

Leadership and Funding for Justice in Florida



### Annual Report 2004/2005

A Publication of The Florida Bar Foundation



TERRENCE
RUSSELL
President
The Florida Bar Foundation
2004-05

President's

Message

again held high the principles of its mission of providing greater access to justice. Thanks to the efforts of dedicated volunteer board members and the industrious Foundation staff, more than \$11.6 million in grants was awarded in 2004-05.

his year, the

Foundation once

The Foundation has been honored to work with Rep. Dudley Goodlette, whose

dedication (and leadership) to the concept of state funding for civil legal assistance for the poor continues to shine as an example for all of us in the legal profession. Through Rep. Goodlette's continued support of the Florida Access to Civil Legal Assistance Act, the legal needs of our state's most vulnerable residents continued to be met. I am also deeply touched and humbled by the tireless work of inspired lawyers and non-lawyers who take time out of their busy lives to serve on our Foundation board and spearhead committees and fundraising drives. As a result of these volunteers who also campaigned on behalf of the Foundation's Fellows Program, our roster of those who have contributed to the Endowment Trust has grown significantly over the past year. We are truly grateful for our Foundation Fellows who have pledged their support for the Foundation's mission. Although the Foundation funds civil legal assistance organizations operating in all 67 Florida counties, a special thank-you is needed for those many attorneys, paralegals and others who donate their skilled services to legal aid.

We encourage bright young lawyers to consider a career as a legal aid attorney. To help them accomplish their dreams, the Foundation offers law school loan repayment assistance. Through such innovative projects, the Foundation is working to help make the promise of equal access to justice a reality in Florida.

Lawyers who care about the legal rights of children are urged to purchase a "Kids Deserve Justice" specialty license plate and to donate to the Lawyers' Challenge for Children on the annual Florida Bar Fee Statement. Because of these programs and contributions from other sources, the Foundation has been able to increase funding for children's legal services. This collection of grantees provides legal advocacy and representation to uphold children's legal rights to educational and other services — services for children put into place to promote their growth into productive adults.

Another area of Foundation grantmaking supports projects to improve the administration of justice in Florida.

This is a small grant program, but it is often the only source of funds for local courts, bar associations and other groups to test ways to make the justice system more responsive. Because this discretionary grant program generally is limited to demonstration projects or seed money, it's been called one of the few sources of venture capital for the justice system. For example, funding was provided to the Lee County Clerk of Courts for its innovative "Pay or Appear" pilot program to increase child support collections. For many of its participants, the program has kept them from needing public assistance. One woman wrote, "This works! I am so thankful for the pay or appear program. I had just about given up all hope of receiving any regular child support." The Lee County Clerk of Courts said that, as of December, 2004, more than \$1 million in delinquent payments had been collected.

netting policy. We thank FBA's leadership for their cooperation with the Foundation's further efforts to increase the amount of funds generated by IOTA for legal aid and the other charitable programs IOTA makes possible.

This year, the Foundation again administered funds through the Florida Access to Civil Legal Assistance Act. I was personally gratified to see the initiative, which began when I was president of The Florida Bar, continue affecting the lives of those who need it the most. Last year, one million dollars in state-appropriated funds continued pilot projects in seven judicial circuits. The Foundation is hopeful this important funding source, with the continued support of the Florida legislature and the cooperation of the

# . . . the Foundation once again held high the principles of its mission of providing greater access to justice.

The Foundation also uses funding to promote the concept of public service by law students through the Legal Services Summer Fellowship and Public Service Fellows programs. Both programs attract the brightest of today's young legal minds. The Foundation's Summer Fellows rated their experience "outstanding" or "very satisfactory," and one Fellow said "The Foundation's Summer Fellowship Program is a truly fantastic opportunity to reach out into the community of the underserved, obtain hands-on practical experience, and increase your commitment to public interest and pro bono." The feedback we have received about these programs is positive both in terms of the legal aid organizations served, and the growing number of law students committed to using their legal skills to assist the less fortunate. Especially today, we are gratified to see law students who understand and embrace the responsibilities lawyers have to their community.

After Florida was struck by a record four hurricanes last year, the Foundation was instrumental in developing a disaster manual for legal assistance to the poor. With many of our grantees still recovering from effects of last year's hurricanes, an emergency fund was established to recognize our grantees' most pressing needs following a future disaster. We are grateful to the Young Lawyers' Division of The Florida Bar for its generous donation to the Foundation's emergency disaster fund.

We are also pleased to have worked closely again this year with the Florida Bankers' Association to increase IOTA revenue through implementation of our no-negative

Governor, will be expanded to all 20 judicial circuits. Florida needs to remain a part of the 40 states that provide public funds to supplement their legal aid programs.

We had very successful recruiting campaigns for Foundation Fellows in Palm Beach County and Broward County, adding more than 450 new Fellows. An ongoing campaign between Sarasota County and the Tenth Judicial Circuit is also reaching fruition, with dedicated volunteers from those areas each vying to recruit the most Fellows. Our Fellows share our commitment to providing greater access to justice. We also share the responsibility to give back to our profession and to our community. As Alexander Hamilton said, "The first duty of a society is justice." So when a Foundation director or other volunteer asks you to become a Foundation Fellow or to support our mission in other ways, please say yes.

It was indeed an honor to serve as Foundation President over the past year and I thank all Florida lawyers, the Foundation board and staff for making it a successful year.

TERRENCE RUSSELL
President, 2004-05

# What's Inside

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### The Florida Bar Foundation Mission Statement

The mission of The Florida Bar Foundation, a philanthropic organization established in 1956 by Florida lawyers and the Supreme Court of Florida, is to provide greater access to justice. The Foundation will accomplish its mission primarily through funding of programs which:

- Expand and improve representation and advocacy on behalf of low-income persons in civil legal matters;
- Improve the fair and effective administration of justice; and
- Promote service to the public by members of the legal profession by making public service an integral component of the law school experience.

# Grants for Legal Assistance for the Poor

(1) (3) (9) (25)

The Foundation's Legal Assistance for the Poor (LAP) grant program, supported primarily by IOTA funds, provides general support and special purpose grants to a network of organizations providing free civil legal services to the poor. Together, this network provides at least basic access to the justice system for low income individuals and families residing in every county in Florida. LAP grants also support legal assistance for specific client services and to serve specific client groups.

In fiscal year 2004-05, the Foundation awarded 34 grants in support of legal aid organizations serving every Florida County:

\$102 682

\$220,494

\$1,501,947

\$491,713

\$75,000

\$611,783

\$2,469

Gainesville

Central American Political Asylum Program Miami	\$102,682
2 Bay Area Legal Services Tampa	\$162,132
3 Brevard County Legal Aid Rockledge	\$64,503
4 Community Law Program St. Petersburg	\$4,939
(5) Community Legal Services of Mid-Florida Daytona	\$758,458
6 Cuban American Bar Association Pro Bono Project (Administered by Florida Immigrant Advocace Miami	\$26,336 y Center)
7 Dade County Bar Association Office of Public Service-Volunteer Lawyers Miami	\$286,186
(8) Florida Immigrant Advocacy Center Miami	\$494,643
9 Florida Institutional Legal Services Civil Legal Assistance Project	\$357,126

1 American Friends Service Committee

Gainesville

Tallahassee

Tallahassee

Tallahassee

Lakeland

Pro Bono Project Tallahassee

Miami

(10) Florida Justice Institute

(11) Florida Legal Services

Florida Legal Services

Florida Legal Services

**Development Initiatives** 

(12) Florida Rural Legal Services

Migrant Farmworker Justice Project

Statewide Organizations Resource

(13) Florida State University College of Law

(14) Guardianship Program of Dade County Miami	\$52,673
15 Gulfcoast Legal Services St. Petersburg	\$878,126
16 Heart of Florida Legal Aid Society Bartow	\$89,219
17) Jacksonville Area Legal Aid Jacksonville	\$668,327
18 Lee County Legal Aid Society Fort Myers	\$44,685
19 Legal Aid Foundation of the Tallahassee Bar Association Tallahassee	\$29,152
20 Legal Aid of Manasota Sarasota	\$4,939
21) Legal Aid Service of Broward County Ft. Lauderdale	\$633,492
22 Legal Aid Society of Palm Beach County West Palm Beach	\$280,680
23 Legal Aid Society of the Orange County Bar Association Orlando	\$418,711
24 Legal Services of Greater Miami <i>Miami</i>	\$515,017
25 Legal Services of North Florida Tallahassee	\$200,027
26 Northwest Florida Legal Services Pensacola	\$382,532
27 Nova Southeastern University/Shepard Broad Law Center Ft. Lauderdale	\$2,469
28 Seminole County Bar Association Legal Aid Society Longwood	\$48,413
29 Southern Legal Counsel	\$189,960

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	\$382,532	30 Three Rivers Legal Services Gainesville	\$48,383
d	\$2,469	31) University of Florida College of Law Virgil Hawkins Civil Clinic Gainesville	\$2,469
	\$48,413	32) University of Miami School of Law Children and Youth Law Clinic Coral Gables	\$2,469
	\$189,966	Total	\$9,652,160

# Foundation Legal Assistance for the Poor Grants Support a Wide Variety of Pro Bono Services by Members of The Florida Bar



Pro bono hours donated by members of The Florida Bar through organized pro bono programs in 2004 represented 17% of all cases — more than 15,000 — closed by Foundation legal aid grantees. Foundation funds support the intake and referral of cases to pro bono volunteer attorneys and to provide such volunteers with backup support and training.

While much of the time donated by pro bono attorneys was in family law cases, there is a wide variety of pro bono service opportunities for Florida attorneys. To name just a few:

- Transactional attorneys helping community groups develop affordable housing
- Handling small probate matters
- Representing children in dependency proceedings
- Co-counseling cases with legal aid attorneys in housing and consumer law and assisting particularly vulnerable clients, such as the elderly, the disabled and the mentally ill

And, not all pro bono work has to involve direct representation of clients. For example:

- Providing substantive law and skills training to legal aid attorneys
- Serving as mentors to less experienced legal aid attorneys
- Doing client intake
- Participating in community legal education programs such as being a panelist at a seminar on domestic violence or speaking to the elderly about protection of their homesteads

The benefits of involving members of The Florida Bar in serving the legal needs of the poor extend well beyond the positive outcomes for individual clients, because attorneys make things happen. When talent and commitment are applied to removing the legal barriers poor people face in stabilizing their lives, entire communities benefit.

The Foundation encourages its Legal Assistance for the Poor grantees to continue to expand the scope of pro bono opportunities they offer private attorneys in their communities.

# How Legal Assistance Grantees Have Helped This Year

### **Family Matters:**

34,142 Cases (38%)

"Nancy" was hit so hard by her husband that her teeth were knocked out, leaving her with substantial pain and humiliation. Her lack of teeth prevented her from seeking employment and destroyed her self-confidence. Legal Aid presented her case and the judge granted a divorce, protective order and lump-sum alimony that allowed Nancy to have her teeth fixed. Now she has a beautiful smile, a job, and distance from her ex-spouse's dominance and control. (Seminole County Bar Association Legal Aid Society)

### Housing Matters: 17,744 Cases (20%)

"Louise" called Legal Aid after her uninsured mobile home had been destroyed by a hurricane, and the park owner was demanding lot rent until she could remove what was left. She secured a contractor, who agreed to remove the trailer in exchange for a significant sum of money, and title to the trailer. He took everything of value from the trailer and left it in the park. Legal Aid assisted Louise in securing return of the title, and negotiated an agreement with a reputable contractor to remove the home. Legal Aid also assisted Louise secure a release from her rent contract, and helped her move out-of-state. (Brevard County Legal Aid)

### **Individual Rights Matters:** 10,535 Cases (12%)

While incarcerated, "Ryan's" medical care was supposedly provided by a private, for-profit medical provider. Before he was incarcerated, he suffered a golf ball-sized hernia that ruptured. He was denied corrective surgery during incarceration as it was considered a "cosmetic" procedure. By his release date, the hernia had grown to the size of a basketball, and required three difficult surgeries, leaving Ryan with permanent injuries which could have been

avoided with prompt attention. A federal lawsuit is pending, claiming damages for inadequate medical care. (Florida Justice Institute)

#### **Consumer Matters:**

#### 7,808 Cases (9%)

Identity theft and legal aid are not usually heard in the same sentence. Identity theft only happens to rich people, right? Not entirely true.

"John" was a homeless man living on the streets of Sarasota. Every time he would secure a job, a large portion of his pay would be garnished for child support. However, John has no children. Apparently, years before, someone had stolen John's identity, and now, whenever John switched jobs, child support enforcement switched right along with him. Legal aid attorneys helped John obtain a copy of his birth certificate, and attorneys negotiated with child support offices in two locations to call off the garnishments. John recouped thousands of dollars of wrongfully withheld child support, and no longer has to worry about his paycheck being taken away from him. (Gulfcoast Legal Services)

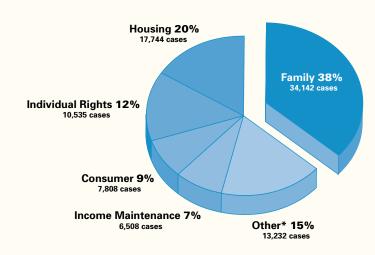
### **Income Maintenance Matters:** 6,508 Cases (7%)

"Norma" worked in the garment industry all her life and, as a result, developed impairments to her back and feet. She was unable to work and was in need of several operations to both her feet and ankles. Her left foot was so deformed from injury and arthritis that she could not wear a regular shoe. She was denied disability benefits at every level by the Social Security Administration. Legal Aid filed an appeal in federal court with new medical evidence,

Administration. Legal Aid filed an appeal in federal court with new medical evidence, and Norma received a favorable decision. She was awarded \$23,000 in back benefits, a monthly check, and medical benefits to pay for surgery needed to restore some function to her feet. (Florida Rural Legal Services)

### **TOTAL: 89,969 Cases**

Percentage of Cases Handled in 2004



\*Includes employment, health, children, education, etc.

### Law School Loan Repayment Assistance Program

A fter surveying its legal assistance grantees, the Foundation re-established its Law School Loan Repayment Assistance Program in 2002-03 to improve recruitment and retention of staff legal aid attorneys. The survey showed that a significant number of newly hired attorneys were leaving public service after just three years because of high student loan debt. The Foundation's Law School Loan Repayment Assistance Program pays the legal aid attorneys up to 75% of the annual payments on their need-based law school debt for up to five years. Annual payments are capped at \$6,000 and are in the form of one-year loans forgiven annually for attorneys who remain employed full-time at a Foundation legal assistance grantee for the full 12-month period. In 2004-05, the Foundation committed \$257,649 to the Program for benefits to 54 staff legal aid attorneys. In selecting participants, the Foundation gave first priority to former Equal Justice Works Fellows and second priority to attorneys in their second and third year of legal aid employment.



Since 1999, The Florida Bar Foundation has funded special annual grants for legal assistance to children. Starting in 2000-01, gifts from attorneys to the Foundation from the Lawyers' Challenge for Children on the annual Florida Bar Fee Statement and from other sources also support these grants.

The Foundation set several goals for its Children's Legal Services grant initiative, but emphasizes access to special education and health-care services required under law. Another goal is to create and energize a statewide network of children's legal services providers. The network also can provide support to the thousands of Florida attorneys involved in children's legal services through guardian ad litem and other projects.

In 2004-05, the Foundation gave Children's Legal Services grants totaling \$697,000 to 15 local legal aid and legal services programs.

13 local legal and and legal services programs.		
Community Legal Services of Mid-Florida Special Education Advocacy Project	Daytona Beach	\$47,000
Dade County Bar Association Legal Aid Society Teen Legal Collaborative (Joint project with Lawyers for Children America)	Miami	\$17,500
Florida Immigrant Advocacy Center Unaccompanied Minors Project	Miami	\$15,000
Florida Legal Services Children's Education and Health Collaborative Advocacy & Policy F	<i>Tallahassee</i> Project	\$95,000
Florida's Children First! Children's First Collaborative (Joint project with University of Miami School of Law)	Orlando	\$75,000
Florida State University College of Law Children's Advocacy Center Special Education/Health Care Access Project	Tallahassee	\$55,000
Lawyers for Children America Teen Legal Collaborative (Joint project with Dade County Bar Association Legal Aid Society)	Miami	\$32,500
Legal Aid Service of Broward County Education Legal Rights	Ft. Lauderdale	\$25,000
Legal Aid Society of the Orange County Bar Association Guardian Ad Litem Project	Orlando	\$35,000
Legal Aid Society of Palm Beach County Educational Advocacy Project	West Palm Beach	\$25,000
Legal Services of Greater Miami Special Education Advocacy Project	Miami	\$25,000
Legal Services of North Florida Education Equals Progress Project	Tallahassee	\$15,000
Southern Legal Counsel Special Education Advocacy Project	Gainesville	\$100,000
Three Rivers Legal Services Special Education Project	Gainesville	\$25,000
University of Miami School of Law Children's First Collaborative (Joint project with Florida's Children First!)	Coral Gables	\$110,000

\$697,000

### **Equal Justice Works Fellowship Program**

Since 1999, the Foundation and its Florida funding partners have provided matching funds for 43 Florida Equal Justice Works Fellows. Fellows have designed and led legal assistance projects in affordable housing, welfare to work, domestic violence, special education for disabled children, homelessness, immigration, prisoner rights, environmental practice and family preservation. These two-year public interest Fellowships are sponsored by the Washington, D.C.-based Equal Justice Works with matching funds provided by the Open Society Institute. The Fellows are hosted by Foundation-funded legal assistance organizations.

In addition to addressing the civil legal needs of the poor in Florida, the Equal Justice Works Fellowship Program enriches Florida's legal assistance community through the enthusiasm of individual Fellows who renew and enliven a host program's legal advocacy.

In 2004-05, the Foundation approved matching funds for five Fellows in the Class of 2005-07 and was joined by funding partners GrayRobinson, P.A., Greenberg Traurig, T. Glenn Jackson and The Florida Bar.

### Equal Justice Works Fellowships

Class of 2005 - 2007				
Fellow/Law School	Legal Aid Program	Project Name		
Debra Jacoby Nova Southeastern University Shepard Broad Law School	Legal Aid Society of Palm Beach County West Palm Beach	Foster Care Children Project — Provide legal outreach to foster care children enrolled or in need of enrollment in special education in Palm Beach County.		
Lisa Lauck University of Miami School of Law	Florida Immigrant Advocacy Center Miami	Immigrant Childrens Project — Enable vulnerable immigrant children to have meaningful access to justice.		
Natalie Maxwell American University Washington College of Law	Southern Legal Counsel Gainesville	Homeless Persons Project — Provide legal advocacy, public education and policy advocacy to protect the human and civil rights of homeless persons.		
Alejandro Reyes Howard University School of Law	Gulfcoast Legal Services St. Petersburg	Farmworkers Advocacy Project — Provide legal advocacy/outreach to undocumented migrant and seasonal farmworkers in Hillsborough and Manatee counties.		
Sarah Wallerstein Nova Southeastern University Shepard Broad Law School	Legal Aid Society of the Orange County Bar Association Orlando	Dependent Children Legal Advocacy Project — Provide legal advocacy and support information to improve the educational services for children adjudicated dependent.		

### **Checking Off for Justice – Lawyers' Challenge for Children**

As you complete your Annual Florida Bar Fee Statement next spring, please consider contributing to the Foundation's Children's Legal Services Grant Program through the Lawyers' Challenge for Children. Just add your gift to your Bar Fee Statement total. Your support will help remove legal barriers to a productive future for thousands of low-income children in Florida.

Total

# Lifetime Giving

#### **Recognition Levels for Lifetime Giving**

Bronze Circle	\$1,001.00	-	\$4,999.99	cumulative over a lifetime
Silver Circle	\$5,000.00	-	\$9,999.99	cumulative over a lifetime
Gold Circle	\$10,000.00	_	\$24,999.99	cumulative over a lifetime
Director's Circle	\$25,000.00	_	\$49,999.99	cumulative over a lifetime
President's Circle	\$50,000.00		and more	cumulative over a lifetime

The Foundation is very pleased to recognize the following individuals whose total giving to the Foundation exceeds \$1,000.00

### Director's Circle\* J. Wayne Hogan

# Gold Circle\* John W. Frost, II Stuart Z. Grossman William O.E. Henry T. Glenn Jackson, Jr. Miles A. McGrane, III Lou Ann Powell Russell Troutman Marvin A. Urquhart, Jr.

### Silver Circle\*

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Darryl M. Bloodworth
A. Hamilton Cooke
Jane Elizabeth Curran
William H. Davis
Hon. Larry Klein
Howard M. Neu
Daryl Parks
John Woolslair Sheppard
Lawrence J. Spiegel
Sidney A. Stubbs, Jr.
William L. Thompson, Jr.

#### Bronze Circle

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Anthony J. Abate

Thomas Abrams

Maria Elena Abate

Adam G. Adams, III

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Paul Michael Bloomgarden

Edward R. Blumberg

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### Medal of Honor Awards

The Florida Bar Foundation Medal of Honor Award Program was established in 1977 to recognize outstanding achievements in improving the administration of justice in Florida. Two categories of award recipients have been designated.

The first is for a member of The Florida Bar who has demonstrated his or her dedication to the objectives of the Bar as set out in the Rules Regulating The Florida Bar.

The second is given to a non-lawyer or person not actively engaged in the practice of law who has made an outstanding contribution to the improvement in the administration of justice through research, writing, or other deeds of such character and quality that, in the judgment of the Foundation, warrant the highest award that can be bestowed by the Foundation.



Bill Loucks, president of Florida Lawyers Mutual Insurance Co., is flanked by Dr. Abraham S. Fischler, at left, and Rep. J. Dudley Goodlette. The Foundation is grateful to Loucks and FLMIC for their generous sponsorship of our annual dinner and the 2005 Medal of Honor Awards.



Terry Russell, at left, presents the 2005 Medal of Honor Award to Rep. J. Dudley Goodlette.

The 2005 Medal of Honor for a lawyer was presented to Rep. J. Dudley Goodlette, a Naples attorney and member of the Florida House of Representatives, for spearheading the passage of the Florida Access to Civil Legal Assistance Act. It is his strong commitment to the simple justice of providing legal assistance to poor individuals and families in Florida, together with the admiration and respect in which he is held by his colleagues, that made possible passage and funding by the state of this means of addressing the often overwhelming legal problems faced by vulnerable Floridians. Dudley Goodlette continues to steadfastly support access to justice for the poor. By his vision, compassion and leadership, Dudley Goodlette has helped make real the promise of equal justice under law.

Dr. Abraham S. Fischler, President Emeritus of Nova Southeastern University and former board member of the Foundation, received the Medal of Honor for a non-lawyer for turning the dreams of countless people into realities through his intellect, commitment, drive and spirit. In his long and distinguished academic career, Abe Fischler has been driven by an unswerving belief in the dignity and worth of every human being, and the belief that education is the primary vehicle to combat inequality, discrimination, lack of opportunity, prejudice and bigotry. In his 22 years as president of



Terry Russell, at left, presents the 2005 Medal of Honor Award to Dr. Abraham S. Fischler.

Nova Southeastern University, Abe Fischler was one of the founding fathers of distance learning, bringing the benefits of education to those who could not otherwise avail themselves of such opportunity for advancement. Abe Fischler represents the ideal of innovative educator, community leader, philanthropist and engaged citizen and, above all, kind mentor and friend to many.

# Improvements in the Administration of Justice Grant Program

#### **Grantmaking Philosophy**

A goal of The Florida Bar Foundation is to focus grants in areas where the funding can have a measurable impact. Toward that end, the Foundation concentrates grants for improvements in the administration of justice in five areas, with emphasis on how the courts can operate more effectively and expeditiously.

#### Areas of Funding

- Improvement in the operation and management of the court system;
- Improvement and reform of the criminal, civil and juvenile justice systems;
- Public education and understanding about the law, including law-related education;
- Promotion and support for public interest legal representation; and
- Promotion and support for voluntary bar association sponsored community-service initiatives to improve the operation of the civil or criminal justice systems and for education, outreach or service-delivery projects which enhance the administration of justice in Florida.

The Foundation occasionally considers and seeks out projects in other subject areas related to improving the administration of justice in Florida.

### **Funding Criteria**

Preference generally will be given to:

- Applicants seeking start-up funds or seed money over a one- or two-year period;
- Programs with demonstration value or replication potential; and
- Requests for matching funds.

AOJ typically does not fund direct service programs (e.g., drug treatment or counseling), replicas of established programs, local community groups, programs for which there is a governmental responsibility to provide funding, and continuing program support.

#### 2004-05 Grant Awards

Improvement in the operation and management of the court system: \$30,000 Lee County Clerk of Courts child-support collection demonstration proiect Fort Myers The Florida Bar/Florida Tax Watch \$25,000 Tallahassee The Florida Bar \$5,000 ting on the Courts and the Law: A Workshop for Journalists Office of the State Courts Administrator
To edit "Lady Justice Needs You for Jury Service" videotape for Florida Supreme Court Law Day 2005 activities. \$4,500 Tallahassee Promotion and support for public interest legal representation: Disability Independence Group
To reduce attitudinal barriers for persons with disabilities through increasing employment options in the legal field. \$20,000 Florida Innocence Initiative, Inc. \$107,000 General support for the project to screen criminal cases in which meritorious innocence claims are found through DNA testing. Tallahassee \$75,000 To identify and minimize barriers to voting and other aspects of citizenship for non-incarcerated citizens with a prior felony conviction(s), through research, public policy advocacy, individual case advocacy, and training. Center for the Advancement of Human Rights, Tallahassee American Civil Liberties Union Foundation of Florida, Miami Public education and understanding about the law, including law-related education: Florida Law Related Education Association General support of resources for a statewide law-related education (LRE) program to impact students, teachers, \$185,000 udges, attorneys and policy-makers. Tallahassee Florida Law Related Education Association \$30,000 Florida Justice Teaching Institute: Support for travel expenses of Florida middle- and high-school teachers to attend the Institute providing academic and clinical experiences necessary to effectively teach students about Tallahassee

Total \$481,500

### 2004-05 Voluntary Bar Association Community Service Grant Program

The Voluntary Bar Association Community Service Grant Program was established by the Foundation in 2003-04 as an ongoing program of one-time grants up to \$5,000 each awarded to voluntary bar associations in Florida to promote new or significant improvement in existing charitable, community-service projects. The goals of the Voluntary Bar Association Community Service Grant Program are:

- To increase community service by Florida's legal profession through voluntary bar association initiatives; and
   To serve as a readily accessible source of funding for a full range of voluntary bar.
- 2. To serve as a *readily accessible* source of funding for a *full range* of voluntary bar association charitable, community-service projects.

County by training volunteer attorneys and reproducing a training brochure.

#### 2004-05 Voluntary Bar Association Community Service Grant Awards

Broward County Bar Association Guardianship Training Video Project	Ft. Lauderdale	\$3,000
Broward County Hispanic Bar Association Bilingual Children's Library	Ft. Lauderdale	\$1,000
Central Florida Chapter of ABOTA Justice By The People A law-related education CD-ROM game and teaching materials.	Orlando	\$600
Central Florida Gay and Lesbian Law Association Website Diversity Development Project	Orlando	\$2,400
Dade County Bar Association Achieving Independence To address the civil leval needs of teenage dependent children in Miami-Dade	Miami	\$3,000

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Hillsborough County Bar Association West Tampa Elementary Awards Project	Татра	\$3,000
Fred G. Minnis, Sr. Bar Association Transportation costs and a brochure for A Legacy of Courage, Vision and Hope traveling exhibit, which showcases the contributions of African-American attorneys to Florida's legal system.	St. Petersburg	\$4,500
The Jacksonville Bar Association Literacy Speakers' Bureau to educate communities about reading difficulties and encourage replication of the program by other voluntary bar associations.	Jacksonville	\$4,000
Wilkie D. Ferguson, Jr. Bar Association Joint Bar Pro Bono Initiative To increase the number of minority attorneys who volunteer as guardians.	Coral Gables	\$4,500
Orange County Bar Association Law Week Activity To change the negative attitude about jury duty by educating youth about the importance of this service.	Orlando	\$3,000
Palm Beach County Bar Association To develop a community media plan to expand participation in law week activities.	West Palm Beach	\$3,000
Volusia County Bar Association Update of informational packets and creation of a videotape for individuals appearing pro se in dependency and delinquency proceedings.	Daytona Beach	\$4,000
Volusia/Flagler Association for Women Lawyers	Daytona Beach	\$4,000

Total \$40,000

# The Florida Bar Found

he Fellows of The Florida Bar Foundation are people who believe in the value of justice and the importance of the Foundation's leadership and charitable programs. Fellows are the Foundation's core supporters and most loyal friends.

Fellows contributions become part of The Florida Bar Foundation Endowment Trust and help secure the future of the Foundation's charitable programs. Fellows contributions to the Endowment generally support all of the Foundation's charitable activities, but can be restricted to benefit: legal assistance for the poor and law student grants, children's legal services, or projects to improve the administration of justice.

Fellows contribute at least \$1,000 to become life members of the Foundation. Fellows payments may be extended over a period of five years (ten years for young lawyers). Fellows payments are charitable contributions to the Foundation. To become a Fellow, contact:

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# The Florida Bar Foundation Fellows Program

# Palm Beach County Fellows Campaign, Fall 2004



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Members of the Broward County Fellows Campaign Committee gather before the start of the campaign to discuss strategies.

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oundation directors John
Patterson, at left, and Jack
Brandon, share some strategies
about their respective Fellows
campaigns in Sarasota County,
and the Tenth Judicial Circuit.
The two attorneys have been
engaged in a friendly
competition to see who can
recruit the most Fellows for the
Foundation. The numbers have
been very close all year;
however, both Patterson and
Brandon say they are close to
claiming victory.





D. Culver "Skip" Smith, at right, received the "Bringing Home the Bacon" piggy bank from President Terrence Russell at the Foundation's annual meeting in June for his outstanding work on the Palm Beach County Fellows Recruitment Campaign. Adele I. Stone also received the "Bringing Home the Bacon" piggy bank from Russell, who surprised Stone in June with a five-pound "Sweet Justice" candy bar.

# 2005 Florida Bar Foundation Annual Dinner



Florida Supreme Court Justice Raul Cantero and Chad Roberts



Ted Small, Joe Hatchett, Bill Abbuehl and Glenn Schuman



Bar President Kelly Overstreet Johnson and Foundation President Terry Russell present the joint Florida Bar/Bar Foundation Legislative Award for support of increased funding of the Florida Access to Civil Legal Assistance Act to Rep. Joe Negron.



### **SAVE THE DATE**

for the Foundation's 2006 Annual Dinner Celebrating the Foundation's 50th Anniversary

Thursday, June 22, 2006 6:30 p.m.

at the Boca Raton Resort and Club, **Boca Raton** 



The Fischler family



Bar President Kelly Overstreet Johnson and Foundation President Terry Russell present the joint Florida Bar/Bar Foundation Legislative Award for support of increased funding of the Florida Access to Civil Legal Assistance Act to Rep. Don Davis.



Ben Hill, President of The American College of Trial Lawyers, and Bar President Kelly Overstreet Johnson, at right, present a memorial plaque honoring the late Henry Latimer to his family. Johnson also announced the Bar's Center for Professionalism would be re-named in Latimer's honor.



Dudley and Barb Goodlette



Bill Thompson, former Foundation President; Bill Davis, Foundation Presidentelect; and Mike Glazer, member of The Florida Bar Board of Governors

the President's Award for Excellence from Terry Russell.

# Kids Deserve Justice

The Kids Deserve Justice specialty license plate is a new project from The Florida Bar and The Florida Bar Foundation to raise much-needed funds for children's legal services. Every dollar of the \$25 annual fee will go to children's legal services. Examples include legal representation for abused and neglected children, legal help for children transitioning out of foster care or legal assistance for children needing special education testing or access to health care.

Legal services are provided by not-for-profit organizations, including local legal aid societies and volunteer attorneys. Funds can also be used to work with the courts and other groups to improve how the broader justice system serves the legal needs of Florida's children.

With the help of a \$25,000 challenge donation from the Young Lawyers' Division of The Florida Bar, the Foundation will sponsor a Kids Deserve Justice sales contest for the state's voluntary bar associations. The "prizes" will include a total of \$100,000 in improvements in the administration of justice grants to support bar association charitable public service activities.

So far, more than 400 of the state's judges, attorneys and members of the general public have purchased the Kids Deserve Justice specialty license plate.

We need to sell at least 8,000 Kids Deserve Justice Specialty License plates in the next four years, or lose this funding source forever. We know you believe kids deserve justice. Please invest \$25 in legal aid for low-income kids. Thank you for your support.

For more information, visit www.flabarfndn.org/KidsDeserveJustice.



### In Memory of . . .

Sean P. Bulfin

by John Joseph Bulfin

Col. Norman Faulkner

by Burton Young

William O.E. Henry

by Mary Beth Cantrell

by Bruce Marger

by L. David Shear

by Burton Young

Hon, Howard P. Rives

by L. David Shear by Burton Young

Hon. Harold Solomon

by Adams & Adams LLP

by Paul A. Gluck

by Paul and Marilyn Gustman

by Terry and Lonnie Kaplan

by Dr. Lawrence and Lynn Levine

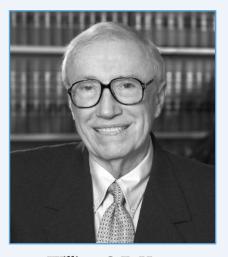
by Evelyn R. Schwartz

by Barry and Sally Schwartz

by Katharine E. Tanksley

by Claire Wax by Margaret Kniskern Wilson

by Joel and Nikki Wolpe



William O.E. Henry 1927-2005

he Florida Bar and The Florida Bar Foundation lost a great friend and mentor in 2005 when Bill Henry died.

Although Bill had every intention of becoming a journalist when he graduated from the University of Florida in 1950, he opted instead for a career in law.

We are grateful Bill chose that path. In addition to being a founding member of Holland and Knight, Bill also served as president of The Florida Bar and The Florida Bar Foundation. Bill also was the vision behind the establishment of The Florida Bar Foundation Endowment Trust as a permanent source of support of the Foundation's charitable activities. In 1996, Bill Henry was awarded the Foundation's Medal of Honor for his countless contributions to improving the administration of justice.

We continue to feel the loss of Bill Henry, and hold his memory with great respect and affection.

### Lawyers' Challenge for Children

Through the 2004-05 Florida Bar Fee Statement Lawyers' Challenge for Children, the Foundation received 3,840 gifts totaling \$184,969 from members of the Bar, and Bar sections and committees who care about the legal needs of children. We are grateful for their support and wish space permitted us to individually list those who open their hearts and their wallets year after year for this very worthy program.

In 2004-05, three people gave \$1000 or more to the Lawyers' Challenge for Children, and five people gave between \$500-\$999. Fifty-six people donated \$100-\$499 for children's legal services. The Foundation is also grateful to *Florida Trend* magazine, for their continued support of The Lawyers' Challenge for Children through donation of a full-page LCFC advertisement.

### Be Sure to Thank Your Banker . . .

September 1981 marked implementation by the Florida Supreme Court of the country's first IOTA program and the beginning of an important source of support for civil legal assistance to the poor, projects to improve Florida's justice system and programs to promote public service by law students. While we often mark that milestone and thank those responsible, we don't publicly recognize often enough Florida's banking community.

It is because of the support and cooperation of Florida banks that IOTA works. From the

superb staff at the banks who make sure monthly remittance information and interest gets to the Foundation, the teams who worked so closely with the Foundation to implement the interest rate comparability rule, to the leaders of the Florida Bankers Association who step up to the plate and help IOTA achieve its full potential.

The Foundation, its grantees and those they serve are very grateful for the successful partnership between the legal and banking communities that is Florida's IOTA program.

### **Profile of the IOTA Account Portfolio as of June 2005**

Total Number of IOTA Accounts	23,425
Weighted Average IOTA Account Interest Rate	81%
Total Principal Balance in IOTA Accounts	.92 Billion
Average Balance per Account	. \$209,084
Number of Lawyers Participating in IOTA	30,857
Number of Banks Participating in IOTA	304

IOTA eligible funds: Client and third-person funds shall be deposited in a lawyer's or law firm's IOTA account unless the funds can otherwise earn income for the client or third person in excess of the costs incurred to secure such income.

### Thanks, we couldn't do it without you

Also making a difference are the attorneys and law firms who contributed to our success in 2004-05 through pro bono services to the Foundation itself:

Donald C. Works, III, Jackson, Lewis, et al, Orlando

### **ENDOWMENT**

In 1991, the Foundation established an Endowment as a permanent source of support for all of the Foundation's charitable activities. Initial funding for the Endowment came from \$1 million in unrestricted IOTA investment earnings, the

income from which exclusively will fund IOTA grants. In 2004-05, additional Endowment funding came from \$288,839 in Fellows' pledge payments and other contributions increasing total Endowment net assets to \$4.4 million.

### Law Student Assistance Grants

Foundation Law Student Assistance Grant Programs promote the concept of public service and provide financial assistance to eligible students at Florida's accredited law schools.

### **Public Service Fellows Program**

#### **Program Goals**

- To promote pro bono legal services by members of the legal profession;
- To provide law students with direct involvement in public service activities; and
- To promote the concept of public service legal work on law school campuses generally.

### **Public Service Fellows** 2004-05 Grant Awards

Nearly 40 students participated in the 2004-05 IOTA Public Service Fellows Program and contributed an estimated 8,000 hours of direct public service. Students work at legal aid offices, guardian ad litem programs, public defender offices, state attorney offices and other public service agencies.

Florida State University College of Law \$13,800 Tallahassee Nova Southeastern University/Shepard \$13,800

Broad Law Center Fort Lauderdale

St. Thomas University School of Law \$13,700 Miami Stetson University College of Law \$13,800 St. Petersburg University of Florida Levin College of Law \$18,500 Gainesville University of Miami School of Law \$25,000 Coral Gables

**TOTAL** \$98,600



### Legal Services Summer Fellowship Program

n cooperation with Florida's accredited law schools, the Foundation administers a summer fellowship program for first- and second-year law students at Foundation-funded legal assistance programs in Florida.

The Foundation awarded \$90,000 to continue the legal services fellowship program for the summer of 2005. Nineteen law students were assigned to 15 legal assistance programs for 11-week internships from May to August 2005. Partnering with the Foundation was the Florida Lawyers' Legal Insurance Corporation (FLLIC) which funded two summer fellows and the Florida Legal Services Project Director's Association (PDA), which funds a summer fellow in honor of Terry Russell.

Seminole County Legal Aid Society

Florida Immigrant Advocacy Center

Legal Aid Society of the Orange County Bar Association

Reba Abraham Brooke Bornick Liah Catanese\* Miguel J. Chamorro Michelle Chiste

Legal Services of North Florida University of Miami Children and Youth Law Clinic

Mary Clark Florida Justice Institute Dina Sewell Finkel Jacksonville Area Legal Aid Georges Francis, Jr. Community Law Program

Joanna Franks Coast to Coast Legal Aid of South Florida Hanna Frost Community Legal Services of Mid-Florida Champagne Girten Legal Services of Greater Miami Legal Aid Service of Broward County Olga Golik Virginia Camp Hamner\*\* Florida Institutional Legal Service

Michelle J. Leyva Gulfcoast Legal Services

Legal Aid Society of Palm Beach County Jill A. Mahler Eric Mark Vieira Florida Legal Services

Brevard County Legal Aid Nicole Marie Webb Legal Aid of Manasota Genevieve Whitaker

Dade County Bar Association Legal Aid Society Nicole Wiseberg\*

Law students selected for The Florida Bar Foundation's 2005 Legal Services Summer Fellowship Program enjoy their orientation before they begin their internships. The highly competitive program provides both an invaluable learning experience for the students and support to the state's legal services community.

"I worked on two live cases having an immediate impact on our clients."

"Being able to shadow a senior attorney and really see how she managed her caseload — not just getting individual assignments from various attorneys and not understanding how they fit together, but getting a broader picture of what it is like to be a family law attorney at Legal Aid."

"The most satisfying aspect of my fellowship was networking with other organizations which serve the indigent population; meeting people in government housing and being able to link them with the services they needed."

Comments of 2005 Summer Fellows

"This is a great opportunity for students to be exposed to the needs of low-income clients and the good work that is done at legal aid everyday. It is mutually beneficial to the agencies that have the opportunity to work with fresh, energetic students."

"Without the help of dedicated students, we would not be able to serve as many people who need our assistance."

"I found it very helpful to have an upper level law student on staff to help with legal research and drafting of pleadings."

Comments of 2005 Host Legal Aid Programs

### \* Selected recipients of Florida Lawyers' Legal Insurance Corporation (FLLIC) sponsorship

<sup>\*\*</sup> Selected recipient of the Terry Russell Fellowship funded by the PDA





ur mission is to provide greater access to justice. We do that primarily by providing leadership and funding for legal aid in Florida. We also fund projects to improve Florida's justice system, including innovations in court operation, and to instill the spirit of public service in law students.

Foundation funding for civil legal aid supports programs in communities throughout Florida which offer advice and help with legal matters for people with no place else to turn. From helping a single mother obtain child support, to assisting an elderly person overturn an unlawful eviction, civil legal aid is working in your community to help people when their rights are denied.

Although IOTA funds are a significant source of support for the Foundation's mission, we can and need to do more. Working together, we can strengthen our charitable activities and enhance our mission.

Your charitable gifts to the Foundation can help provide access to justice for the most vulnerable members of society. Gifts can support current programs or can be added to The Florida Bar Foundation Endowment Trust as a permanent source of support for Foundation programs.

Florida lawyers — and the broader public — consistently demonstrate their sense of responsibility to care for those in need, and their belief in the value of fairness in our justice system — the very heart of the Foundation's mission. We invite you to support the work of the Foundation and make your investment in justice.

To learn more about charitable giving opportunities, including major and planned gifts, please contact:

The Florida Bar Foundation 109 East Church Street Suite 405 Post Office Box 1553 Orlando, FL 32802-1553 407.843.0045 800.541.2195 (FL) Fax: 407.839.0287 www.flabarfndn.org E-mail: fbf@flabarfndn.org

### From the Executive Director

It would be a shame to the Foundation board members, other volunteers and staff to hide the Foundation's light under a bushel . . .

### Making a Difference

In the 23 years I have been privileged to serve as executive director of the Foundation, there has been a great deal of accomplishment of which Foundation donors and other supporters can justly be proud. This accomplishment ultimately is made possible by the quality of volunteers who serve the Foundation. Officers, board and committee members give unselfishlessly of their time, talent and energy. They have consistently demonstrated their commitment to the Foundation's mission of providing greater access to justice. And, their financial support sets the stage for the greater success of our fundraising programs.

Now, I'd like to boast a bit about the Foundation's staff and their contributions.

In 2004-05, there were 12 full-time and 2 part-time Foundation staff members, five of whom have worked for the Foundation for more than 11 years, and two for more than 16 years.

This annual report recounts impressive achievements with the Foundation's legal assistance for the poor and law student assistance funding. Paul Doyle provides the vision for these grant programs which focus on improving Florida's legal assistance for the poor delivery

system, promoting leadership among legal aid grantee program staff, and, through programs such as law school loan repayment assistance, making public service careers a viable choice. Paul is ably assisted by grant coordinators Andrea Horne and Camille Stawicki. Camille also ably assists me with the improvements in the administration of justice grant program.

Lou Ann Powell assures the accuracy and integrity of our financial systems. Deana Walker makes sure the office runs smoothly, makes arrangements for Foundation committee and board meetings, and makes sure we get our paychecks. LuShawn Phillips and Emily Silvia help the lawyers, law firms and financial institutions that are the heart of Florida's IOTA program. Carol Wherry assists the board with its information needs, including the meeting materials on which the board bases its decisions. Amanda Styles headed up our fundraising program together with help from development assistant Sharon Cook. Shannon Stankiewicz handles marketing of the Kids Deserve Justice Specialty license plates.

Communications manager Camille Murawski is spreading the word about the good works of the Foundation and its grantees.

Rounding out this great team is accounting assistant Jessica Perez, who also handles accounts payable, and staff accountant Judy Godette. The longevity of the Foundation's

staff speaks to the importance of the Foundation's mission of assuring greater access to justice. The Foundation's staff is making a difference through the quality of their work, their judgments, and their consistent, professional efforts.

### **Looking Ahead**

Over the past year, the Foundation, using an outside consultant, reviewed its fundraising programs with the goal of revising its strategic fundraising plan for the next three to five years.

There was a lot of good news. Total contributions to the Foundation last year, chiefly from new Foundation Fellows and contributions to the Lawyers' Challenge for Children on The Florida Bar Fee statement were just over \$800,000. That's more than four times what they were in 2000. Thankfully, and as expected, Florida lawyers are demonstrating their commitment to access to justice and the Foundation's mission.

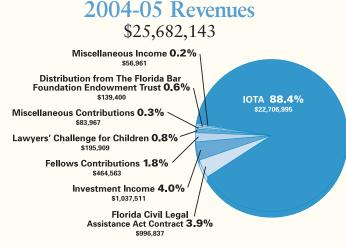
As a result, the Foundation is expanding its fundraising program with the addition of a director of development who will concentrate on working with Foundation board members and other volunteers to cultivate major and planned gifts. Expect to hear more about those new ventures starting in spring 2006.

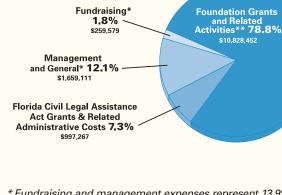
Jane Elizabeth Curran

**2004-05** Expenses

\$13,744,409

#### FINANCIAL INFORMATION





2004-05
Breakout of Grants
and Related Activities\*\*
\$10,828,452

Law Student
Assistance 1.4%
\$147,667

Administration
of Justice 5%
\$541,500

- \* Fundraising and management expenses represent 13.9% of The Foundation's total activities.
- \*\* Foundation grants are based upon the net revenues of the 2003-04 fiscal year. These amounts may differ from the grants listed elsewhere in this report due to conditional and multi-year grants.

Audited financial statements are available from the Foundation upon request. The Foundation's IRS Form 990 is available on the Foundation's Web site at <a href="http://www.flabarfndn.org">http://www.flabarfndn.org</a>.

#### GOVERNANCE

The Florida Bar Foundation is a not-for-profit Florida corporation established in 1956 by the Board of Governors of The Florida Bar to foster law-related public interest programs on behalf of Florida's legal profession. Membership is open to all individuals interested in supporting the mission of the Foundation. Members are eligible to hold office and serve as directors of the Foundation. Participants in Florida's Interest on Trust Accounts ("IOTA") program, administered by the Foundation, are automatically entitled to membership. Membership also is available through annual Foundation dues or through the Foundation's Fellows program. Both annual dues and Fellows payments are charitable contributions to the Foundation.

the Florida Supreme Court, the president, president-elect, and immediate past president of The Florida Bar, and the president of Florida Legal Services which provides coordination, training and other support services to legal aid programs across the state), three public members and 18 atlarge directors. At-large directors serve a maximum of two, three-year terms, with one-third selected by the board of governors of The Florida Bar, one-third by the board of directors of the Foundation, and one-third by the Florida Supreme Court.

the Foundation, six directors by designation (two judicial officers appointed by the Chief Justice of

The Foundation is governed by a 31-member board of directors which meets quarterly. The board conducts its work through ad hoc and standing committees. The board comprises the officers of

Committees are appointed annually by the president, and include Foundation directors, members of the bar generally, and the lay public. A nine-member executive committee appointed annually by the board meets between meetings of the board.

# The Florida Bar Foundation Leadership and Funding for Justice in Florida

#### The Florida Bar Foundation

109 East Church Street, Suite 405 | P.O. Box 1553 | Orlando, FL 32802-1553 800-541-2195 (FL) | Tel: 407-843-0045 | Fax: 407-839-0287

E-mail: fbf@flabarfndn.org www.flabarfndn.org

#### The Florida Bar Foundation

# 2004-05 Officers and Board Members

Terrence Russell

President

William H. Davis
President-Elect

John W. Thornton, Jr. Secretary

Bruce B. Blackwell
Treasurer

#### **Designated Directors**

Honorable Emerson R. Thompson, Jr. Fifth District Court of Appeals

Honorable Nikki Ann Clark Second Judicial Circuit

Kelly Overstreet Johnson President – The Florida Bar

Alan B. Bookman

President-Elect – The Florida Bar

Miles A. McGrane, III Immediate Past President – The Florida Bar

Noel G. Lawrence President, Florida Legal Services, Inc.

#### **Public Members**

T. Glenn Jackson, Jr. Royce B. Walden Maria Henderson

#### Directors

(terms expire 2005)

Michele Kane Cummings

Reginald Luster

Kathleen S. McLeroy

Daryl D. Parks

Lawrence J. Phalin
Patrice J. Pilate

(terms expire 2006)

Michael A. Bander

Jack P. Brandon

Kelley C. Howard John J. Schickel

Michael P. Stafford

John A. Yanchunis

(terms expire 2007)

Alejandro Brito

Louis Kwall

John A. Noland

John C. Patterson, Jr. Scott R. Rost

Adele I. Stone

### **Endowment Trustees**

Term Expires

June 30, 2007

Rene V. Murai June 30, 2005
A. Hamilton Cooke June 30, 2006

William L. Thompson, Jr. June 30, 2008

Darryl M. Bloodworth

Andrew M. O'Malley June 30, 2009

#### Staff

Jane Elizabeth Curran

Executive Director