

Minutes
Business Law Section Pro Bono Committee
Gaylord Palms, Kissimmee (Emerald 2)
January 25, 2017 – 8:30-9:50 a.m.

The meeting was called to order at 8:40 a.m.

I. Introduction

- A.** Attending: John Macdonald, Chair
Hon. Laurel M. Isicoff, Judicial Chair
Giacomo Bossa
Gianluca Darena
Jeff Hirsch
Mark Stein
Maxine Long
Mindy Mora
Joe Falzone, Clerk of Court, FLSB
Ericka Garcia, Florida Bar Foundation
Anais Taboas, Florida Bar Foundation

II. Mission Statement: *To Achieve 100% participation in pro bono services by Business Law Section Members and the other attorneys in their firms.*

III. Approval of Minutes: The minutes of the meeting of June 16, 2016, were approved.

IV. Ongoing Projects:

- A. Florida Pro Bono Matters:** Ericka Garcia reported on the new project starting in Miami - Florida Pro Bono Matters. This will be an open source API through which all Florida Bar Foundation grantees post pro bono opportunities and volunteer lawyers can go on the website and sign up for the cases. The information will be pulled into a master service program four times a day.

While the Florida Bar Foundation is creating the platform and mechanisms, the attorneys and providers are the ones who are working with creating the design of the website program, with the Miami Pro Bono Ambassadors (Mark Stein) being prominent in the effort. The team is presently working on an Excel spreadsheet format which the providers can use to post their cases. AILA is already posting cases. CABA will start posting today.

The on line program is starting with Miami Dade County, but the plan is to take the program state wide upon working out any initial logistical issues. The platform will permit filtering of available cases by county, practice area, and the like. The Florida Bar Foundation is working on marketing the cases to "attract" volunteer attorneys. At a recent national meeting the Florida Bar Foundation learned that is the first program in the country to try this approach to coordinating pro bono resources.

Ericka then took questions regarding the program. There was a discussion regarding how to market the information about the availability of pro bono providers. Access could be granted by links to the site from our law firms' internal internet networks. This program is different than the portal that is being created and tested for the Access to Justice System, where clients log on and try to find the right lawyer for their needs

Ericka reported that the plan is to develop a system for uniform access to case opportunities and one calendar.

Anais reported regarding a March 20 event - "Everyone Counts" – which will be very similar to the homeless events successfully administered in South Florida. Volunteer lawyers will be at all the courthouses, of which there are 134 in Miami Dade County. The volunteers will observe proceedings all over the county to determine the full scope of pro se litigants representing themselves and what challenges they face. The survey results will be reported locally and nationally. The goal is to establish a snapshot of the data as to what people really need lawyers to do. Anais is working with University of Miami School of Law and law firms and the Miami Roundtable to get the volunteers to staff the courthouse monitoring. Anais said that our committee can help by getting lawyers to volunteer to do courtroom observations. There will be CLE prior to the event to teach the lawyers what to do and what "tool" will be used for the observations. The training will be available by webinar as well.

There is something called the "Self Represented Litigants Network." The Florida Bar Foundation is working with them. There is an annual conference next month and the Florida Bar Foundation is underwriting the cost of the librarian of the Dade County Courthouse to attend the conference.

B. Non-Profit Clinics: We need some reboot for the clinics. Statewide we have lost some momentum.

Jacksonville is now in its fifth year and it has refined the process. Its clinic is now set up on an appointment basis, such that the lawyers now know with whom they will be meeting and what the needs are of the particular client.

[We were then visited by Melanie Damian, Jon Polenberg and Steve Chesal on behalf of the Executive Committee of the Business Law Section. Jon reported that our "regular" schedule will return for the next meeting. The Executive Committee will be voting on the budget at its meeting tomorrow. The next meeting of the EC will be in connection with the Lisbon EC Retreat.]

We discussed the Tampa and Miami clinics that have been now taken over locally - they are now professionally staffed. But the point is that the challenge was to create opportunities for the transactional lawyers and that challenge has not gone away.

The Committee discussed whether there is any way to use some kind of notice procedure for people opening entities that might qualify for pro bono assistance. However, it was noted that the limitation would be to screen for true "pro bono" qualification, e.g. a 501(c)(3) entity providing certain services.

The Florida Bar Foundation has certain fellowships and there is a new fellow starting who will be working with Legal Services of Greater Miami, who will be helping individuals who are starting businesses in low income neighborhoods. Thus, we can have lawyers helping individuals who qualify for pro bono assistance creating entities. Opportunities to help will be put on the Florida Pro Bono Matters platform.

The Committee discussed how we could identify individuals who qualify for pro bono assistance, and create opportunities for our business lawyers irrespective of this new LSGMI project. Judge Isicoff suggested that we start telling our members about this now. She also proposed that we should rethink our clinics and think about how to include these types of individuals in business clinics.

C. No Case Left Behind: The Committee concluded after some brief discussion that this project exceeds the bounds of just the Business Law Section. The concept is to take a snapshot of local pro bono cases which are not yet assigned as of the day of the data survey, and over a period of the next week or so to push among law firms to have all of those cases placed and assigned. However, the concept does not lend itself solely to business lawyers, but instead requires a broader platform of supporting lawyers in order to be successful.

D. Website Content: We should add the Florida Pro Bono Matters connection to the Business Law Section website. We discussed that we need to have our pro bono link on the front page.

V. New Business:

A. Best Practices Guide: We discussed the need to remind the Section at the Executive Committee of the availability of this tool.

B. New Pro Bono Opportunities: Mark Stein noted that all the newspapers are running articles that large law firms are reaching out looking for pro bono opportunities in light of the changes brought on by the Trump administration. Mark urged that the Committee consider how to take advantage of that dynamic.

C. Collection of BLS Pro Bono Data: The Committee considered the utility of whether it should attempt to collect data on pro bono participation by Section members. The Committee foresees difficulties, not only in the logistical process of measuring pro bono service, but also questioned the utility of measuring it. We will ask Joanne if there is a way to at least gather that information from the Florida Bar annual reporting. If so, then we might consider a competition with other sections of the Bar.

VI. Adjournment: The meeting was adjourned at 9:50 a.m.

Next Meeting: Annual Florida Bar Meeting – Boca Raton Resort and Club – June 22, 2017.