

SPEAKING OF JUSTICE

NEWS FROM THE FLORIDA BAR FOUNDATION

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Equal Justice Works Fellow Daniela Donoso, left, with Legal Services of North Florida staff at a community event



Equal Justice Works Fellow Anne Piervil, right, with staff from Hope Community Center, at a Know Your Rights event centered on updates on immigration reform

Equal Justice Works Fellows use personal experiences to impact legal aid work

As a Haitian Creole speaking lawyer, Anne Piervil hoped her representation would allow her to make inroads in Central Florida's Haitian community as she built a Medical Legal Partnership (MLP) as part of her Equal Justice Works fellowship.

"The Haitian community in Central Florida is vibrant and thriving in culture, but there is a growing need for legal services that target this community," Piervil says.

Piervil, whose fellowship project is funded by The Florida Bar Foundation, set out to implement an MLP with Orange Blossom Family Health Clinic in Orlando to serve Haitian farmworkers. MLPs integrate a legal aid lawyer into the healthcare process because legal issues surrounding health insurance, employment, immigration status and family stability have been linked to health outcomes.

The Florida Bar Foundation funds fellowships through Washington, D.C.-based

Equal Justice Works (EJW). Fellows are hosted by Foundation grantees for two-year civil legal aid projects that provide impoverished groups with the representation and implementation needed to make progress in their communities. Piervil is hosted by Florida Legal Services.

Almost two years into her fellowship, Piervil now takes appointments and walk-ins at the clinic. She has represented more than 60 clients. Her first clients were a couple who fled gang threats in Haiti. She helped them



Florida Bar Foundation President Connie Bookman began her term July 1, 2021. She is just the second non-lawyer to hold the position. A licensed clinical social worker, Bookman is the founder and CEO of Pensacola nonprofit Pathways for Change, which provides counseling, education, vocational training and residential addiction treatment. She is overseeing its current pivot from daily program operations to a broader vision of assisting local agencies in eliminating homelessness. She earned her bachelor's degree from St. Leo University and her master's degree in social work from Florida State University. She received the Chief Judge Award of Service for the First Judicial Circuit in 2015 and was named the FSU School of Social Work Field Educator of the Year in 2012. Bookman is also a Florida Bar Foundation Fellow and a member of the Bronze Society for lifetime giving.

Message from the President

The Foundation is forging a new path in 2022, focused on implementing changes that are a result of the updated IOTA rule.

This year, our board and staff are testing new procedures, writing new policies and, as always, streamlining our work so that we can provide legal aid funding and leadership in the most effective and efficient ways.

In December, we made official our grant allocations for the year. The board allocated \$1,250,000 for a trial run of how IOTA monies will be disbursed. This allows us to test our new procedures before July 1, when we will be required by the new rule to disburse within six months of receipt.

The Foundation's staff has been hard at work segregating IOTA receipts from other Foundation funds in bank accounts, implementing detailed time sheets for staff to record their IOTA time allocations, updating accounting processes and procedures relating to recording allowable IOTA expenses and collaborating with grantees on methods to distribute IOTA receipts.

We also created a new ad hoc committee that will review the Foundation's name, mission, brand and messaging to determine if changes are necessary for the Foundation's continued success. Because interest rates remain low, thereby creating low IOTA funding, we must commit to finding new sources of funding for legal aid in Florida. To do this, our mission and messaging must match the need so that we can effectively fundraise. The committee will bring its recommendations to the June board meeting.

Connie Bookman, President



WITHOUT ACCESS, THERE CAN BE NO JUSTICE.

When you volunteer your time as a pro bono lawyer, you open the door to the justice system for those less fortunate.

Make one promise to take one case to help one person.
Volunteer today.

www.FloridaProBonoMatters.org | www.OnePromiseFlorida.org

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apply for Temporary Protected Status (TPS) and obtain driver's licences.

"I am so honored that I am able to return to my community and provide assistance to people that need it the most," Piervil says.

In addition to direct legal services, Piervil collaborates with organizations like The Farmworker Association of Florida and Local 362, an affiliate of UNITE HERE, which represent and serve the Haitian community. Through her relationships with these groups, Piervil has assisted individuals applying for U.S. citizenship. At a quarterly citizenship clinic held by Local 362, Piervil was the first Haitian Creole speaking lawyer to volunteer, which she says increased the participation of Haitian applicants.

The city of Orlando also invited Piervil to participate in their TPS clinic last fall. The event informed the Haitian community about the new designation of TPS, provided free legal consultations, and informed the community about scams to avoid when applying. To prepare for the clinic, Piervil hand delivered letters to 50 Haitian churches in the Orlando area inviting their congregations. She was also interviewed by two local radio stations. At the clinic, 14 participants were served and five received scholarships that paid for their TPS filing fees. Piervil is still partnering with the city and will attend another clinic in April.

Piervil also provides free legal consultations at The Farmworker Association of Florida's Apopka office once a week and at their University of Central Florida clinic, where she serves as the legal advocate for their patients.



Anne Piervil, second from left, with members of the Consulate of Haiti at a community forum that engaged with local Haitian leaders and pastors

Like Piervil, EJW Fellow Daniela Donoso has strong ties to immigration issues. Donoso, now a lawful permanent resident and a former Deferred Action for Childhood Arrival (DACA) recipient, arrived in the U.S. from Ecuador at six months old and grew up undocumented.

Donoso's project, hosted by Legal Services of North Florida (LSNF), is focused on creating a comprehensive immigration advocacy program to serve immigrants who are victims of crime and/or are low-income. Since 2020, she has worked to establish protocols, procedures and resources for LSNF's staff and community partners.

Donoso also provides direct legal services. One of her first clients as a Fellow was a survivor of labor trafficking. Donoso determined that the client, who was waiting for a T-Visa, was eligible for conditional presence. Though it took six months, Donoso secured an interview for the client with the Department of Homeland Security. Ultimately, the client's T-visa was approved, and Donoso helped them then apply for early adjustment of status.

In the first six months of her Fellowship, Donoso presented to the United Partners for Human Services on supporting the needs of immigrants in North Florida. She presented with the Florida Counsel Against Sexual Violence.

The following year, in collaboration with the Medical Legal Partnership attorney at LSNF, Donoso led LSNF's first formal immigration clinic. This clinic also allowed partnerships with Neighborhood Medical Center, which helped immigrant communities receive their COVID-19 vaccines.

As part of her project, Donoso has created and developed a shared resource bank of cover letters, sample statements, template birth certificates, opening and closing letters, and attorney checklists for common immigration petitions for all five LSNF offices.

She also leads the Undocumented Youth and Adult Task Force for the 2nd



Daniela Donoso, right, with Legal Services of North Florida staff at a community event

Judicial Circuit, connecting service providers and community members to help them better understand and serve their undocumented immigrant communities.

"This project has given me the platform to live out a dream of helping the undocumented community in ways I wish I was helped growing up," says Donoso. "Sometimes it still feels unreal that I get to do it."

The Foundation has been one of the largest funders of the EJW Fellowship program, having invested more than \$4 million in more than 80 Fellowships since 1999.

Ways to Support the Foundation

Become a Foundation Fellow
Pledge \$1,000

Make a recurring gift
Schedule a donation on a cycle

Obtain a cy pres award
Work with the court for approval

Buy a Kids Deserve Justice plate
Fees fund Children's Legal Services

TheFloridaBarFoundation.org

Winter 2021 Board of Directors meeting report

The Florida Bar Foundation Board of Directors met via Zoom conference on December 17, 2021, because of the COVID-19 pandemic and recent outbreaks involving a highly contagious variant.

The major actions of the board and reports received included:

Foundation officers elected

Pursuant to the Articles of Incorporation and Bylaws of The Florida Bar Foundation, the Nominating Committee of the Foundation presented, and the Board elected, the following officer nominees for a term beginning July 1, 2022 and concluding June 30, 2023:

- President: Honorable Suzanne Van Wyk
- President-elect: Murray B. Silverstein
- First Vice President: Roberto R. Pardo
- Second Vice President: Ashley N. Sybesma
- Immediate Past President: Connie Bookman

Board approves \$5,880,320 grant allocation for FY 21-22

The Board received a report and recommendation from the Grant Allocation Committee which had previously discussed and reviewed four grant allocation scenarios. The Board accepted and approved the Grant Allocation Committee's unanimous recommendation of a total allocation of \$5,880,320 for FY 21-22. This amount requires

no depletion of reserves and should be awarded before June 30, 2022. This amount does not include FY 2021-22 IOTA collections which will also be distributed to qualified grantee organizations on or before December 31, 2022 per the amended IOTA rule.

Board approves funding eight grant programs for FY 21-22

The Grants Committee met on Dec. 16, 2021, to review the Grant Allocation Committee's work product and recommendation along with all grants and awards provided by the Foundation within the past five years. Thereafter, the Grants Committee prepared a recommendation for funding eight grant programs in specific amounts totaling \$5,880,000 for FY 21-22 distribution. The Board reviewed and approved the committee's recommendation (see chart, right).

Board approves in concept the development of a policy regarding receipt, processing, and administration of new development gifts

The Administration Fee Subcommittee (now the Sustainability Subcommittee) of the Development/Pro Bono Committee has been researching, reviewing, and analyzing best and common practices related to the receipt and

2021-22 Grant Allocations

Grant Program	Amount
Loan Repayment Assistance Program	\$1,250,000
Children's Legal Services	\$1,000,000
Administration of Justice	\$ 800,000
Law School Civil Clinics	\$ 250,000
Limited Matching Funds	\$ 200,000
Community Economic Development grant extensions	\$ 880,000
IOTA Trial Run distributions	\$1,250,000
Training/Technology	\$ 250,000
Total: \$5,880,000	

processing of gifts received by fundraising organizations. The subcommittee presented its findings and recommended that the Foundation approve in concept the necessity of the Foundation to explore the development and implementation of a new policy related to the receipt and processing of new gifts received and the charges, if any, that may be assessed in connection with such gifts.

After extensive discussion, the Board unanimously approved in concept the development of such policy. The subcommittee will continue working toward a more detailed

see REPORT, p. 6

New ad hoc committees

Committee	Charge	Members
Overall Review Ad Hoc Committee	To study, review and make recommendations to the Board regarding the Foundation's brand, name, mission, mission statement and message. Initial findings and recommendations are expected by June 1, 2022, finalized recommendations, if any, by December 1, 2022.	Connie Bookman, Chair; Min Cho, George Knox, John Patterson, James Schwarz, Murray Silverstein, Ashley N. Sybesma, Judge Suzanne Van Wyk, Gary Yordon
Paul Doyle Award Criteria Review Ad Hoc Committee	To review the award selection and qualifications criteria and recommend changes, if any, to the Board for consideration. The committee should be prepared to have its work completed by June 2022 for Board consideration at that time.	Roberto Pardo, Chair; Dr. Patricia Babcock, Juliette Lippman, Paige Greenlee, Kevin McCoy
Goldstein-Van Nortwick Award Selection Ad Hoc Committee	To review and consider nominations submitted for this biennial award, and recommend recipients (usually three places) in time for the Board to make selections, if any, at its March 2022 meeting.	Maria Henderson, Chair; Brian Currie, Sarita Courtney Baigorri, Maria Gonzalez, Roberto Pardo, Stephen Senn
Audit RFP Ad Hoc Committee	To develop and execute a work plan relating to the Foundation's periodic review of its auditors and to oversee an RFP process inviting potential accounting firms to prepare a proposal for conducting an annual financial statement audit of the Foundation's and Endowment Trust's financial records and statements. Once the RFP is developed and sent out, the committee will review and recommend to the Audit Committee a qualified company. The Audit Committee is expected to act on the recommendation and thereafter make a recommendation to the full board.	Judge Suzanne Van Wyk, Chair; Vincent Cuomo, Ian Comisky, Carl Domino, John Harkness, Steven Salzer, Veronica Jhon

2022 Florida Pro Bono Law School Challenge begins

The 2022 Florida Pro Bono Law School Challenge, run by The Florida Bar Foundation, began on Jan. 31, 2022. The statewide competition, now in its fourth year, connects Florida law students with lawyers to partner on pro bono cases from legal aid organizations. Students and lawyers can visit www.FloridaLawSchoolChallenge.org to pick a case. Florida's law schools will compete to see which can take the most cases through March 25, 2022.

This year, the Foundation has made several changes to the Challenge based on feedback from lawyers, law students and schools, and legal aid programs. Students got early access to the site beginning Jan. 19, two weeks before lawyers, so that lawyers had a larger number of student-selected cases to choose from on the first day of the competition. In addition, legal aid programs can now tag cases as #ChallengeReady, #remote and #virtual to help students and lawyers pick pro bono opportunities that fit their needs.

A core part of the Foundation's mission is to promote public service among lawyers by making it an integral part of the law school experience. More than 800 pro bono cases have been taken through the Challenge. Last year, 309 cases were taken, and Stetson University College of Law won the top honor.

"The Challenge has resulted in better

Foundation staff complete Challenge case

Shayla Alltop, the Foundation's former administrative assistant, and Donny MacKenzie, its executive director, matched on a case and participated in the 2021 Florida Pro Bono Law School Challenge together. Alltop is a student at Barry University Dwayne O. Andreas School of Law in Orlando.

Alltop and MacKenzie took on a case from Jacksonville Area Legal Aid for client Debra Higganbotham, who has cared for her granddaughter Lana for most of her life. Lana has anoxic encephalopathy, a brain injury that has rendered her totally incapacitated.

After Lana turned 18, Debra sought a plenary guardianship that would allow her to make all life and care decisions for Lana, who is incapable of making such for herself.

"I was excited to participate in the Law School Challenge because it was an invaluable opportunity to be a part of something greater than myself," Alltop says. "I learned of the importance of participating




Debra Higganbotham cares for granddaughter Lana, circa 2008

in this challenge and how it positively affects those who need it most. It was an experience that I'll never forget. I am thankful The Florida Bar Foundation continues to create this opportunity for law students and lawyers in Florida."

The pair was successful in their work for Higganbotham, and the order granting the guardianship was signed on Lana's 19th birthday.

relationships with law schools, an increase in the number of pro bono cases taken, and promotion of public interest work while fostering connections between law students

and lawyers," Hon. Suzanne Van Wyk, the Foundation's president-elect, said. "Even through a pandemic, we've seen a lot of success. This is a worthy program."







January 31 - March 25, 2022

CONNECTING students with lawyers to partner on **PRO BONO CASES** from **LOCAL** legal aid organizations.

- All Florida law schools are competing to see which can take the most pro bono cases!
- Students will have early access to the site to pick a case beginning January 19
- Visit the site to pick a case and match with a student.

THE COMPETITION:

-  Satisfies lawyers' pro bono obligations
-  Gives students real world experience
-  Introduces lawyers and students to local legal aid programs
-  Allows students to network with lawyers

FloridaLawSchoolChallenge.org

Certified Lawyers on Call

CLOC connects pro bono and legal aid staff attorneys to Florida Bar board-certified lawyers.



CLOC is a resource in partnership with the Board of Legal Specialization and Education (BLSE) and The Florida Bar Foundation's pro bono program.



- Board-certified lawyers are ready to volunteer their time to help pro bono and legal aid staff attorneys
- CLOC lawyers will advise pro bono lawyers in their area of expertise

Contact the CLOC Service Contact Coordinator, Steven D. Rubin, B.C.S., to be connected to a volunteer lawyer:

 CLOC@flabarblse.com  561-391-7992

Donations in memory of Alan B. Bookman

As of February 4, 2022

Thank you to the many donors who collectively gave more than \$18,000 in honor of former Florida Bar President Alan Bookman, who passed away in December. Alan was the husband of Foundation President Connie Bookman.



Alan B. Bookman, Esq.

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Thank you, new Gold Community Champions!

Apollo Bank
First American Bank
New York Community Bank

are no longer deducting fees on monthly IOTA remittance.

Community Champions go above and beyond the IOTA rule requirements and are committed to ensuring the success of the IOTA program and the mission of The Florida Bar Foundation by fostering a partnership to enhance and increase funding for legal aid.

To learn more about the Community Champions program, visit
TheFloridaBarFoundation.org

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recommendation for presentation to the Development/Pro Bono Committee and Board.

President creates and appoints four ad hoc committees

President-elect Judge Suzanne Van Wyk, who presided over the meeting in Connie Bookman's absence, reported that President Bookman has created four ad hoc committees (see chart, pg. 4). Board members who want to serve on any of these committees are invited to contact either Connie Bookman or Donny MacKenzie for inclusion on such committees.

In addition, the Grants Committee announced the formation of an Equal Justice Works (EJW) Policy ad hoc committee to review and develop a formal policy relating to the Foundation's funding and participation in the EJW program. The committee will be formed shortly and members who wish to participate in this ad hoc committee's work should contact Donny MacKenzie.

Executive Director Report

Donny MacKenzie provided a short report that provided directors required annual information related to the Foundation's updated schedule of insurance coverages, summarized ongoing efforts to implement operations and procedures related to the amended IOTA rule, briefly outlined the launch and overall rollout plan of the ONE Promise Campaign, discussed an upcoming fundraising event involving the Tampa Bay Lightning and Medal of Honor recipient Judge E.J. Salcines, and noted the tremendous generosity of the Foundation's directors in giving not only their valuable time and talents, but also their treasure to the Foundation in support of its mission.

Presentation and Review of Audited Financial Statements

Melanie Fernandez, a partner with BDO USA, LLP, and her team presented the written

report and results of BDO's annual audit of the consolidated financial statements and related statements of activities, cash flows and functional expenses of the Foundation and The Florida Bar Foundation Endowment Trust for the year ended June 30, 2021. She further stated and opined that such materials present fairly, in all material respects, the financial position of the Foundation and the Endowment Trust in accordance with accounting principles generally accepted in the United States of America.

The Board, after open discussion and thereafter in executive session, approved and accepted the audit report, which is posted on the Foundation's website and available for review upon written request.

Next Meeting

The Board's next scheduled meeting will be on March 18, 2022. The meeting will be held virtually via Zoom.

Judge Emiliano J. Salcines honored as Tampa Bay Lightning Community Hero, donates award to Foundation

The Tampa Bay Lightning named the Honorable Emiliano Jose “E.J.” Salcines its Lightning Community Hero during their Dec. 28 game in Tampa. Judge Salcines then donated \$20,000 of his award from the Lightning Foundation to The Florida Bar Foundation.

“We are incredibly honored by Judge Salcines’ generosity,” said Donny MacKenzie, the Foundation’s executive director. “He is passionate about the justice system and has made countless positive contributions to his community. We are delighted and honored that he allowed us to use these funds in support of our Loan Repayment Assistance Program.”

The Foundation’s Loan Repayment Assistance Program provides lawyers who work at qualified civil legal aid organizations loans up to \$5,000 per year to pay off student loan school debts. Loan recipients who remain employed at qualified civil legal aid organizations after one year are eligible to have their loans forgiven by the Foundation.

The program was created to strengthen and expand civil legal assistance for the poor by supporting the recruitment and retention of qualified civil legal aid staff lawyers. Last year, the Foundation provided 259 LRAP loans to legal aid lawyers throughout Florida.



Left to right: Donny MacKenzie, Florida Bar Foundation executive director; Hon. Emiliano J. Salcines, retired judge, Second District Court of Appeals; Stephen R. Senn, Florida Bar Foundation immediate past president

“The Florida Bar Foundation has a long history of making grants that have a substantial impact on our state’s poor and vulnerable,” said Judge Emiliano “E.J.” Salcines. “I am pleased to make this donation to the Foundation’s efforts to support legal aid lawyers so that they in turn can help those who need it most.”

Judge Salcines won The Florida Bar Foundation’s 2021 Medal of Honor Award, for his trailblazing, diverse career of more than 50

years, and his dedication to the administration of justice, public service, and education.

According to the Lightning Foundation, he became the 467th Lightning Community Hero since Jeff and Penny Vinik introduced the Lightning Community Hero program in 2011-12 with a \$10 million, five-season commitment to the Tampa Bay community. Judge Salcines split his award money between The Florida Bar Foundation and the Tampa Bay History Center.

Foundation forms future plans for technology assets

In late 2021, the Foundation’s Technology Committee completed a set of long-range plan recommendations. The Foundation received eight digital assets from the former Florida Justice Technology Center, and the committee was tasked with evaluating ongoing expenses, maintenance time, system complexity, intellectual property, and overall value to determine the future of the assets.

After months of research and discussion, the committee recommended that the Foundation should develop and maintain technology tools by giving grants and awards to qualified grantees.

The committee also recommended that the Foundation should primarily fund innovation and technology grants through IOTA Revenues consistent with the amended Rule 5.1-1 and should consider funding technology through donations as a secondary option. Additionally, the technology initiatives which embody comprehensive and statewide approaches should be primarily supported. This includes tools designed to have statewide impacts and uses.

The Foundation has begun discussions with grantees to determine which programs would be willing to take control of the assets. Two

assets, the Florida Tenants’ Rights site and the Florida Advocates Guide to Long-term Care, will be discontinued due to lack of interest. The Florida Advocates Guide to Medicaid has been transferred to Florida Health Justice Project by signed agreement.

The remaining assets, including Turning 18, Florida Name Change, Florida Advocate, Florida Law Help, and the Gateway project, will be wound down on March 12, 2022, if there are no legal aid programs able to absorb them.

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TheFloridaBarFoundation.org
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View available pro bono cases
throughout Florida on
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and we believe the justice system works best when it works for everyone.

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