

IN THE CIRCUIT COURT OF
THE EIGHTEENTH JUDICIAL
CIRCUIT OF FLORIDA

ADMINISTRATIVE ORDER NO. :
94-1

IN RE: ATTORNEYS - PRO BONO PLAN

WHEREAS, The Florida Supreme Court has held that "every lawyer who is a member of The Florida Bar has an obligation to represent the poor and working poor when called upon by the courts and that each lawyer has agreed to that commitment when admitted to practice law in this state," In re Amendments to Rules Regulating The Florida Bar 573 So.2d 800, 806 (Fla. 1990); and

WHEREAS, The Supreme Court approved a modification of recommendation No. 24 of The Florida Bar/Florida Bar Foundation Joint Commission on the Delivery of Legal Services to the Indigent in Florida which requires each circuit to develop a plan to provide pro bono legal services to the circuit's indigent population, see In re Amendments to Rules Regulating The Florida Bar 598 So.2d 41 (Fla. 1992); and

WHEREAS, The Supreme Court of Florida in its opinion dated June 23, 1993 amended Rules and Regulations of The Florida Bar, Rule No. 4-6, concerning Public Service obligations of attorneys and stated "each member of The Florida Bar in good standing, as part of that member's professional responsibility should (1) render pro bono legal services to poor and working poor or (2) participate to the extent possible in other pro bono service activities that directly relate to legal needs of poor and working poor; and

WHEREAS, The Supreme Court of Florida in its opinion dated June 23, 1993, added Rules and Regulations of The Florida Bar, Rule 4 setting forth a voluntary pro bono plan, the plan's goals being stated as the improvement of availability of legal services to poor and working poor and expansion of present pro bono legal service programs; and

WHEREAS, the Brevard County Legal Aid Inc., has successfully operated a pro bono program for twenty-three (23)

years and which is nationally recognized, and presently has the expertise and resources to administer the circuit pro bono plan; and

WHEREAS, the Seminole County Bar Association Legal Aid Society, Inc., has successfully operated a pro bono program for eighteen (18) years and which is nationally recognized, and presently has the expertise and resources to administer the circuit pro bono plan; and

WHEREAS, the Central Florida Legal Services has successfully operated a legal service program for twenty-seven (27) years; and

WHEREAS, in order to maximize the utilization of scarce resources, to increase and improve delivery of legal assistance to the poor and working poor, the current legal assistance program, Brevard County Legal Aid, Inc., Seminole County Bar Association Legal Aid Society, Inc., and Central Florida Legal Services shall be utilized to implement and operate the Circuit Pro Bono program; and

WHEREAS, it is necessary to administer the court affairs consistent with The Supreme Court's opinion by implementing a pro bono service plan for the Circuit; it is therefore

ORDERED:

1. The entity designated the administrative agency to administer the pro bono program in Brevard County is the Brevard County Legal Aid Inc., in cooperation with the Brevard County Bar Association.
2. The entity designated the administrative agency to administer the pro bono program in Seminole County is the Seminole County Bar Association Legal Aid Society, Inc., in cooperation with the Seminole County Bar Association.
3. The administrative agencies, Brevard County Legal Aid, Inc. and Seminole County Bar Association Legal Aid Society, Inc. shall coordinate with Central Florida Legal Services, Guardian Ad Litem Program and any other pro bono service in the implementation of the circuit wide pro bono plan.
4. Each member of The Florida Bar who practices in the Eighteenth Judicial Circuit may perform pro bono

services by providing free legal services to the poor and working poor through the circuit pro bono program which shall be administrated by the Brevard County Legal Aid, Inc., and Seminole County Bar Association Legal Aid Society, Inc. As an alternative to the performance of pro bono services, a member may make an annual monetary contribution of at least \$350.00 to either administrative agency or to any other entity authorized to be a recipient of these funds under the Supreme Court Rules. By paragraph 6 M. below, the administrative agency is responsible for providing suitable alternatives for government attorneys and judges and for collective satisfaction of pro bono legal services by law firms.

5. The Administrative Agency shall supervise the following services to pro bono attorneys:
 - A. Supervising intake, screening, and referral of indigent clients;
 - B. Matching cases with individual attorney expertise, including the establishment of specialized panels;
 - C. Providing legal education and training for pro bono attorneys;
 - D. Providing the availability of consultation with attorneys who have expertise in area of law with respect to which a volunteer lawyer is providing pro bono legal services;
 - E. Providing malpractice insurance for participating voluntary pro bono lawyers with respect to their referred pro bono legal services;
 - F. Establishing procedures to ensure adequate hourly monitoring and follow up for assigned cases and to measure client satisfaction.
6. The Administrative Agency shall provide a variety of service opportunities for pro bono attorneys, to-wit.:
 - A. Representing clients through case referral.

- B. Interviewing of prospective clients.
 - C. Participating in pro se clinics and other clinics in which lawyers provide advice and counsel.
 - D. Acting as co-counsel on cases or matters with legal assistance providers and other pro bono lawyers.
 - E. Providing consultation services to legal assistance providers for case reviews and evaluation.
 - F. Participating in policy advocacy.
 - G. Providing training to the staff of legal assistance providers and other volunteer pro bono attorneys.
 - H. Making presentations to groups of poor persons regarding their rights and obligations under the law.
 - I. Providing legal research.
 - J. Providing guardian-ad-litem services.
 - K. Providing assistance in the formation and operation of legal entities for groups of poor persons.
 - L. Serving as a mediator or arbitrator at no fee to the client-eligible party.
 - M. Providing suitable alternatives for government attorneys and judges and for collective satisfaction of pro bono legal services by law firms.
7. The Administrative Agency will prepare a report each year listing each participating attorney in the Eighteenth Judicial Circuit and the extent of his or her participation in the Administrative Agency pro bono program. The report shall be sent to the Chief Judge.
8. A Circuit Pro Bono Committee shall be established to plan, develop, prepare in written form, coordinate and establish the circuit's voluntary pro bono plan. The committee shall discharge all additional responsibilities imposed by the pro bono rules.

9. The Circuit Pro Bono Committee shall be composed of:
- A. The Chief Judge of the Circuit Court, or designee;
 - B. Two representatives from each voluntary Bar Association, and one representative from each pro bono and legal assistance provider in the circuit, which representatives shall be appointed by the association or provider;
 - C. At least one public member and at least one client-eligible member, which members shall be nominated by the other members of the Circuit Pro Bono Committee; and
 - D. Eighteenth Judicial Circuit Board of Governor representative. Governance and terms of service shall be determined by the Chief Judge or designee.
10. The Circuit Pro Bono Committee shall meet semi-annually to carry out its duties and responsibilities as set forth herein and pursuant to the applicable Rules Regulating The Florida Bar. The meeting shall be set under the direction of the Chief Judge or the Chief Judge's designee.

DONE and ORDERED this 12th day of January, 1994.

Jere E. Lober
JERE E. LOBER
Chief Judge, Eighteenth
Judicial Circuit

Distribution:

All Judges (Brevard and Seminole Counties)
Court Administration (Brevard and Seminole Counties)
Clerk of Court (Brevard and Seminole Counties)
State Attorney
Public Defender
Sheriff (Brevard and Seminole Counties)
Bar Association (Brevard and Seminole Counties)
Law Library (Brevard and Seminole Counties)
Central Florida Legal Services
Brevard County Legal Aid, Inc.
Eighteenth Judicial Circuit Board of Governor's Representative
General Counsel, Seminole County Sheriff's Office

Mariah Maryland

President, Brevard County Bar Association

President, Seminole County Bar Association

Seminole County Bar Association

Seminole County Bar Association Legal Aid Society, Inc.

Seminole County Corrections

The Legal Review

Recorded:Brevard County 1-19-94 OR Book 3358 Page 3889-3893

Seminole County 1-19-94 OR Book 2715 Page 0573-0577