

**Pro Bono Committee, Business Law Section
Minutes for Pro Bono Committee Meeting
January 28, 2016, 8:30-10:00 am
Orlando, Florida**

Attendees: John Macdonald, Chair
Judge Laurel Isicoff, Judicial Chair (by telephone)
Marisa Rosen, Vice Chair
Giacomo Bossa, BLS Fellow
Maxine Long
Mark Stein
William Van Nortwick
Russell Landy

- I. Meeting was called to order at approximately 8:37 a.m.**
- II. Roll Call** – Brief introductions by Attendees.
- III. Reading of Mission Statement**
 - a. Mr. Macdonald read the Mission Statement of the Pro Bono Committee:
The mission of the Pro Bono Committee is to achieve 100% participation in pro bono service by Business Law Section members and attorneys in their firms.
 - b. It is reiterated that the Mission Statement of the Pro Bono Committee is supposed to be read at the beginning of all Business Law Section meetings and CLEs.
- IV. Old Business**
 - a. **Minutes:** The minutes of the meeting held September 4, 2015, which were prepared by Ms. Rosen, were unanimously approved.
 - b. **National Pro Bono Week, October 25-31, 2015:** Various Attendees reported on how their local events celebrating National Pro Bono Week:
 - i. Jacksonville : Mr. Macdonald reported that their fifth nonprofit clinic was another success, with good turnout. Their ability to invite local clinics and recruit entities-in-need is plateauing; this time, 18 signed up, 15 showed up. Fourteen attorneys participated. Everyone has committed to do the clinic a sixth time.
 - ii. Miami: Judge Isicoff reported for the Southern District of Florida. They did a second annual observation for pro bono for district and bankruptcy courts. Some business lawyers participated. A website was posted featuring an honor roll for participating attorneys. Also, the Southern District is working on training for bankruptcy pro bono for all 10 counties within the District.
- V. Announcements of Business Law Section Executive Council Leadership by Section Chair Alan Howard and Chair-Elect Jon Polenberg (9:01 a.m.)**
 - a. Mr. Howard and Mr. Polenberg advised that the Executive Committee was in the process of amending and revising the bylaws, and asked that we please review the

minutes for the Executive Committee meeting to determine if we had suggested changes.

- b. The Executive Committee wishes each committee to develop or codify a statement of the policies and procedures for each committee, including: (i) what your committee is; (ii) what your mission is and how to accomplish it throughout the year; (iii) some institutional memory. The goal is to maintain some consistency and to aid the knowledge of new committee members and leaders.
- c. On behalf of the Pro Bono Committee, Mr. Macdonald requested for Mr. Howard and Mr. Polenberg to ensure that the Pro Bono Mission will be read at the beginning of the Executive Committee meeting on January 29, 2016, to set an example for all other Business Law Section meetings.
- d. Mr. Howard and Mr. Polenberg thanked the Committee for supporting the BLS' one-time donation of \$50,000 to the Florida Bar Foundation.
- e. It was recognized that Judge Cathy McEwen was being honored with a Pro Bono Service Award (the Distinguished Federal Judicial Service Award) by The Florida Supreme Court and The Florida Bar at a ceremony on January 28, 2016.

VI. Ongoing Projects

a. Non-Profit Clinics & Potential Partners

- i. Tampa (Susan Sharp) – No report.
- ii. Miami (Peter Kelly & Karen Ladis of "Put Something Back") – No report.
 - 1. Miami-Dade Legal Aid Venture Law Project
- iii. Tallahassee (Janeia Ingram Daniels) – No report.
- iv. Broward County: Broward Clinic with Legal Aid Service of Broward (Jeffrey Hirsch)
 - 1. Mr. Hirsch reports that success of local nonprofit clinic depends on local need, and saturation of other available resources and how large pool of attorneys to service those needs (5000+ nonprofit entities in Broward alone). His impression was that the effort and turnout did not match the perceived need and a new approach was needed. He has talked to others about the limitations of a single-day clinic (space, time, need), and concludes we could maximize benefit by having a dedicated intake facility and assignment process.
 - 2. Mr. Hirsch presented a proposal to retain an attorney and paralegal to be on-call. Estimated cost for an attorney of 5 years' experience was \$115,000, and a paralegal at \$32,000, with equipment and supplies costing another \$5,000. The same person could then be coordinating activities and coordinating/liasing with local business attorneys.
 - 3. For funding, he thinks Broward Chamber of Nonprofits, United Way, and consolidated group on Christian organizations might contribute some money.
 - 4. Mr. Hirsch makes request/inquiry for whether he can get a motion.
 - 5. Feedback:

- a. Every area has a need, and we do not have the resources to provide that kind of assistance in every area. It is a slippery slope to dedicate that much money to one project in one area.
 - b. Judge Isicoff shares that the Bankruptcy group's funding is limited to \$10,000 and seed money (one-time). We could consider providing seed money in order to help a joint venture come together.
 - c. Part of our mission is to find pro bono opportunities for business attorneys who do not want to be in court.
6. Mr. Hirsch responds that it is seed money and the Committee's support that he seeks, and explains that the idea was that this liaison would be responsible for reaching out to local nonprofits and nonprofit chambers himself.
 7. There is discussion whether the liaison could or should be a state-wide position, rather than just Broward County, or another county. It is pointed out that many local organizations are proprietary and a local person may be more successful to promote and encourage non-profits to participate.
 8. Mr. Van Nortwick suggests that the Access to Justice project may fill the same or broader needs (not just for the poor but also for middle-class needs), with some tweaks to the current platform. The Access to Justice system could be modified by building in questions geared for entities not individuals, so that a non-profit can use the system too. Mr. Van Nortwick will raise issue at the next Foundation/Justice Technology Center meeting.
 - a. The software is already set up to communicate with local legal aids groups; software figures out legal problem and if they need an attorney and if they qualify for legal aid. Young Lawyers Section is also developing more robust lawyer referral system to work with Access to Justice system. Also, Avvo has contacted The Florida Bar to explore its interest in being placed into the referral stream of clients accessing the platform, which raises concerns about competition and UPL.
 - b. There may be an opportunity for BLS to provide a list, like a business law lawyer referral service. There is currently a pilot project in New Mexico trying that model.
 - v. Orlando (Jennifer Morando) – No report.
 - vi. Jacksonville (John Macdonald) – No additional report
 - vii. Other – No report.

b. Florida Justice Technology Center

- i. Direct Solicitation to BLS Members: In order to get the Center immediate help from well-qualified individuals, a formal process for BLS members to sign up to provide pro bono assistance has been abandoned in favor of

direct solicit of individuals through the firms represented on the Executive Council or Pro Bono Committee.

- ii. A pitch was made to get volunteers, without much response. There is still a need for Intellectual Property assistance.
 - 1. Mr. Van Nortwick will get a list of IP issues that they need help with, and we will place them individually
- iii. As the Center encounters a legal need in a particular expertise, members of the Pro Bono Committee and Executive Committee will reach out to individuals in order to secure volunteers.

c. Tear Sheets in Courthouses

- i. The idea of preparing or ordering tear sheets for courthouses reflecting local pro bono resources, previously discussed during several Pro Bono Committee meetings, has been abandoned.

VII. New Business

a. Pro-Bono Co-Counsel for Rural Pro Bono Bankruptcy Cases (Judge Isicoff):

- i. There is an issue for rural lawyers and rural bankruptcy clients, because rural attorneys don't want to travel far just to attend §341 hearings or Chapter 13 confirmation hearings. The time and costs associated may discourage attorneys from taking on bankruptcy pro bono cases. It may be efficient to use local attorneys (maybe even non-bankruptcy attorneys) to serve as "appearance counsel" for certain types of proceedings.

b. Parolee Rehabilitation (Judge Isicoff):

- i. The Northern District of Florida Bankruptcy court has a program to help medium-to-high risk felons who are readapting to life after release. They need mentors, it doesn't have to be a lawyer, some of them need help returning to the workplace or starting their own business.
- ii. Program starts April 2016 with 15 parolees who will meet with the local judges as well as their mentors.

c. Gateway for Opportunities:

- i. For the above and similar opportunities, we need a "gateway" or means to push out statewide or local opportunities for pro bono to those who are in the right area.
- ii. It was suggested we provide updated opportunities list on website and with contact information.
- iii. A roster of statewide and local contacts could be created. We need an clear and easy way to connecting potential volunteers with local opportunities.
- iv. We could use our funds to partially fund for coordinator who can maintain an updated list of opportunities and funnel volunteers to the local options.
- v. Resources:
 - 1. Contact Erica at Florida Bar Foundation – she is a pro bono organizer. Judge Isicoff planned to inquire how Erica can envision the Section providing pro bono coordination.

2. Paige Greenlee is Communications Chair for BLS. Mr. Macdonald, Judge Isicoff, and Ms. Rosen need to communicate with Ms. Greenlee to (1) get a commitment from BLS for a direct button/link on the BLS main webpage to the Pro Bono Committee webpage, and (2) determine what is the most appropriate content for the Pro Bono Committee page, including links to other resources or other content like the Best Practices Guide.

d. Florida Bar Foundation Fellow Drive – No report.

e. No Case Left Behind

- i.** Judge Isicoff and Mr. Macdonald reported on “No Case Left Behind,” an initiative to make sure all cases in the federal court in which pro bono assistance is needed or requested have been assigned to pro bono counsel. It ties into the Pro Bono Committee's mission statement because we seek to pull in both BLS and non-BLS members.
- ii.** A coordinator asks for current cases from state and federal bar that are pending/languishing, and pushes the list to law firm coordinators, who then push it to their firm's attorneys, with the goal being that all cases will be matched and accounted for.
- iii.** It has been very successful in matching attorneys with many pending cases, and there are plans to repeat it next year in the Jacksonville area.
- iv.** Judge Isicoff plans to discuss it at the Judges' meeting to possibly expand the jurisdictions where this project is run. It may also be appropriate to raise at The Florida Bar statewide pro bono committee meeting.

f. BLS Website Content – No additional report.

VIII. Adjournment: Meeting was adjourned at 9:57am.

IX. Next Meeting: The Annual Meeting will be held on June 15-16, 2016, in Orlando, Florida, at Hilton Orlando Bonnet Creek.