

**Agenda**  
**Business Law Section Pro Bono Committee**  
**Hilton Orlando Bonnet Creek**  
**June 16, 2016 -- 1:30-3:30 p.m.**  
**Conference Call-in Number:**  
**1-844-263-5416, Participant PIN – 904-598-8640-#**

Meeting was called to order at 1:35 p.m.

**I. Introduction**

Attendees:

John Macdonald, Chair  
Judge Laurel Isicoff, Judicial Chair  
Marisa Rosen, Vice-Chair  
Judge Cathy McEwan  
Judge Bill Van Nortwick  
Tracey Eller  
Ericka Garcia - Fla Bar Foundation  
Alla Holmes - Florida Justice Technology Center  
Maxine Long

**II. Mission Statement:**

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

**III. Old Business**

**a. Approval of Minutes from Meeting of January 28, 2016**

The minutes of the meeting held January 28, 2016 were approved.

**IV. New Business (discussed before Ongoing Projects)**

**a. Funding Request – Florida Bar Foundation – South Florida Pro-Bono Manager – Presentation by Ericka Garcia**

Presentation by Ericka Garcia, o/b/o Fla Bar Foundation, Director of Pro Bono Partnerships

–Ericka is the first director for the Foundation statewide; she acts as a "hub and connector" for all of pro bono."

–Foundation Board is set to approve a new position on June 16. Coordinator will spend first year coordinating in Miami/Dade and Monroe, which already have 10 programs funded by Foundation

- providing administrative support to Eleventh Circuit Pro Bono Committee
- staffing/supporting the Miami Roundtable (about 45 firms with representatives).
- gathering transactional opportunities for the entire state; and
- working on special projects, like the new one for The Keys/Monroe.

- Pro Bono Committee considers a request for a recommendation to EC for seed money
  - Chair will need to make a pitch, in order to explain that coordinator's efforts will extend north of South Florida.
  - specify new position would spend 20% of time going to state-wide activities

- seed money in amount of \$10,000-\$20,000 requested;
- Motion made by Ms. Long and seconded by Judge Van Nortwick to approve a request for \$10,000 as seed money for the Pro Bono Manager position with the Foundation.
- Friendly amendment by Judge Isicoff to approve grant based on condition that the coordinator will spend 20% of time toward transactional and corporate opportunities state-wide. The amendment was approved and seconded.
- It was further clarified that the grant would be conditioned on the position being approved and otherwise funded by the Foundation.
- The amended motion carried unanimously; Mr. Macdonald plans to present it to EC during Annual Meeting and prepare for a more formal presentation at Retreat.
- Another recent project of Ms. Garcia in her new role is to ensure that every judicial circuit as a Pro Bono Committee. She highlighted the inaugural Ninth Circuit Pro Bono Committee, which was one of several judicial circuits that had not yet heeded the Florida Supreme Court's directive to have a Pro Bono Committee for each circuit. Judge Heather Pinder-Rodriguez is the new head of Ninth Circuit Pro Bono Circuit Committee.

–>**Visit by EC Representatives Alan Howard, Jon Polenberg, Melanie Damien:**

Mr. Macdonald reports that we will seek approval of EC for \$10,000 earmarked for new Foundation position of Pro Bono Manager, whose duties will in part include state wide coordination.

–It is discussed that the Pro Bono Committee does not have a specific budget, so the expense would come out of the Bankruptcy Committee's "pro bono" budget item or the general committee pot.

–Because this is not an agenda item, Mr. Polenberg recommends we have it written up to more formally present to the EC and vote on it this summer or at the Retreat. In addition, the BLS already donated \$50K to the Foundation this fiscal year and this \$10K may be easier to promote as part of the next fiscal year budget.

–Mr. Macdonald also reported that we want to institutionalize that each substantive committee should send a representative to the Pro Bono Committee member. Mr. Howard explained that every substantive committee should have a member on every service committee but the scheduling and overlapping of meeting times makes that very difficult.

–Mr. Macdonald also raised the possibility of the Pro Bono Committee meeting in the future at a time slot that does not have so many conflicts. Perhaps we can set up telephone conference for the week before or the week after the Retreat or Annual Conference. This idea was supported by the EC representatives.

**b. Florida Justice Technology Center**

Presentation by Alla Karagodin Holmes, who will be serving as a consultant to the Florida Bar Foundation as of July 1, 2016

- It is estimated that 3.6 million Florida residents need pro bono assistance.
- Ms. Holmes provided FJTC handout, which explains three websites:
  1. [FloridaLawHelp.org](http://FloridaLawHelp.org): self-help training and lawyer referrals for the public
  2. [FlaAdvocate.org](http://FlaAdvocate.org): supports legal aid organizations and staff
  3. [FloridaProBono.org](http://FloridaProBono.org): promoting, training, providing opportunities for pro bono

–[FloridaProBono.org](http://FloridaProBono.org) is undergoing pilot or "gateway" project in Clay County. It identifies existing civil legal resources, wherein people identify what kind of problem they have and get directed to resources. The software uses dynamic questioning similar to TurboTax. The pilot is currently limited to family and landlord/tenant issues.

–FJTC is working on overhauling the [FloridaProBono.org](http://FloridaProBono.org) website to include substantive education, training materials or calendar of clinics, and case referral/matching system. They intend to update research library, collect and list opportunities online, and identify mentors.

–Foundation has done polls to learn about barriers to pro bono. The results show lack of training is big, but the most critical barrier is lack of time and lack of support from law firms. The Foundation/FJTC is talking about starting a committee to discuss how to promote pro bono within law firms.

–Mr. Holmes discussed the "Thunderdome" pro bono project in Tallahassee as an example of legal training and mentorship exercises that incorporate pro bono. The project is for new lawyers in family law, and includes training, mentors, and assignment of pro bono case.

**c. Florida Bar Foundation – Fellow Drive**

*(Not addressed due to time constraints.)*

**d. Other Projects/Ideas**

**i. Publicize and Promote *Best Practices Guide for a Firm Pro Bono Policy***

*(Not addressed due to time constraints.)*

**ii. Pro Bono Stories of the Month**

*(Not addressed due to time constraints.)*

**iii. Use of Money in BLS Budget**

–Mr. Macdonald presented two requests that had been made to the Pro Bono Committee for funding:

#1. Funding request by Judge McEwen for \$300 for frames for the Pro Bono One Campaign, in order to frame posters in Judge's chambers.

–This was so moved, seconded, and approved unanimously.

–The sum is to be charge to BLS "Committee Expense Budget."

#2. Request from Judge Salter for pro bono assistance for company PATCHES ([www.patchespec.org](http://www.patchespec.org)). PATCHES is a special medical needs provider; it sounds like they need a new outside general counsel in or around Miami to provide general assistance.

–Mr. Macdonald will advertise it at EC to solicit someone from one of the EC's firms.

**iv. Public Interest Law Issue**

–Ms. Long reported that her firm, Shutts & Bowen, has a new pro bono committee and has considered whether "low bono" counts as "pro bono." She inquired whether The Florida Bar had any perspective or guidance regarding "low bono."

–Judge Van Nortwick said that there are good reasons to push low bono, such as the need to serve the middle class, but it creates a huge ethics issue; for example, offering to help fill out forms at \$1 per minute is legal advice or allowing non-profits to hire lawyers to provide low cost assistance to their members.

–Would The Florida Bar count low bono as pro bono hours? The consensus was probably not, although the Bar could create a new category.

–YLS is coming across this issue by trying to match young lawyers with training opportunities. A Chicago bar association is setting up an experimental practice with providing young attorneys space, getting them trained to open their own office, and then they get a commitment for the lawyers to do low bono and pro bono.

## **V. Ongoing Projects**

### **a. Pro Bono Co-Counsel for rural bankruptcies (Judge Isicoff) – Coordinate with Ericka Garcia**

*(Not specifically addressed due to time constraints.)*

### **b. Florida Bar Foundation Pro Bono Project -- Solicitation of BLS Members**

Solicitation of pro bono assistance from BLS members and their firms to benefit the establishment and management of the Florida Bar Foundation's Justice Technology Center will continue via word of mouth. An Akerman IP attorney in Denver has been assisting at the request of Judge Van Nortwick.

### **c. National Pro Bono Week 2016 (October 24-28, 2016)**

*(Not specifically addressed due to time constraints.)*

### **d. Non-Profit Clinics**

#### **i. Tampa (Susan Sharp)**

–Ms. Long's co-worker, Ella Shenhoff, may be Vice-Chair of Hillsborough Roundtable and may be willing to serve as the Committee's contact regarding Tampa pro bono clinic activity.

#### **ii. Miami (Peter Kelly/Karen Ladis)**

*(Not specifically addressed due to time constraints and low attendance.)*

#### **iii. Tallahassee (Janeia Ingram Daniels)**

*(Not specifically addressed due to time constraints and low attendance.)*

#### **iv. Broward – Clinic with Legal Aid Service of Broward (Jeff Hirsch)**

*(Not specifically addressed due to time constraints and low attendance.)*

#### **v. Orlando (Jennifer Morando) - MER**

*(Not specifically addressed due to time constraints and low attendance.)*

#### **vi. Jacksonville (October 27, 2016 – John Macdonald)**

*(Not specifically addressed due to time constraints and low attendance.)*

**e. "No Case Left Behind" – Plans for 2016 Pro Bono Week**

"No Case Left Behind" program will continue in Jacksonville in the upcoming year.

**f. Website Content – Expanded role as gateway for pro bono opportunities**

–Tracey Eller asked that we provide her "fresh" pro bono quotes for her to use on the BLS webpage, since those quotes are rotated on a weekly basis, but she has been using the same ones for some time now.

**VI. Adjournment**

The meeting was concluded at approximately 3:15 p.m.

**Next meeting: BLS Annual Labor Day Retreat – September 2-5, 2016 – Ritz Carlton, Naples, Florida**