

2008
JUDICIAL CIRCUIT *PRO BONO* COMMITTEE
Annual Report to the Florida Supreme Court, the Florida Bar,
& the Florida Bar Foundation

1. **Circuit Number:** 15th Judicial Circuit
2. **Name and title of person completing this report:** Kimberly Rommel-Enright, Esq.
Supervisor-Pro Bono Department Legal Aid Society of Palm Beach County
3. **Please provide the names of all committee members and include the address and contact information for the Committee Chairperson:**

NAME

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PBC Bar-Young Lawyer Section

4. Did your Circuit Committee hold meetings during 2008? If so, how many times did you meet?

We met one time to review and approve the Circuit Report

5. Special Pro Bono Service Projects

Please briefly describe any special pro bono service projects such as community education programs, pro se clinics, etc., for the period January 1, 2008 through December 31, 2008:

PROJECT

A. WILL AND BANKRUPTCY PROJECT

Beginning in December 2006, the Legal Aid Society of Palm Beach County launched an exciting new initiative called the Will Project. This program allows low income elderly residents of Palm Beach County to have simple wills and advanced directives prepared for them at no cost and where they reside. A local pro bono attorney who

concentrates his practice in wills and estates took an evening and trained staff attorneys from the Fourth District Court of Appeals on basic will and advanced directives preparation. The staff attorneys then accompanied two Legal Aid Society staff paralegals and a Legal Aid attorney to a local senior center/housing community. Appointments with clients were made in advance and basic forms provided to them. The attorneys met with the clients to get the information necessary to prepare the documents and also screen the clients for potential bankruptcy issues. The paralegals then input the information and drew up the documents. Once the documents were prepared the attorney met with the client to go over the paperwork. The wills and advanced directives were then executed and given to the client. This project will benefit the many low income seniors in Palm Beach County who need simple wills and advanced directives prepared and may not be able to go to an attorney's office. This program also provides additional pro bono opportunities for attorneys such as the court staff attorneys who cannot provide direct client representation. This outreach will occur at least quarterly. To date we have provided wills to over 75 people.

B. SOCIAL SECURITY PANEL

In 2006 after experiencing a large increase in requests for assistance with Social Security issues, the Legal Aid Society initiated a Social Security intake and panel process. A local retired attorney volunteered to do all of the intakes for the project and assist clients with preparation of forms. For clients who need representation at the appeals level a panel was created of attorneys (18 in total) in the community willing to handle Social Security cases referred by our office. To date, our volunteer attorney has assisted over 500 individuals with their Social Security cases.

C. HURRICANE/DISASTER RESPONSE COLLABORATION

Thankfully in 2006 Southeast Florida was spared during hurricane season. However, Pro Bono Coordinators throughout the state continued to work on a disaster plan and implement a collaboration with the Palm Beach County Bar Association, the Young Lawyer's Division of the Florida Bar and Florida Rural Legal Services to recruit and place lawyers in FEMA centers in counties adjacent to Palm Beach in the event of a disaster.

D. FAMILY LAW MENTORING PROGRAM

The Legal Aid Society's Pro Bono Program, in conjunction with the Florida Pro Bono Coordinators Association, and the Family Law Section of the Florida Bar, continued a pilot project to address the statewide shortage of pro bono attorneys willing to handle family law cases. The Mentoring Program, originally started over 10 years ago in Miami, was replicated here in Palm Beach County, as well as in Tampa, Orlando, and Tallahassee. Through this Program, lawyers who do not regularly practice family law were recruited and trained to handle pro bono family law cases. In addition, the Family Law Section provided experienced family law attorneys to act as mentors to any of the attorneys who request this assistance.

- E.** CAFÉ JOSHUA LEGAL PANEL
In May 2001, a core group of Café Joshua Legal Panel attorneys were recognized at Legal Aid’s Pro Bono Evening for their outstanding work. In addition to providing direct service to approximately 100 individuals, volunteer attorneys also offer assistance in the form of “life skills” seminars. The Café is a unique organization which seeks to reintegrate the homeless into the community by restoring dignity and self-esteem. This program continues to attract attorneys seeking to provide assistance to homeless families and individuals in our community. In 2008 over 150 individuals were provided assistance through this project.
- F.** AIDS PRO BONO PROJECT
Approximately 22 volunteer attorneys assist HIV-infected individuals with a wide range of legal problems. In 2008, four cases were opened involving persons infected with the HIV virus.
- G.** NON-PROFIT ORGANIZATION PANEL
Through the Legal Aid Society's Non-Profit Organization Project, attorneys provide assistance with the initial incorporation of a non-profit organization and assist organizations in obtaining tax exempt status. Presently, over 50 attorneys have volunteered to handle cases for emerging organizations whose primary purpose is to meet the needs of the disadvantaged, disabled, elderly or children of Palm Beach County. In 2008, 35 cases were opened. Through 2008, 125 attorneys have volunteered to take cases.
- H.** SELF SERVICE CENTER
Pro Bono attorneys staff Legal Aid’s Self Help Center at the Courthouse. The center is designed to assist pro se litigants with family law and landlord tenant problems. This past year, pro bono attorneys donated over 100 hours at the Center.
- I.** PALM BEACH COUNTY BAR ASSOCIATION LAW WEEK ACTIVITIES
Each year hundreds of attorneys volunteer their time through Law Week activities. Such activities include speaking at community seminars on topics such as family law, condo law and small claims; staffing the Ask a Lawyer booth at a local mall and Dial- A- Lawyer phones at the Bar Association. In addition, lawyers volunteer to go out to local schools and participate in mock trials with the students.
- J.** FLORIDA ASSOCIATION FOR WOMEN LAWYERS PBC CHAPTER
ADOPT A CASE
In the fall of 2002 the Legal Aid Society and the Palm Beach County Chapter of the Florida Association for Women Lawyer (FAWL) started the Adopt a Case Program. Through this program, cases from the Pro-Bono program at Legal Aid are brought to the FAWL membership at the monthly luncheon. FAWL members then have the opportunity to volunteer to “adopt” a case and represent the client pro bono. Since 2002, 55 cases were presented at luncheons and successfully referred.

K. URBAN LEAGUE PARTNERSHIP

In 2002 the Legal Aid Society partnered with the Urban League to provide outreach at the Urban League offices in West Palm Beach and Belle Glade. Every Tuesday in West Palm Beach and every Wednesday in Belle Glade a volunteer lawyer conducts interviews at the Urban League offices. If the client is eligible for services the case is referred to an attorney through the Legal Aid's Pro Bono Project.

L. SCHOOL EXPULSION PANEL

In 2003, the Legal Aid Society's Pro Bono Program and the School District of Palm Beach County initiated a new Student Advocates Program to assist children recommended for expulsion from school. Training has been provided to pro bono attorneys to orient them to the School District's expulsion process and procedures. Attorneys on this panel serve as advocates for students who are in need of advice and/or representation at a critical time in their young lives.

M. ADVOCACY FOR THE ARTS

This program, started in early 2003, is a collaborative effort between the Legal Aid Society, the Palm Beach County Bar Association, and the Palm Beach County Cultural Council. Advocacy for the Arts utilizes pro bono attorneys to provide advice, counseling and legal services to low income artists and arts organizations in matters such as landlord/tenant, contracts, intellectual property, non profit start up and other areas. If a litigation attorney is required to resolve the problem, it may be referred to another pro bono attorney. In addition, attorneys provide preventative law workshops to the artists and arts organizations. The topics for these workshops are varied but include issues such as contracts, intellectual property and non profit board participation.

6. *Judicial and government attorney participation in pro bono service: If not described above as a special project, please describe any pro bono service being provided by members of the judiciary, their staff and government lawyers as well as any special support services being provided to enable their participation:*

A. COMMUNITY EDUCATION PANELS

The State Attorney's office provides educational seminars and forums in public schools each month. Each year nearly 100 attorneys contribute approximately 2,000 hours at Palm Beach County schools. Topics include: vandalism, alcohol, dangers of guns and the consequences of crime.

B. DRUG COURT PROJECTS

Presiding over hearings under F.S. 396 and 397 is a unique way for judges to provide pro bono service. The hearings are held in various locations and take place on Saturday mornings in low-income areas in order to better access the community.

C. TEEN COURT

Numerous attorneys from the Public Defender's office, the County Attorney's office and the State Attorney's office participate in this program designed to reduce the

juvenile criminal caseload in Palm Beach County by allowing first-time offenders to participate in a diversionary program. Judges also volunteer to hear cases and a sentence is handed down by a jury of the defendant's peers. The pro bono attorneys assist the student prosecutors and defenders in the handling and presentation of their cases, as well as evaluating them after the jury verdict. Each lawyer spends a minimum of four (4) sessions per school calendar year, consisting of a minimum of four (4) hours per session.

D. 4TH DCA INTAKE PROJECT

The Fourth District Court of Appeals and the Legal Aid Society operate a program which enables the Judges' clerks to fulfill their pro bono obligation by providing intake services at Legal Aid's offices. Intake takes place every three weeks between 5:00 p.m. and 7:00 p.m. This provides working clients an opportunity to complete applications during non-work hours. Legal Aid staff is on hand in the event that the clerks encounter difficult situations. The clerks have also been instrumental in organizing attorney participation in the Will Project. The clerks have donated well over 100 hours each year. Other government attorneys such as staff attorneys for the Attorney General's office and attorneys employed by the Florida Bar have similarly participated.

7. **Corporate Attorney Participation in pro bono service:** *If not described above as special project, please describe any pro bono service being provided by corporation attorneys as well as any special support services being provided to enable their participation:*

FPL Corporate Project to start in 2009

8. **Law Firm Collective Satisfaction Projects:** *Were there any special Collective Satisfaction Projects in your circuit in 2008? Please provide the name of the firm and a brief description.*

Holland & Knight Statewide law firm collective satisfaction project plus additional West Palm Beach cases.

9. **Law firm projects in your circuit -** *Were there any law firm projects in your circuit in 2008 that were not part of a Special Collective Satisfaction Project? Please provide the name of the firm and a brief description.*

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10. **Training provide to pro bono attorneys -** *Please provide a brief description of any training provided to pro bono attorneys during 2008:*

“Student Advocate Training for Representation in Expulsion Hearings” September 19, 2008
A seminar designed to recruit and train attorneys to represent children in expulsion hearings
before the School Board.

- 11. Volunteer attorney recruitment** - Please describe any recruitment activities carried out from January 1, 2008 through December 31, 2008 and if available, the results from the recruitment activity:

<u>RECRUITING ACTIVITY</u>	<u>RESULTS</u>
A. Annual bulk mailings with 2 follow up mailings.	800
B. Targeted mailing to non-responders from previous year/s	300
C. Request in mailings for additional money	\$20,000.00
D. Presentations at all local Bar luncheons and dinners	20
E. "Pro Bono Corner" column in Palm Beach County and South Palm Beach County Bar Bulletins	10

- 12. Recognition activities** - Please describe any *pro bono* service recognition activities or events carried out from January 1, 2008 through December 31, 2008:

- A. Twentieth Annual Pro Bono Recognition Evening held May , 2008 - over 700 people attended, netted over \$200,000, gave awards to 10 attorneys, 1 social worker, 1 law firm and 1 voluntary bar association.
(See Attachment 1)
- B. Pro Bono Attorney of the Month - The Legal Aid Society and the Fifteenth Circuit Pro Bono Committee oversees a recognition program whereby, each month, a pro bono attorney is selected for special appreciation. During the month, an announcement of the award and a summary of the attorney’s work is prominently displayed at the Courthouse and an article appears in the Palm Beach County Bar Bulletin. In addition, these attorneys are honored on a quarterly basis with a plaque presented at a Legal Aid Society board meeting.
- C. The “Lapel Pin Project” continued in 2008. Florida Supreme Court Justice Barbara Pariente and the Florida Pro Bono Coordinators Association in collaboration with the Legal Aid Society of Palm Beach County started the program to recognize the efforts of local attorneys who provide pro bono service through a legal services organization. Attorneys who were recognized received a lapel pin designating their level of pro

bono activity. Three levels were recognized: Bronze level - 20 to 49 hours Silver level - 50 to 99 hours Gold Level - 100 or more hours. All hours were based on cases closed in the year 2006. The pins, along with a letter of recognition from the Chief Justice of the Florida Supreme Court, were distributed at the Pro Bono Recognition event. Since the inception of the program almost 400 attorneys have received recognition.

13. Compelling pro bono service stories: *Please provide two or three brief examples of a person or group that was significantly helped through pro bono service:*

Client was a struggling mother who lost custody of her child in a divorce. Our pro bono attorney proceeded to represent the client for eight years. The client was behind in her support and the father was frustrating her visitation. In addition the case involved issues of severe parental alienation against the client and her family. The attorney represented her in numerous contempt actions, resolved the visitation, cleared up the arrearage issue and had her license reinstated. The attorney provided over 200 hours of pro bono representation to this client.

The clients are two severely disabled and profoundly retarded individuals. Both of these individuals are confined to wheelchairs and are wards of the state. These vulnerable people have been abandoned by their families. They cannot speak, feed themselves or care for themselves. They are completely dependent upon the care provided by the state. Over the course of the past 14 plus years the pro bono attorney and social worker have had to make life and death decisions for these individuals, and worked to make sure they receive proper care.

The clients were an elderly couple who were in jeopardy of losing their home of over 30 years. When the pro bono attorney took the case the house was in foreclosure and scheduled for summary judgment. The attorney argued that there were defenses as the original mortgage had been assigned numerous times, as a result, the judge denied the Motion for Summary Judgement. The attorney continued to assist the clients through negotiations with the mortgage company. In the end a forbearance agreement was entered into and the house was saved. The attorney spent over 80 hours and two years helping these clients through court proceedings, negotiations and assistance with seeking refinancing.

Other - Please provide any other information that you feel would be helpful in accurately describing the pro bono service activities and the results from those activities in your circuit:

14. Pro Bono Plan modifications - *Please provide information on any modifications made to the circuit pro bono plan in the last year:*

A. Needs assessment and priority areas:

1. Bankruptcy
2. Foreclosure
3. Juvenile
4. Guardianship/Probate

B. Short Term goals and objectives (6 months) to address priority legal needs and encourage volunteer lawyer participation.

1. Joint projects with the local voluntary bar associations
2. Outreach to individual firms
3. Trainings
4. Outreach and targeted projects for corporate counsel

C. Long term goals and objective, if different from previous reporting (next 2 years) to address priority legal needs and encourage volunteer lawyer participation.

Increase Pro Bono participation

D. Resources committed by circuit committee participants:

Financial support for the Campaign for Equal Justice and Pro Bono Recognition Evening
Promotion of Pro Bono by participants in their respective bar associations

E. Support for *pro bono* activities:

Recruit and retain panels of psychologists, investigators, psychiatrists, mediators, and accountants

Please return by October 1, 2009 to:

Sheila Meehan
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2425 Torreya Drive
Tallahassee, FL 32303

HISTORICAL PRO BONO STATISTICS 15TH JUDICIAL CIRCUIT

	2009	2008	2007	2006	2005	2004	2003	2002
Total Attorney Pool (Apprx):	5800	5800	5650	5700	5500	5400		
Total Pro Bono Volunteers	586	±590*	598	601	703	807		956
Total Buy Out:	971	1121	1154	1070	1033	930	600	491
Cases Opened:	**	776	671	363	382	425	591	
Cases Closed:	**	624	645	423	534	652	463	
Hours provided:	**	4,323.21	6248.69	5642.27	5,555.73	10, 243.13	5,599.67	6,092.63

* This data is corrupt and did not come out of the system properly and therefore is not reliable.

**This data won't be completed until the end of this year.