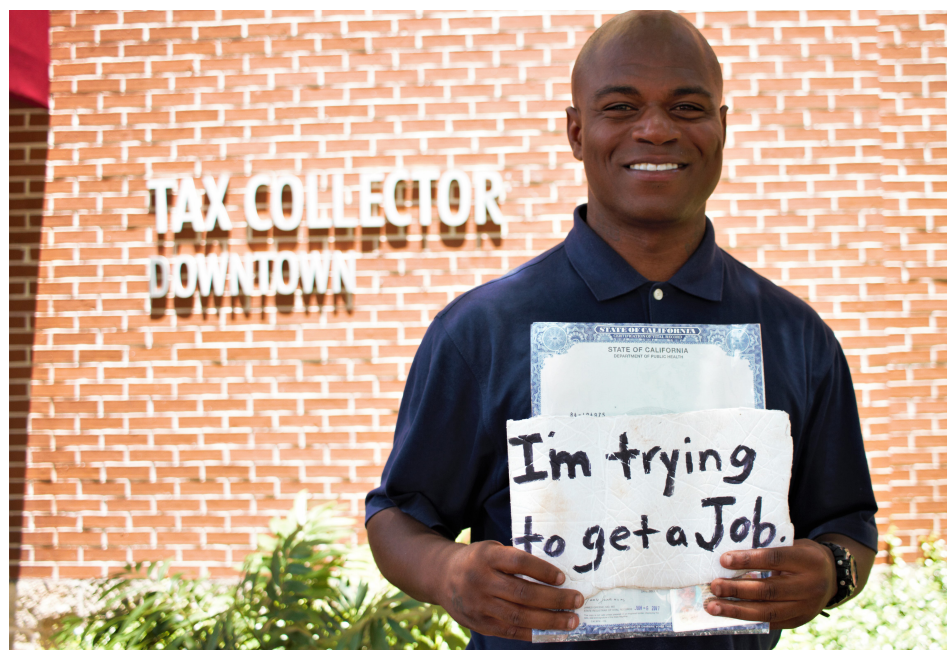
The funds are the first to be allocated from Florida's \$23 million share of the \$490 million settlement between Bank of America and the U.S. Department of Justice and six states.

"We felt it was important for the Foundation to distribute some portion of the BOA funds while we were developing and implementing a strategy for funding the lion's share of the monies over the next few years," said Matthew G. Brenner, immediate past president. "We focused on projects that are in line with the strategic reset the Foundation is undertaking and that were in keeping with the terms of the settlement."

For the first round of grants, the Foundation identified projects that involve collaboration among legal aid and other providers who are together addressing targeted social justice and community economic development issues. The seven projects – each of which received about \$143,000, for a total of \$1 million – are in the areas of affordable housing, legislative advocacy, medical-legal partnerships, expungements, identity documentation, LGBTQ inclusion, and the legal needs of migrant and agricultural workers.

The lead agencies include long-time Foundation grantees Community Legal Services of Mid-Florida (medical-legal partnerships), Jacksonville Area Legal Aid (expungements), Legal Aid Service of Broward County (LGBTQ inclusion), and Florida Legal Services (legislative advocacy and migrant projects).

Two of the grants went to organizations not previously funded by the Foundation, but whose work fit within the Foundation's goals for the Bank of America funding. Orlando-



Tony Johnson received help obtaining his identification documents from IDignity, an Orlando organization formed in 2008 to help people obtain the documents they need to apply for work or school, gain access to shelters and social service programs, open a bank account, cash a check, secure housing, or overcome other obstacles to self-sufficiency. IDignity received \$143,000 through The Florida Bar Foundation's Bank of America grant program.

based IDignity helps disadvantaged Central Floridians obtain the legal documentation required to get a state ID or driver's license so that they can apply for employment or school, obtain access to shelters, vote, seek help from social service programs, open a bank account or cash a check, secure housing, or overcome other obstacles to self-sufficiency. It hosts monthly events where governmental partners and more than 120 volunteers serve more than 200 clients in need.

The Miami-based Community Justice Project is staffed by three experienced public interest attorneys who collaborate closely with community organizers and grassroots groups in low-income communities of color to work toward a more just and more equal society. Their project will connect isolated communities in order to arrive at innovative community-based solutions to housing and economic justice challenges. It will engage the HUD Affirmatively Furthering Fair Housing process in Miami-Dade to create "neighborhoods of opportunity." This includes preserving and

encouraging the development of affordable housing for low-income clients; encouraging more dignified employment opportunities; and creating practical and replicable solutions to attaining social and economic justice.

The other \$500,000 in Bank of America funding recently approved by the Foundation's board will support four Equal Justice Works fellows for a two-year term beginning in September 2017.

Washington, D.C.-based Equal Justice Works is the leading nonprofit organization committed to mobilizing the next generation of public interest attorneys. The four fellows, along with the nonprofit legal organizations that will host them, will develop projects to address housing access and community economic development.

"The Florida Bar Foundation has played a critical role in launching the public interest careers of more than 75 attorneys through the Equal Justice Works Fellowship program," said David Stern, executive Director of Equal Justice Works. "We are thrilled that the Foundation

continues to be a valued partner in ensuring equal access to the justice system in Florida.”

Jewel White, president of The Florida Bar Foundation, said that in Florida, many low-income individuals and families face great

injustices without access to any legal advocacy.

“These Equal Justice Works Fellows will provide greater access to legal counsel, which is key to ensuring more stable and productive lives for all Floridians,” White said.

2017-19 Equal Justice Works Fellows



Sesilia Valdez Diaz will serve low-wage Latina workers in the hospitality industry experiencing wage theft, discrimination, harassment, and other employment issues in Central Florida. A graduate of Florida Agricultural & Mechanical University College of Law, Diaz will be hosted by LatinoJustice PRLDEF.



Krystin Montersil will mitigate the effects of detention on children and families by helping parents prepare and appoint guardians. A graduate of Florida International University College of Law, Montersil will be hosted by Catholic Legal Services, Archdiocese of Miami.



Reina Saco will help migrant and seasonal farmworker communities across Florida gain access to affordable, safe and sanitary housing. Saco graduated from the University of Florida Levin College of Law and will be hosted by Florida Legal Services in Alachua County.



Kristin Tellis will provide legal services and advocacy in the “Little Haiti” neighborhood of Miami for residents, businesses and other stakeholders to protect their interests in the gentrification of their community. Tellis is a graduate of the Florida State University College of Law and is hosted by Legal Services of Greater Miami Inc.



Jordan Chisolm will provide free transactional legal services to minority and immigrant entrepreneurs in low-income Miami neighborhoods to strengthen community revitalization. (See article to the right.)

Chisolm is funded by Greenberg Traurig and The Florida Bar Foundation. The other fellows are funded by the Foundation through its Bank of America grant program.

Project addresses Miami’s prosperity gap

by Tysjah Pitchford

Equal Justice Works Fellow Jordan Chisolm aims to put a “dent” in Miami’s prosperity gap with his Neighborhood Entrepreneurs Project (NEP), an economic development initiative scheduled for launch in September. Chisolm’s fellowship is sponsored by The Florida Bar Foundation and the international law firm of Greenberg Traurig LLP.

“I am confident that if the project is successful, it will empower minority and immigrant entrepreneurs to create successful skills-based businesses,” said Chisolm, whose fellowship will be based at Legal Services of Greater Miami Inc. (LSGMI). “The project will increase the number and sustainability of resident-owned businesses that strengthen the neighborhoods where they are located. This can go a long way toward making Miami-Dade County a more equal and prosperous place to live for all of its residents.”

Chisolm, a 2015 graduate of New York University School of Law, has had a longstanding interest in entrepreneurship that unlocks the economic potential within immigrant neighborhoods and communities of color. Chisolm researched Miami census patterns, poverty trends and the locations of anchor businesses such as restaurants, barbershops and beauty salons. For outreach, he will partner with community organizations rooted in local economic development. For impact, he will partner with LSGMI and pro bono attorneys to extend free transactional legal services to business owners in Overtown, Little Haiti, Opa-Locka, Liberty City and Allapattah. He hopes to develop a replicable model for involving pro bono lawyers in representation of minority and immigrant entrepreneurs.

“I am extremely grateful for the support of Greenberg Traurig and The Florida Bar

see **PROJECT** p. 15

system, so it was an ideal time to re-examine its workflow and procedures.

When Moss and FRLS reached out to TSSC, Lewis said the team paused to weigh whether they could actually bring value to legal work. They concluded that effective customer service is a critical element of both legal aid and the Toyota Way. But would their system be embraced? After meeting with Burns and FRLS Executive Director Donald Isaac and seeing the management team's enthusiasm for digging in and improving the organization, it was a go, he said.

"This cannot happen if senior management does not buy into it and get committed to it," Lewis said. "Toyota is looking for ways to make problems visible. In many companies, bosses don't want to hear about problems."

Managers wanted to explore whether they could shorten lag time between a potential client's first contact and their first conversation with a legal expert. People who called or walked in to one of FRLS' offices — in Belle Glade, West Palm Beach, Lakeland, Punta Gorda, Fort Pierce or Fort Myers — sometimes waited a week or more between their initial call, appointment with an eligibility screener and chat with an advocate, Burns said. It varied from office to office.

"It would take maybe five days from receptionist to screener, and from screener to legal advocate, maybe another 48 hours," she said. That wasn't satisfactory. Just hiring more people wasn't the answer. Solving this problem would require more thought.

When Lewis arrived, he didn't dive right into quick fixes. Instead, his first order of business was to lead a group discussion of the Toyota Way, the company's philosophy of putting the customer first in every situation, treating employees as a company's greatest asset, and creating a culture of constant improvement.

Having efficient and standardized processes is one way of respecting employees, he explained.

"Non-value-added work not only adds



Staff from The Florida Bar Foundation, Florida Rural Legal Services and the Toyota Production System Support Center met to review the results of the center's work with FRLS to improve its business processes involving client intake and customer service.

to lead time, but more importantly, it doesn't respect employees' humanity. That is a deeply cultural thing at Toyota," Lewis said.

On day two, they began deploying the tools of Toyota process improvement. Area managers pulled out notepads and markers, and began mapping out the customer's journey, breaking it down into smaller and smaller steps. They learned that every office had different strengths, workloads and processes.

"We have four main offices and satellite offices. From the beginning of time, each individual office had its own screener who would take the calls and open a file if they qualified. There was a lack of standardization. Some offices focused on housing primarily, while other offices focused on family law due to local grants. We had some offices that were overbooked, some that had openings," Burns said.

As they drew lines and arrows on the easel pads, they realized that some of their steps might be adding busywork, but not really serving the clients' needs. A standardized, efficient process would serve everyone better.

"Customer-first means provide the service when the customer needs it and as soon as the customer needs it," Lewis said.

"People can get lost in what they are doing and forget why they are doing it. It is

important to say, 'Why am I doing it and who is the customer?' Especially in the service industry."

The most important tasks, the ones that served the customer, were fairly simple. After determining a potential client's eligibility, the next step is for that client to meet the advocate.

"Everything else in between is not value-added," Lewis said.

It was time to "go and see," to observe, without bias or assumptions, how the existing intake process worked for clients and employees. Lewis said he made many observations.

"I observed that the receptionist was tied to the phone. But she also had to open the locked door if someone wanted to come in. She would have to tell the person to wait a minute, put the phone down, walk down the hall and open the door," Lewis said.

The door needed to stay locked for security reasons. Lewis suggested the receptionist use a wireless headset so she could open the door without interrupting the flow of her call. She does now.

"You have to really take the time to go and see the area, get information, break it down and break it down some more, and then say, 'OK these are what my problems are, and these are my counter measures so it never

happens again,' Burns said."

If the Toyota Way required detailed, deliberate consideration of a problem's cause, it also involved deploying solutions quickly. Headsets for receptionists? Done. Next issue.

The new phone system allowed for the centralization of calls. But clients wanted to speak with an attorney on the day they made contact. Why wasn't that happening?

First, they needed to be screened to see if they met the eligibility criteria for legal aid services. That was one holdup — a process to standardize. Then, a consultation with a legal advocate could be scheduled. But some advocates had expertise in housing, some in family law, Burns said. Even if they couldn't answer all questions, couldn't adding a rotating attorney-of-the-day to field emergency calls help some of the cases get addressed quickly? Testing out the proposals made sense.

Eligibility appointments were centralized, and then the attorney-of-the-day was added. The results were astounding.

"We have already increased our intakes and the amount of people we are closing by 30 percent just in the first quarter this year, and that is going to improve even more," Burns said.

Also, the lag time from a client's first contact to an attorney chat has shrunk to under 48 hours, Burns said.

Moss said she's not surprised at the positive, quick results. "It's one of the most important things we have done," she said.

Going forward, Burns said Florida Rural Legal Services will retain the continuous improvement mindset, to move clients to answers even more quickly, so that even more people can be served.

"What we learned from Toyota about creating the right culture in an organization, and how to look at problems not in a negative way, but as opportunities for improvement, and to keep the customer's experience at the forefront of everything we do? That is the difference between a good organization and a great organization," Burns said. "If we keep this up I cannot imagine where we will be in a couple of years."

Mapping problems improves efficiency at Legal Services of Miami

by Stacey Singer DeLoye

Business-process improvement strategies have the power to increase an organization's capacity without adding expense, said Melissa Moss, deputy director for strategic initiatives at The Florida Bar Foundation.

That's a key need for the legal aid sector at this moment, Moss said.

Ilenia Sanchez-Bryson, chief information officer for Legal Services of Greater Miami Inc., has become one of the most ardent acolytes since the Foundation invited her to attend Lance A. Lewis' Toyota Way training session in Fort Myers last year.

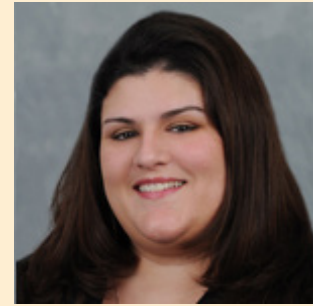
"In each case the Toyota process asks you, 'Who are you trying to serve, and does your process really help serve them?' Sanchez-Bryson asked.

Lewis, a senior manager with the Toyota Production System Support Center, had encouraged managers to start out by carefully examining a problem. Map out the steps, objectively witness first-hand what's happening, consult with all the people involved, and repeatedly question whether those steps add value. In that way, it's possible to find the root cause of a problem, he told them.

On returning to Miami, Sanchez-Bryson said she turned her attention to how invoices and accounts were processed within Legal Services of Greater Miami's finance department.

"We literally mapped out the process, and what they thought was a five-step process that took 5 minutes, we found, was a 23-step process that takes at least 20 minutes," Sanchez-Bryson said. "Just seeing who is involved, who is touching things, we found multiple people touching things that didn't need to. It turned out it was just an old rule — we didn't know why we were doing it."

They redesigned the process to involve fewer people. "We found we could take 10



Ilenia Sanchez-Bryson

minutes off of the invoice payment process. When you add up hundreds of invoices a year, that's equivalent to one intern's time."

Next, Sanchez-Bryson took the process to the agency's fundraising department. She discovered a large gap between the receipt of gifts and the acknowledgement of them.

"We found often the donation comes in, finance is informed, but maybe the administrative assistant who sends the thank you's isn't being looped in until a month later," she said.

That process was changed, too, so that the assistant learns immediately when a gift has arrived.

"A lot of times we start out from, 'Jane's just lazy and that's why it isn't happening,'" Sanchez-Bryson said. "Lance says, 'Well, assume she's not lazy. Let's remove that and just look at the process for a moment.' When you set that aside and look at the process, I have yet to find a situation where it's a bad actor not wanting to do things the right way. Usually it's the person not being looped in to what's required."

Although what attorneys do cannot be easily standardized, there are clearly steps legal aid offices can take to free up resources and ultimately provide more legal services, Moss said.

"I think that in five years, having started here, this will change how legal aid is done across the country," Moss said.

Florida Racial Justice Fellowship stresses community-building

by Stacey Singer DeLoye

More than two dozen legal aid attorneys from all over Florida recently spent several months learning about structural racism, inherent bias and the law as participants in Florida's inaugural Racial Justice Fellowship, a training program spurred by the Sargent Shriver National Center on Poverty Law and supported by The Florida Bar Foundation.

In the process, the 27 public interest lawyers built a community of their own, said Alana Greer, co-director of the Community Justice Project in Miami, who helped facilitate the fellowship.

The fellowship's goal was to help attorneys play a role in alleviating poverty and discrimination by focusing on the root causes of bias and racial injustice. A key takeaway was the value of building relationships in the neighborhoods and communities they serve, said Florida Legal Services Executive Director Christopher Jones. If communities come to view their legal services office in much the way a business sees its general counsel — as a go-to source for advice and information — legal services can help them prevent problems and address them before the crisis stage, he said.

In the traditional model of legal services, clients make the first contact, said Natalie Maxwell, an attorney with Florida Legal Services who helped lead the training. In the midst of a crisis with housing, employment, immigration status, family or finances, someone tells them to call legal aid. By then it can be hard to help them, but by educating people about their legal rights and resources and empowering them to address issues proactively, lawyers can be more effective, she said.

"We found over and over again this work takes time, it takes energy, but at the end of the day when you are taking direction from your clients, from your community, you are getting to solutions you may never have thought of before," Greer said.

Maxwell and Jones devised the training program after participating in the Shriver Center's Racial Justice Training Institute.



Legal aid attorneys from all over Florida participate in a session of Florida's inaugural Racial Justice Fellowship, a program spurred by the Sargent Shriver National Center on Poverty Law and supported by The Florida Bar Foundation.

Jones said Florida retains lingering segregation-era structural discrimination and pockets of overt white supremacy that still pollute not only the criminal justice system, but housing, education and workplaces.

"Whether you look at our disenfranchisement in Florida, or our incarceration rate, it is hard to argue that Florida doesn't have some really heavy history with this stuff," Jones said.

Maxwell said the training has helped her approach her work from new angles. She handles many housing and landlord-tenant cases. When a client had problems with a property manager, she decided to investigate whether those problems were widespread in a particular complex. They were. She worked with attorneys at Community Legal Services of Mid-Florida to provide education and outreach to the impacted community so that the renters could more successfully advocate for their needs. The owner replaced the property manager with someone more collaborative.

"Now I get invited to community meetings to discuss legal rights they may not know they had with regards to housing and zoning discrimination," Maxwell said. "In legal services we are constantly trying to do more with less, and this is one way we're doing that."

The Florida Racial Justice Fellowship began as the Shriver Center's training did,

asking participants to take the Harvard Implicit Association Test, which helps people detect their own unconscious bias. Participants are shown a rapid series of images of faces and descriptive words, then asked to quickly categorize them as "good" or "bad," "European-American" or "African-American." The degree of hesitation before answers may indicate implicit bias, according to the test's developers. It offers an eye-opening conversation starter, Jones said.

The sessions began with a first meeting in December, unfolding against the backdrop of the election and inauguration of President Donald Trump, and amid a national discussion about race, policing and the Black Lives Matter movement.

"At first you thought, 'Woah, our timing is really good.' And then you realize, it's not our timing, it's that this is a constant issue," Jones said.

Going forward, participants in this fellowship are incorporating many of the ideas of community outreach into their practice and also maintaining the community they've created, Greer said.

"I think creating these kinds of communities where people can lean on each other when times get tough is really vital," Greer said. "We really hope it's something that can catch fire, so more and more folks are going to be talking about these issues, together."

Florida Pro Bono Matters website goes statewide

After a successful pilot in Miami-Dade County, FloridaProBonoMatters.org, a new website that enables pro bono attorneys to search for local pro bono cases that suit their interests, is being rolled out statewide.

The Florida Bar Foundation, which has funded and overseen the development of the site, in June held training sessions for legal aid and pro bono program staff in Central and South Florida to learn how to display their pro bono cases. The Foundation also held receptions to introduce the site to area lawyers. The final training session is scheduled for Sept. 13 in Jacksonville.

Ashley Hamilton of Morgan, Lewis & Bockius LLP, a member of The Florida Bar's Business Law Section, was among the first lawyers to take a case through the website.

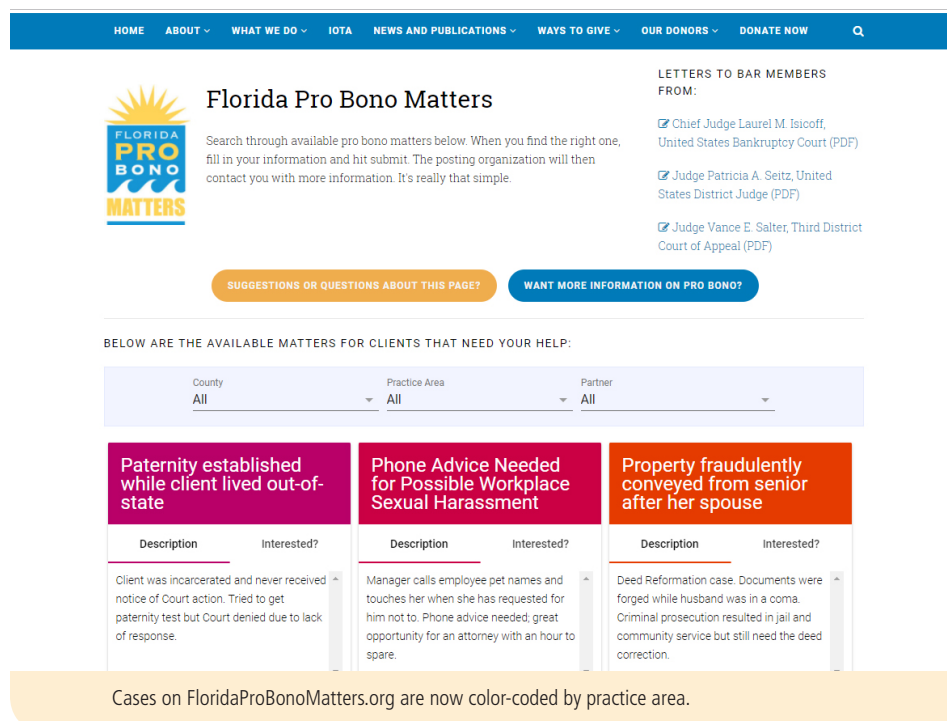
In practice for two years in Miami, Hamilton had previously worked on two pro bono cases before finding her third on FloridaProBonoMatters.org.

"As a junior attorney at big law firm, I look forward to opportunities to do pro bono work to connect with people and learn skills that I might not otherwise hone until later in my career," Hamilton said. "The new Florida Pro Bono Matters website is progressive in that it provides lawyers autonomy to pursue their passion."

She signed up to help a single mother with a tax controversy because she thought it was an opportunity to make a difference in someone's life.

"Florida Pro Bono Matters brings me back to the reason I and many of my colleagues went to law school – to help people – in a tangible and accessible way," Hamilton said. "I would encourage anyone thinking about getting involved to log on and find a pro bono opportunity that fits their interest."

Vivian Chavez, director of operations for Legal Services of Greater Miami, said FloridaProBonoMatters.org helped the



Florida Pro Bono Matters

Search through available pro bono matters below. When you find the right one, fill in your information and hit submit. The posting organization will then contact you with more information. It's really that simple.

LETTERS TO BAR MEMBERS FROM:

- Chief Judge Laurel M. Isicoff, United States Bankruptcy Court (PDF)
- Judge Patricia A. Seitz, United States District Judge (PDF)
- Judge Vance E. Salter, Third District Court of Appeal (PDF)

SUGGESTIONS OR QUESTIONS ABOUT THIS PAGE? | WANT MORE INFORMATION ON PRO BONO?

BELOW ARE THE AVAILABLE MATTERS FOR CLIENTS THAT NEED YOUR HELP:

County	Practice Area	Partner
All	All	All

Description	Interested?
Client was incarcerated and never received notice of Court action. Tried to get paternity test but Court denied due to lack of response.	
Manager calls employee pet names and touches her when she has requested for him not to. Phone advice needed; great opportunity for an attorney with an hour to spare.	
Deed Reformation case. Documents were forged while husband was in a coma. Criminal prosecution resulted in jail and community service but still need the deed correction.	

Cases on FloridaProBonoMatters.org are now color-coded by practice area.

organization recruit eight new volunteer attorneys in just the first two months.

"It's a great tool to educate volunteers who might not have known what our organization is about or what kinds of cases we handle," Chavez said. "And because the new website is married to our case management software, posting a case is a breeze."

By September, the Foundation will have trained the remainder of the 28 legal aid and pro bono programs that receive Florida Bar Foundation funding to add cases to the site directly from the case management software to which the Foundation helped them migrate several years ago.

The following month, during the American Bar Association's Celebrate Pro Bono Week in late October, the Foundation will launch a media campaign to drive Florida lawyers to the site. Meanwhile, lawyers in Central and South Florida can search for pro bono cases at www.FloridaProBonoMatters.org.

For more information about FloridaProBonoMatters.org, contact Ericka Garcia, the Foundation's Director of Pro Bono Partnerships, at EGarcia@flabarfdn.org.

"Florida Pro Bono Matters brings me back to the reason I and many of my colleagues went to law school – to help people – in a tangible and accessible way. I would encourage anyone thinking about getting involved to log on and find a pro bono opportunity that fits their interest."

– Ashley Hamilton
Morgan, Lewis & Bockius LLP

Jack Harkness receives Medal of Honor Award for a Lawyer

by Nancy Kinnally

Florida Bar Executive Director John F. “Jack” Harkness Jr., a nationally recognized legal visionary and the nation’s longest-serving bar executive, received The Florida Bar Foundation’s 2017 Medal of Honor Award in the lawyer category June 22 at the Foundation’s annual dinner in Boca Raton.

“Jack is the conscience, the brains and the heart of The Florida Bar. He has championed The Florida Bar Foundation, legal aid and pro bono service at every opportunity. And he has done it the way he does everything: quietly and humbly, but nonetheless to great effect,” said Orlando attorney Ava Doppelt, who presented the award on behalf of Florida Lawyers Mutual Insurance Company, longtime sponsor of the Foundation’s highest award.

After serving as the State Courts Administrator for six years, Harkness became executive director of The Florida Bar in 1980 when there were 27,713 members, a staff of 122 and an annual budget of \$7.1 million. He now oversees a staff of 360 – with 284 working at the Tallahassee headquarters complex recently named in his honor – and a budget of \$44.2 million for an organization with more than 105,000 members.

“He has been a transformative figure in inspiring the administration of justice, improving the science of jurisprudence, as well as being relied upon by virtually every single leader of The Florida Bar for wise counsel and advice,” wrote 2016 Medal of Honor Award recipient Kathleen S. McLeroy and Past Florida Bar President Gwynne A. Young in their nomination of Harkness. “While it is not possible to list the accomplishments of a man who has nurtured and managed the legal profession in Florida for 37 years, suffice it to say that Jack has had an active role in every initiative and undertaking of The Florida Bar, from the Constitution Revision Commissions to commissions and task forces designed to advance the Bar’s service to the public,



JASON NUTTLE

Orlando attorney Ava Doppelt presented the Medal of Honor Award for a Lawyer to Florida Bar Executive Director Jack Harkness on behalf of award sponsor Florida Lawyers Mutual Insurance Company.

to educate the public about judicial merit retention and improve access to justice through the Bar’s efforts to ensure adequate funding for the courts, and in support of the work of the Foundation and other legal aid organizations.”

Among advancements critical to the legal profession’s success, Harkness is recognized for establishing the Bar’s ethics hotline, Attorney Consumer Assistance Program and countless other professionalism committees and programs of The Florida Bar. Harkness has been a strong advocate of pro bono service, legal services funding and a fair and impartial judiciary.

In 2015, at the ceremony to name the Bar’s Tallahassee complex for Harkness, then-president Gregory W. Coleman said no single person has meant more to the legal profession and to Florida lawyers than Harkness.

“He has been the guiding force behind every Florida Bar president and has made our bar the most recognized and influential in the country,” Coleman said.

“Jack is the conscience, the brains and the heart of The Florida Bar. He has championed The Florida Bar Foundation, legal aid and pro bono service at every opportunity. And he has done it the way he does everything: quietly and humbly, but nonetheless to great effect.”

– Ava Doppelt
Secretary, Florida Lawyers Mutual
Insurance Company

Jane Curran receives Medal of Honor Award for a Non-Lawyer

by Nancy Kinnally

Jane Elizabeth Curran, The Florida Bar Foundation's founding executive director, received the 2017 Medal of Honor Award in the non-lawyer category at the Foundation's 41st Annual Reception Dinner June 22.

Curran was recruited to The Florida Bar Foundation in 1982 to lead the organization as it launched the nation's first Interest on Trust Accounts (IOTA) program, which was authorized by the Florida Supreme Court in 1981.

"She influenced the Foundation board, encouraging it to delve into new territory with truly innovative grantmaking to benefit children, the poor, the disabled and other vulnerable groups," said Ava Doppelt, who presented the award on behalf of award sponsor Florida Lawyers Mutual Insurance Company. "She helped prioritize the needs of the wrongfully convicted and the mentally ill languishing in Florida prisons, victims of human trafficking, and so many others without a voice."

Curran served as the Foundation's executive director for nearly 33 years and helped expand IOTA, known as IOLTA in many states, as a funding mechanism for civil legal aid throughout the country.

"Most people familiar with The Florida Bar Foundation appreciate all that Jane Curran has done in Florida with her support of legal services, her support for public service fellows at law schools and her critical early support for the Innocence Project of Florida," said Sandy D'Alemberte, a past president of the American Bar Association and the 1987 recipient of the Medal of Honor Award. "However, Florida lawyers may not be aware of her role nationally. Jane shared ideas, provided training and technical assistance and developed the network of foundations that has done so much to advance legal services programs and law reform. I cannot think of any non-lawyer who has had such an important impact on the law during a long career of service."

In nominating Curran, Florida Bar Foundation Past President Donny MacKenzie called her a "pioneer, visionary and difference-maker" and a "diligent steward" of the Foundation's resources.

"She led the charge in creating, implementing and establishing increased funding through the Interest on Trust Accounts program. And she was the proverbial tip of the spear for virtually every innovation employed in the United States until her retirement," MacKenzie said.

Curran led the Foundation as it worked to make Florida's IOTA Program mandatory, to achieve interest rate comparability so that IOTA accounts earn the same interest rates available to similar bank customers, and to create innovative grant programs to improve the justice system and the delivery of civil legal services.

"As a member of the ABA Commission on IOLTA, I came to truly appreciate the national impact of Jane's leadership," said Kathleen S. McLeroy, the 2016 recipient of the Medal of Honor Award and a past president of The Florida Bar Foundation. "I saw firsthand that the leaders of the programs in all of the other states looked up to Jane and followed her lead. It was no coincidence that so many states copied Florida's successes."

Curran served as president of the National Conference of Bar Foundations and the National Association of IOLTA Programs and a member of the American Bar Association's IOLTA Commission.

She was not only the Foundation's executive director, but also the director of its Improvements in the Administration of Justice grant program, which has helped launch or fund a number of important projects, including the Innocence Project of Florida.



Jane Curran and Ava Doppelt

JASON NUTTLE

"She influenced the Foundation board, encouraging it to delve into new territory with truly innovative grantmaking to benefit children, the poor, the disabled and other vulnerable groups. She helped prioritize the needs of the wrongfully convicted and the mentally ill languishing in Florida prisons, victims of human trafficking, and so many others without a voice."

— Ava Doppelt
Secretary, Florida Lawyers Mutual
Insurance Company



The Legal Aid Society of the Orange County Bar Association (LASOCBA) received the Paul Doyle Children's Advocacy Award. John Patterson, center, partner in the Sarasota office of Shutts & Bowen LLP, presented the award to pro bono attorney Jamie Billotte Moses of Holland and Knight, left, LASOCBA Guardian ad Litem (GAL) attorney Kate York, second from left, Orlando pro bono attorney Tom Young and Bethanie Barber, right, LASOCBA GAL program director.



Deborah Goodall, immediate past chair of The Florida Bar Real Property, Probate and Trust Law Section, and Florida Bar President William J. Schifino Jr., announce the Section's vote to donate the net profit of all aftermarket sales of its June 2017 CLE, "A Lawyer's Guide to Disaster Preparedness, Insurance and Technology Security," to The Florida Bar Foundation. The donation was made in recognition of Florida Bar Executive Director Jack Harkness's leadership.



Randall C. Berg Jr., left, founder and executive director of the Florida Justice Institute, received the Jane Elizabeth Curran Distinguished Service Award. Holland and Knight, represented by partner Donny MacKenzie, sponsored the award. Berg previously established and directed the Volunteer Lawyers' Project for the U.S. District Court for the Southern District of Florida. He has served as a consultant to the American Bar Association and the Legal Services Corporation for establishing pro bono programs nationwide. Berg also worked to develop the nation's first Interest on Trust Account program in Florida.

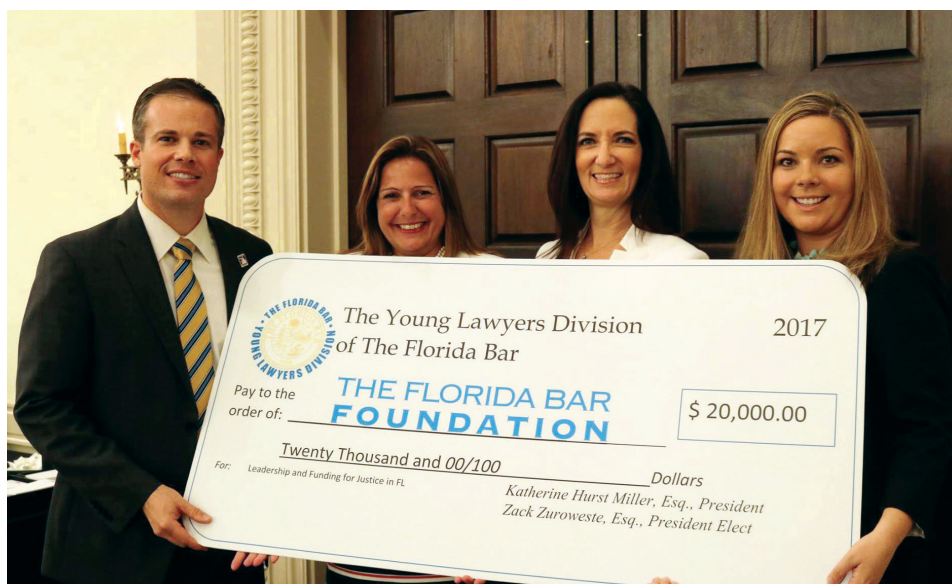


The President's Award for Excellence was presented to David B. Rothman, Florida Bar Foundation first vice president, by Kathleen S. McLeroy on behalf of award sponsor Carlton Fields. Rothman has served on the Foundation's board since 2011 and previously served on The Florida Bar Board of Governors for more than 10 years. He is founder and partner at Rothman & Associates P.A. in Miami. Rothman is a past president of the Dade County Bar Association and the Florida Association of Criminal Defense Lawyers. He is past chair of The Florida Bar Criminal Law Section as well.

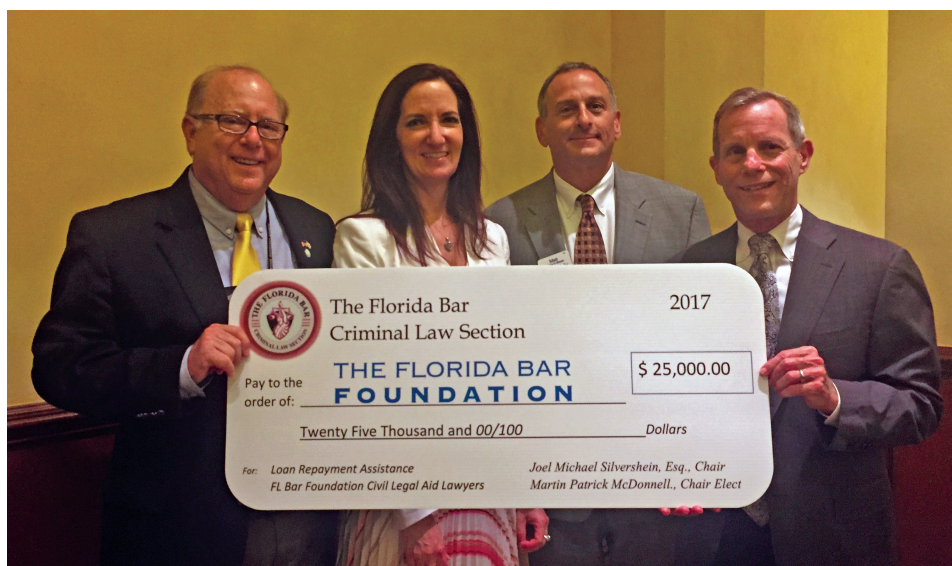
Foundation, and this project would not be possible without their generous support,” Chisolm said. “Greenberg Traurig is a world-renowned law firm, and the opportunity to work with and learn from experienced attorneys at Greenberg who are passionate about getting involved in Miami will undoubtedly make the project more impactful.”

Greenberg Traurig LLP has invested nearly \$10 million to support more than 140 Equal Justice Works Fellows nationwide, in recent years through its Holly Skolnick Fellowship Foundation. In partnership with the firm, The Florida Bar and others, The Florida Bar Foundation has supported more than 75 Equal Justice Works Fellows since 1999.

Equal Justice Works is the leading nonprofit organization committed to mobilizing the next generation of public interest attorneys. LSGMI, a Florida Bar Foundation grantee, is the largest provider of civil legal services for the poor in Miami-Dade and Monroe Counties.



The Young Lawyers Division (YLD) of The Florida Bar made a \$20,000 unrestricted gift to The Florida Bar Foundation. YLD President Zack Zuroweste, left, Paige A. Greenlee, second from left, a YLD past president and the Foundation’s development committee chair, and YLD Past President Katherine Hurst Miller, right, present a check to 2017-18 Florida Bar Foundation President Jewel White, who is also a YLD past president.



Florida Bar Foundation CEO Bruce Blackwell, left, 2017-18 Foundation President Jewel White and 2016-17 Foundation President Matthew Brenner, second from right, accept a \$25,000 gift from The Florida Bar Criminal Law Section. David Rothman, right, a past chair of the Criminal Law Section, presented the check.

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SPEAKING OF JUSTICE

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JASON NUTTLE

Annual dinner guests celebrated Florida Bar Executive Director Jack Harkness, recipient of The Florida Bar Foundation's 2017 Medal of Honor Award, by waving his smiling image above the crowd as he took the stage.



COVER STORY

Foundation adopts strategic reset

In June, The Florida Bar Foundation board approved a strategic reset document that sets forth three primary strategies. The move will affect grant making and galvanize the Foundation to maximize its impact and reach. "The problem is too big," said Florida Bar Executive Director Jack Harkness during his Medal of Honor Award acceptance speech. "We have got to reach out to other people, other entities, other ways, in order to accomplish our goal."