

The Florida Bar Foundation

**Annual Overview
of the
*Legal Assistance
for the Poor
Grant Program*
2016**



*The Florida Bar Foundation
875 Concourse Parkway South, Suite 195
Maitland, Florida 32751*

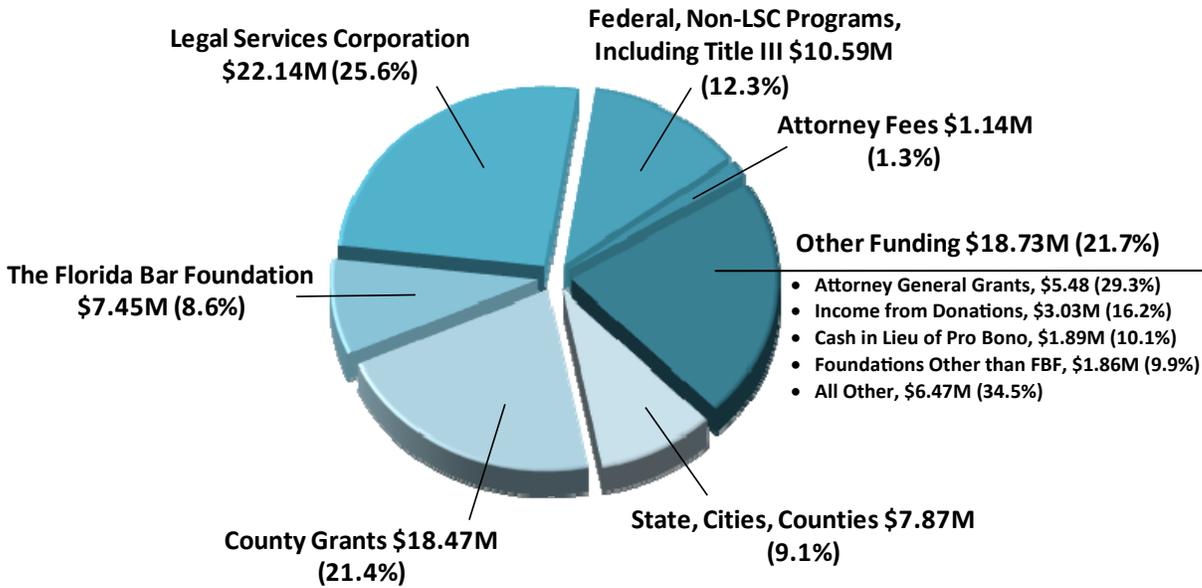
Providing Access to Justice for Florida's Most Vulnerable Residents.

The Florida Bar Foundation (Foundation) offers an integrated, comprehensive system of grant programs and other forms of support to strengthen Florida legal services programs and increase client services. Grants for these purposes are:

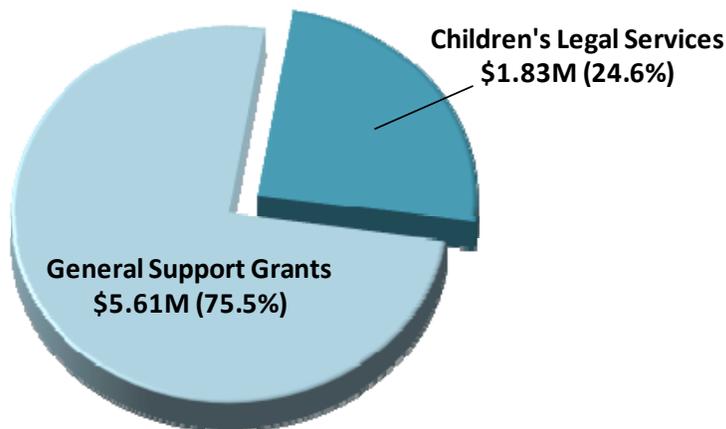
Legal Assistance for the Poor (LAP) Grant Programs:

- General Support
 - Children's Legal Services
-
- Of \$86.39 million received by Florida legal services organizations in 2016, \$7.45 million, or 8.6 percent, came from The Florida Bar Foundation.
 - The Foundation is the only funder linking 31 legal services programs in Florida to form a comprehensive, statewide legal services delivery system.
 - Foundation grantees documented direct dollar benefits to clients totaling more than \$90.7 million in 2016 from sources including child support and federal programs such as Social Security and Supplemental Security Income, which is designed to provide food, shelter and medical care to the elderly and disabled.
 - Foundation-funded providers completed 84,494 cases in 2016.

Total Funding Received - \$86.39M by Florida Bar Foundation Grantees, 2016



Total Foundation Funding - \$7.45M Provided for Calendar Year 2016

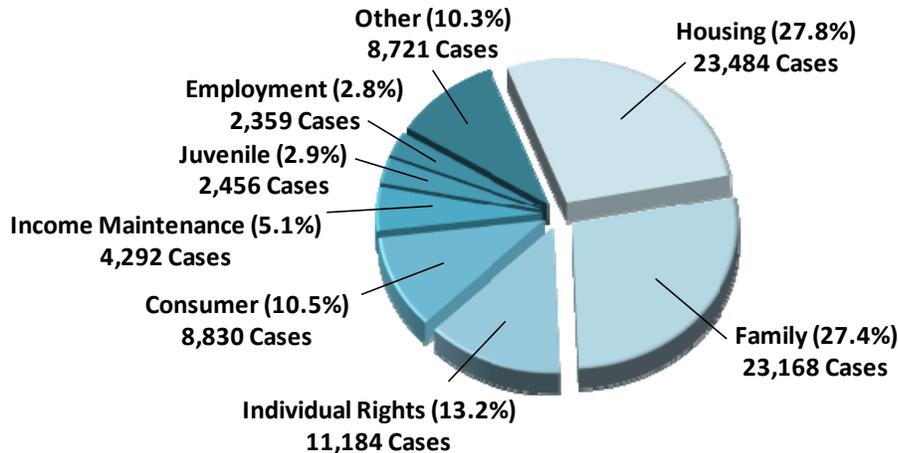


General Support Grant Program

The Florida Bar Foundation awards annual grants to legal aid programs for the general support of the provision of free legal assistance to eligible clients within the service area of each program. The general support grants comprise over 75 percent of the funds provided by the Foundation for the provision of legal assistance for the poor. The general support grants contribute initial institutional support to legal aid programs for the provision of general legal assistance based upon local priorities. These grants are distributed on the basis of the number of poor people in each region under Florida's legal services plan. Several statewide programs are funded on a non-per capita basis and offer statewide legal services, including legislative, administrative, and statewide advocacy, and co-counseling and backup services for local legal aid programs.

For 2016, the Foundation awarded a total of \$5.61 million in general support grants which funded 31 legal aid programs providing a full range of legal services to the low-income population of Florida's 67 counties.

84,494 Cases Closed in 2016



The following examples of actual cases reflect generally the advocacy undertaken by Foundation grantees and pro bono attorneys.

Housing Matters 23,484 Cases

- Federally Subsidized Housing Rights
- Homeownership/Real Property
- Landlord/Tenant (Other than Public Housing)
- Public Housing
- Housing Discrimination

Ms. W. is a Section 8 tenant. When she refused to make illegal side payments to her landlord, he filed an eviction against her. Ms. W. attempted to represent herself, and filed an answer which the court struck and then entered a default judgment against her. At this point she came to Legal Services of Greater Miami for help. Her Legal Services lawyer successfully had the default judgment vacated, and negotiated a settlement resulting in the landlord dismissing the eviction and payment to the tenant of \$12,000 in damages and Legal Services' attorney's fees. **Coast to Coast Legal Aid of South Florida**

Family Matters 23,168 Cases

- Adoption
- Custody/Visitation
- Dissolution of Marriage
- Adult Guardianship/Conservatorship
- Name Change
- Parental Rights Termination
- Domestic Abuse
- Support

Carla, a mother of a son, worked two jobs to support her family while her husband Jarod was out of work. Jarod's drinking and irritable mood caused neighbors to call the police twice during the past week for disturbances coming from their home. One night Jarod began throwing items and hitting her in front of her son. The son's school called her and reported that he appeared upset in class. Carla picked him up and went to the domestic violence shelter. SCBA helped her obtain a Final Judgment of Injunction for Protection which included provisions to protect their son and followed by securing a dissolution of marriage. **Seminole County Bar Association Legal Aid Society**

Nadia came to BALS for help with a divorce from her abusive and controlling husband. After an incident in which he grabbed her by the hair and battered her, Nadia obtained an injunction for protection against domestic violence. Despite the injunction which ordered him to stay at least 500 feet away from her at all times, he forced his way into her house one morning. He grabbed a skillet and flung hot bacon grease at her, then poured bleach around her house, ruining the carpet, furniture, and a number of her belongings. As a result, he was arrested and convicted of felony charges. However, he was given supervised probation rather than prison. The husband skipped probation and was listed as a fugitive by the Department of Corrections. BALS filed a notice of action by posting based on the husband's unknown whereabouts, and were able to finalize the divorce, along with an order restoring Nadia's maiden name. **Bay Area Legal Services**

Individual Rights Matters
11,184 Cases

- Immigration/Naturalization
- Mental Health
- Disability Rights
- Human Trafficking
- Civil Rights

Karl suffered traumatic physical and brain injuries after being hit with a rocket propelled grenade while serving in the U.S. Army in Afghanistan in 2011. He had been hospitalized for over the past three years. After being honorably released from the Army with a 100% disability, Karl has had to depend on persons and companies obeying the requirements of Florida's Civil Rights Act, the ADA and other similar disability laws requiring companies to provide people with disabilities with reasonable accommodations, so he can attempt to live independently. These disability laws allow persons such as to Karl to receive physical help and emotional support from a trained and readily identifiable service dog which accompanies him at all times to relieve him of stress and anxiety, and nightmares. Karl decided to go to Panama City Beach with his trained service dog, Kuchar, for a long delayed family reunion after his return from Afghanistan and extended hospitalization, before undergoing another round of surgeries. Upon arrival at his hotel with his readily identifiable trained service dog, an openly hostile hotel desk clerk not only told Karl to leave immediately, he was threatened with being arrested for trespassing. Additionally, his sister Gena and his niece, who had previously registered and paid to be guests at the Inn for the coming week, were told that Karl would be arrested and Gena and her daughter evicted should he and Kuchar return to the premises. The Florida Justice Institute filed suit on Karl's behalf and on behalf of Disabilities Rights Florida, the federal protection and advocacy agency for persons with disabilities, seeking damages and an injunction against the hotel. The case was dismissed for alleged failure to exhaust administrative remedies. FJI and DRF appealed, and co-counseled the appeal with pro bono attorneys from Holland & Knight. The case settled on appeal, providing Karl with compensation, and attorneys' fees and costs. **Florida Justice Institute**

Income Maintenance Matters
4,292 Cases

- Welfare
- Food Stamps
- Social Security
- SSI
- Unemployment Compensation
- Veterans Benefits

EF was a homeless disabled veteran whose SSI benefits had been terminated. He was living in a shelter. We discovered that his benefits had been terminated because he had missed a reconsideration hearing. Apparently, his notice had been sent to the wrong address. We made a written request to the Appeals Council asking that the case be reopened and demonstrating the error. The client got a new hearing and we helped him to prevail. He was overjoyed when his benefits were reinstated. He and his dog are now in their own apartment. **Three Rivers legal Services**

Juvenile Matters
2,546 Cases

- Delinquent
- Neglected/Abused/Dependent
- Emancipation
- Minor Guardian/Conservatorship

The Children's Legal Program has served thousands of children this last year. Many of these children are fleeing gang violence and domestic violence. They make the perilous journey in hopes of being reunited with loved ones and be safe from harm. One recent story is Pedro* who resides in Martin County with his maternal uncle. The minor fears returning to Guatemala due to the extreme mistreatment and abuse by step-father, who has been with the minor's mother for about 12 years. The step-father beats and abuses the minor's mother and sister, as well as the minor. The step-father raped minor's younger sister when she was 9 years old. The minor and his sister were also threatened by the gangs who tried to recruit him. Fearing for their lives at the hands of their step-father and the gangs, the siblings fled. AI Justice attorneys are currently providing representation on asylum and Special Immigrant Juvenile status. **Americans for Immigrant Justice**

Children's Legal Services Grant Program

In March 2016, the Florida Bar Foundation continued to recognize the special legal needs of children by awarding \$930,606 to fund 13 children's legal assistance projects.

These grants reach rural and urban areas throughout Florida and address children's legal needs through staff attorney and private pro bono attorney services. Among the children reached are the following:

- Children who are disabled or have learning disabilities and were being denied special education services required by law;
- Foster care children whose time in foster care could be shortened;
- Children, including foster care children, who need access to medical, mental and other health related services;
- Children seeking benefits so that they can be cared for by loving relatives rather than being placed in the state foster care system; and
- Children aging out of foster care who need transitional assistance and access to their Social Security funds held by the state.

Programs receiving grants in 2016:

- Americans for Immigrant Justice, Inc.
- Community Legal Services of Mid-Florida
- Cuban American Bar Association Pro Bono Project
- Florida's Children First
- Florida Legal Services Children's Healthcare Access
- Florida Legal Services FILS Children's Project
- Florida State University College of Law
- Legal Aid Society of Palm Beach County
- Legal Aid Society of the Orange County Bar Association
- Legal Services of Greater Miami, Inc.
- Legal Services of North Florida
- Southern Legal Counsel
- University of Miami School of Law (Children and Youth Law Clinic)

Children's Legal Services Grants - Protecting Children, Providing Better Futures

Jackson is a student with autism spectrum disorder (ASD) who attended an ASD cluster where his needs were not being met. His father was constantly required to pick Jackson up from school early, no Behavioral Intervention Plan (BIP) was in place, and after Jackson suffered a minor injury at school, his father was in fear of sending him back to school and kept him home, putting his own employment in danger. EAP advocated for a change in schools for Jackson, a trained one to one paraprofessional, a new BIP, increase in related services of speech and language therapy and occupational therapy for the extended school year program, and 20 hours of compensatory education for the days of school missed due to the school's failure to provide appropriate services. Jackson's family was pleased with the result, Jackson adjusted positively to his new environment, and his father was able to maintain his employment. **Legal Aid Society of Palm Beach County**

Born 10 weeks premature, Ronin spent the first 4 weeks of his life in the NICU, followed by multiple hospitalizations due to a variety of complex medical conditions, including chronic lung disease, gastroparesis, and developmental delays. After his most recent hospitalization at 22 months old, AHCA approved Ronin for Prescribed Pediatric Extended Care (PPEC) services where he received respiratory and developmental therapies on a daily basis. However, when it came time to request a continuation of services for the following 6-month certification period, AHCA denied all hours on the basis that Ronin no longer met the medical complexity requirement for PPEC. LSGMI assisted our client with appealing the agency's denial and, while preparing to represent Ronin at a fair hearing, were able to resolve the case by persuading the agency to reverse its decision and agree to continue providing medically necessary PPEC services to this fragile child. **Legal Services of Greater Miami, Inc.**

Sally was being bullied in middle school. During school lunch, the bully and her friends attacked Sally. Sally's younger brother, Sam, saw the fight and jumped in to defend his sister. Though no one was hurt, the State Attorney filed delinquency charges against Sally and Sam for disrupting a school function. In addition, the School District filed Expulsion Petitions against Sally and Sam. The children refused to accept a plea and the case went to trial. The court found that the children acted in self-defense. We also requested the School District to evaluate the children for special education. We served extensive discovery, and after preliminary hearings, the School District dismissed both expulsions. Sally and Sam returned to school without a juvenile record. **Florida State University College of Law**

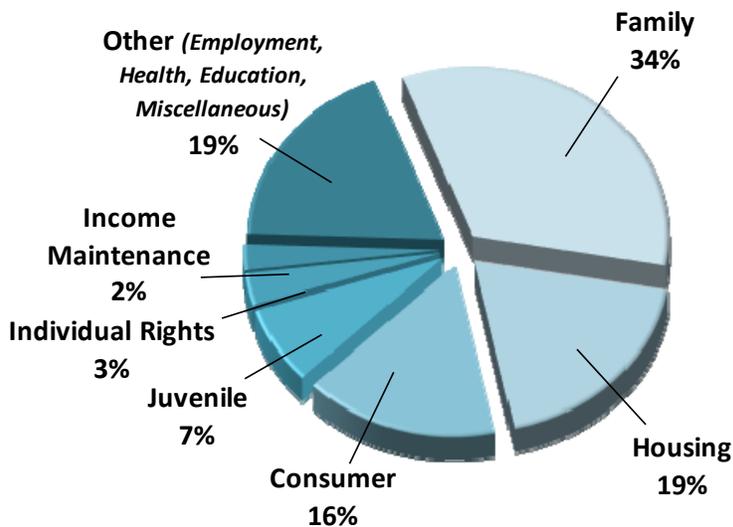
Pro Bono Participation

With implementation of the Florida Supreme Court’s pro bono plan in 1993, attorney participation in Florida Bar Foundation-funded pro bono projects surged in 1994, then reached a peak in 1998 before tapering off from 1999-2007. In September 2008, the Statewide Standing Committee on Pro Bono completed its groundbreaking study on pro bono titled, “Pro Bono: Looking Back, Moving Forward”. The study, sponsored by Foundation funding, examined the stagnation of pro bono, and decline in pro bono through organized programs. The study also made recommendations as to how to reinvigorate pro bono in Florida through prospective partnerships among the courts, the Florida Bar, the Foundation, local bar associations, law firms, individual attorneys, and pro bono programs that administer pro bono projects.

In the years since 2008, the Standing Pro Bono Committee, with the continuing support and guidance of the Foundation, has undertaken several successful initiatives to engage additional private attorneys in the provision of pro bono legal services to low-income families and to improve the pro bono delivery system. One of those initiatives, the One Campaign, continues to engage pro bono attorneys who work with their local legal aid office where they can utilize their unique skills to help regular citizens navigate the law.

A total of 6,040 private lawyers provided direct legal assistance to clients and closed 9,510 pro bono cases in 2016, approximately 11 percent of the total of 84,494 cases closed by Foundation grantees. Over 5,800 private lawyers provided cash contributions of over \$1.9 million. Florida’s lawyers donated 101,321 hours through organized pro bono programs in 2016. At an *average* hourly rate of \$120, this represents a significant private-sector contribution: \$12.1 million worth of free assistance to low-income people across the state.

Cases Completed by Private Attorneys



Foundation-funded Programs are a Good Investment.

Legal Services advocacy produces millions of dollars in benefits for low-income Floridians.

From the purely economic perspective of dollars generated per dollar invested, the performance of Florida's Legal Aid advocates is outstanding. In 2016, for example, they produced an estimated \$224 million in direct benefits for their clients, including child support payments, Social Security Disability benefits and worker's compensation insurance payments -- benefits to which clients were legally entitled.**

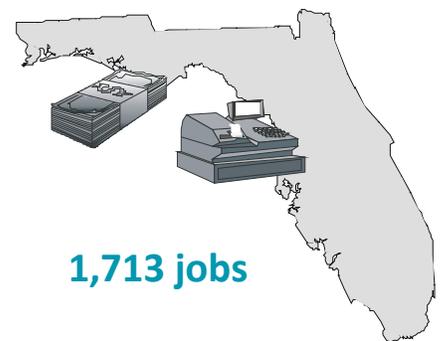
Foundation-funded programs bring dollars into local economies.

Federal benefits such as Social Security, Supplemental Security Income, Temporary Assistance to Needy Families and Medicaid are vital strands of the safety net. These Federal income support benefits not only help the direct recipients, but also flow immediately into local economies, generating income and jobs for working Floridians that otherwise would be lost to our state.

In 2016, 57 percent of the direct benefits obtained by Legal Aid advocates obtained for their clients consisted of Federal benefits totaling \$127 million flowing into Florida communities. These benefits, together with \$33 million* in Federal grant funds for Foundation-funded programs' own operating support, represented a total of \$160 million flowing directly into local communities in the form of salaries, rent and goods, and services purchased from local businesses. Applying a standard economic activity multiplier of 1.32 produces a reliable estimate of \$210 million in economic activity and 1,713 jobs resulting from these benefits and grants.

Economic Multiplier Impact...

\$160 Million	...Circulates 1.32 times	...providing \$210 million
in Federal grants & benefits obtained for clients...	in local economies...	income for working Floridians.
<ul style="list-style-type: none">• Disability• Supplemental Security Income• Medicare• Other		



*The \$33 million total includes \$22 million in Federal Legal Services Corporation (LSC) grants and \$11 million in other Federal grants.

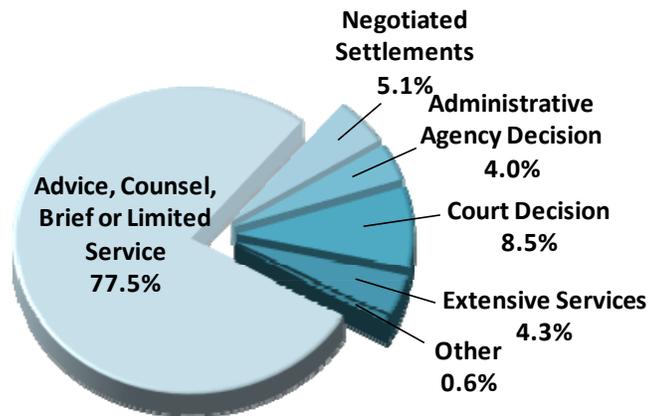
** In addition to dollar benefits produced for clients and their economic multiplier impact, Florida legal aid programs produced millions in cost savings for communities and taxpayers. In 2015 the total economic impact was \$600 million—See the Foundation's 2016 economic impact study report at www.thefloridabarfoundation.org/impact/.

Foundation-funded legal services are cost-effective.

Legal aid lawyers provide services in a compassionate manner, but strive to serve as many clients as they can with limited resources. In 2016, they handled 10 cases for every \$10,000 in funding they received.

- **A high proportion of cases are resolved without litigation.**
As the graph below indicates, 77.5 percent of the 84,494 cases closed by legal aid in 2016 were resolved by advising the client about steps he or she could take short of litigation, or by providing non-litigation services such as drafting a letter or making phone calls on the client's behalf.
- **Pro bono efforts of the private bar leverage the investment of dollars in Foundation-funded programs.**
Of the above total number of cases, private lawyers closed 9,510 cases on a pro bono basis in 2016. They donated 101,321 hours of services, valued at \$12.1 million.

Total: 84,494 Cases



Legal aid promotes and strengthens families, communities and the children's futures.

Further, and perhaps most important, the legal advocacy of legal aid lawyers and paralegals protects low-income families from the unlawful loss of their homes and transportation to work, the unfair denial of medical benefits and services, and the unjust deprivation of educational services to disabled children. Legal aid lifts the despair of poverty and provides opportunity and justice. This strengthens families, lessens violence in homes and communities, and helps to ensure a stronger society, a society that honors its ideals.

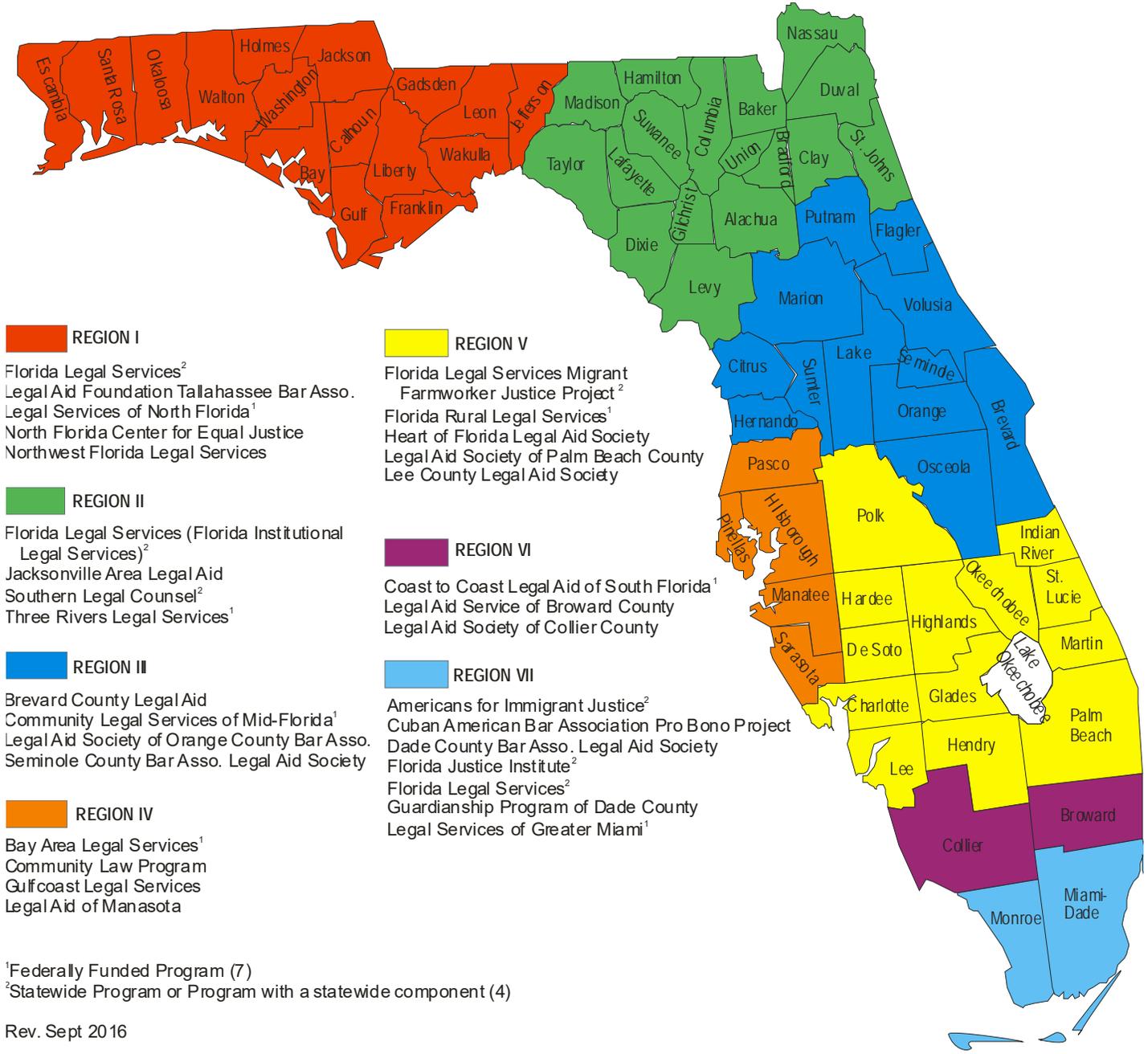
Foundation-funded programs apply technology as a strategy for improving the productivity and accessibility of their services.

- A computerized case management system (Legal Server) supplied by the Florida Bar Foundation to 28 general support grantees helps with the administration of the day-to-day casework of program lawyers and paralegals. This case management system provides grantees the data and communication needed to manage cases, track outcomes, and efficiently report to funding sources. The system was installed and operational by September 2009 in the grantee programs. The Foundation continues to assist grantees with support through a help desk, additional training, and further development of the case management system.
- Local websites provide 24-hour access to legal education and self-help materials for low-income clients, and for professionals who pass this information on to their low-income clients. A statewide website, operated by Florida Legal Services and supported by the Foundation, links Florida legal aid advocates and pro bono attorneys to training, community legal education materials, legal research resources and other support services. The website also is available to clients for information on available legal aid services, client community education materials, and other resources.
- Full computerized legal research materials and services are made available to legal assistance grantees at a very reasonable rate, with the Foundation handling the centralized billing for a statewide contract with legal research firm Westlaw and providing supplemental funding .
- A web-based grant management system (LegalServer), adopted by the Foundation in 2012, is the companion to the case management system (LegalServer) used by Foundation general support grantees. The grant management system serves as a database of grantee information and allows Foundation staff to solicit and receive electronic grant applications, reports, and outcomes measures from its grantees. Technical support and training is provided by Foundation staff who also support the help desk for grantees using the LegalServer case management system.

Planning for the Future...

Since the collapse of the national economy in the latter half of 2008, the Foundation has experienced significant declines in IOTA revenue. Utilization of a significant reserve by the Foundation has enabled grants to be decreased over a period of several years. However, very significant grant reductions have been necessary. Grant reductions in 2012 resulted in an overall cut in Foundation grants of 30 percent from the prior year's grants. The Foundation has sought funding from other sources to alleviate these reductions over the past few years, and in several instances, the Foundation has been successful in obtaining other funding. However, the new funding obtained has not offset the revenue lost due to low interest rates on IOTA accounts. The Foundation continues to pursue other funding initiatives and prioritize its funding reductions in order to preserve the core of critical civil legal aid to low-income families in Florida.

Florida's Regional Legal Services Delivery System



¹Federally Funded Program (7)

²Statewide Program or Program with a statewide component (4)

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