

IN THE TWENTIETH JUDICIAL CIRCUIT IN AND FOR THE STATE OF FLORIDA

IN RE: TWENTIETH JUDICIAL CIRCUIT
PRO BONO STANDING COMMITTEE

ADMINISTRATIVE ORDER
NO. 2.37

WHEREAS, the Supreme Court of Florida has mandated the establishment of a circuit pro bono committee in each judicial circuit, *Amendments to Rules Regulating The Florida Bar-1-3.1(a) and Rules of Judicial Administration-2.065 (Legal Aid)*, 630 So. 2d 501 (Fla. 1993); and

WHEREAS, the Twentieth Judicial Circuit has a strong history of providing pro bono legal services to those citizens of the Circuit in need of such services, though not previously memorialized by Administrative Order;

NOW THEREFORE, in accordance with the authority vested in the Chief Judge pursuant to Fla. R. Jud. Admin. 2.215, and the directive of the Supreme Court of Florida, it is ordered as follows:

1. The Twentieth Judicial Circuit Pro Bono Standing Committee shall be charged with the duty to assess pro bono legal services provided within the Twentieth Judicial Circuit, and to plan, develop, prepare and administer a circuit-wide pro bono attorney plan to ensure that the purposes of Rule 4-6.5, Rules Regulating the Florida Bar (See Attachment A), are fully met.

2. The Twentieth Judicial Circuit Pro Bono Standing Committee shall initially consist of the following members:

- a. The Chief Judge, or designee
- b. The President of the Lee County Bar Association, or designee
- c. The President of the Collier County Bar Association, or designee
- d. The President of the Charlotte County Bar Association, or designee
- e. The President of the Hendry/Glades Counties Bar Association, or designee
- f. Representative of Florida Rural Legal Services, Inc.
- g. Representative of Lee County Legal Aid Society, Inc.
- h. Representative of Legal Aid Society of Collier County, Inc.
- i. Representative of the Office of Guardian ad Litem
- j. The President of the Southwest Florida Federal Bar Association, or designee
- k. Public Members (one or more - as approved and deemed eligible by the Chair)
- l. Client Members (one or more - as approved and deemed eligible by the Chair)

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3. The Chair is authorized to invite and approve other participants to serve as Members of the Committee at the Chair's discretion, and in accordance with the intent and provisions of Rule 4-6.5, Rules Regulating the Florida Bar.

4. The Committee shall have such duties and responsibilities as set forth in Rule 4-6.5, Rules Regulating the Florida Bar.

5. The Committee shall meet as often as is necessary to fulfill its responsibilities, but not less than twice annually.

6. A copy of any plan developed by the Committee, and a copy of any written report required to be submitted to The Florida Bar Standing Committee on Pro Bono Legal Services shall be provided to the Chief Judge.

7. The Honorable Archie B. Hayward, Jr. is hereby designated as the Chief Judge's designee to serve as Chair of the Twentieth Judicial Circuit Pro Bono Standing Committee until such time as the Committee elects its Chair as provided by Rule 4-6.5(c), Rules Regulating The Florida Bar.

8. To the extent that any provision of this Administrative Order may be construed as being in conflict with any law, statute, or rule, the law, statute, or rule shall prevail.

9. This Administrative Order shall be effective immediately.

DONE AND ORDERED in chambers in Fort Myers, Lee County, Florida, this 15th day of September, 2016.

STATE OF FLORIDA, COUNTY OF LEE
FILED FOR RECORD

This 16 Day of Sept Recorded in Circuit
Book 100 Page 97-101 and Record Verified.

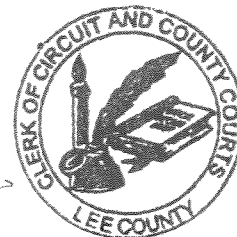
History. - New.

LINDA DOGGETT By [Signature]
Clerk Circuit Court Deputy Clerk

[Signature]
Michael T. McHugh
Chief Judge

I certify this document to be a true and correct copy of the record on file in my office, Linda Doggett, Clerk Circuit/ County Court, Lee County, FL
Dated: 9/16/16

By [Signature]
Deputy Clerk



- ATTACHMENT A -

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RULE 4-6.5 VOLUNTARY PRO BONO PLAN

4 RULES OF PROFESSIONAL CONDUCT

4-6 PUBLIC SERVICE

RULE 4-6.5 VOLUNTARY PRO BONO PLAN

(a) **Purpose.** The purpose of the voluntary pro bono attorney plan is to increase the availability of legal service to the poor. The following operating plan has as its goal the improvement of the availability of legal services to the poor and the expansion of present pro bono legal service programs. The following operating plan was implemented to accomplish this purpose and goal.

(b) **Standing Committee on Pro Bono Legal Service.** The president-elect of The Florida Bar is responsible for appointing a standing committee on pro bono legal service to the poor.

(1) *Composition of the Standing Committee.* The standing committee consists of no more than 25 members and includes, but is not limited to:

(A) 5 past or current members of the board of governors of The Florida Bar, 1 of whom is the chair or a member of the access to the legal system committee of the board of governors;

(B) 5 past or current directors of The Florida Bar Foundation;

(C) 1 trial judge and 1 appellate judge;

(D) 2 representatives of civil legal assistance providers;

(E) 2 representatives from local and statewide voluntary bar associations;

(F) 2 public members, 1 of whom is a representative of the poor;

(G) the president or designee of the Board of Directors of Florida Legal Services, Inc.;

(H) 1 representative of the Out-of-State division of The Florida Bar; and

(I) the president or designee of the Young Lawyers Division of The Florida Bar.

(2) *Responsibilities of the Standing Committee.* The standing committee will:

(A) identify, encourage, support, and assist statewide and local pro bono projects and activities;

(B) receive reports from circuit committees submitted on standardized forms developed by the standing committee;

(C) review and evaluate circuit court pro bono plans;

(D) beginning in the first year in which individual attorney pro bono reports are due, submit an annual report as to the activities and results of the pro bono plan to the board of governors of The Florida Bar, The Florida Bar Foundation, and to the Supreme Court of Florida;

(E) present to the board of governors of The Florida Bar and to the Supreme Court of Florida any suggested changes or modifications to the pro bono rules.

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(c) **Circuit Pro Bono Committees.** There will be 1 circuit pro bono committee in each of the judicial circuits of Florida. In each judicial circuit the chief judge of the circuit, or the chief judge's designee, shall appoint and convene the initial circuit pro bono committee and the committee will appoint its chair.

(1) **Composition of Circuit Court Pro Bono Committee.** Each circuit pro bono committee is composed of:

(A) the chief judge of the circuit or the chief judge's designee;

(B) to the extent feasible, 1 or more representatives from each voluntary bar association, including each federal bar association, recognized by The Florida Bar and 1 representative from each pro bono and legal assistance provider in the circuit, which representatives are nominated by the association or provider; and

(C) at least 1 public member and at least 1 client-eligible member, which members are nominated by the other members of the circuit pro bono committee.

Governance and terms of service are determined by each circuit pro bono committee. Replacement and succession members are appointed by the chief judge of the circuit or the chief judge's designee, upon nomination by the association, the provider organization or the circuit pro bono committee, as the case may be, as deemed appropriate or necessary to ensure an active circuit pro bono committee in each circuit.

(2) **Responsibilities of Circuit Pro Bono Committee.** The circuit pro bono committee will:

(A) prepare in written form a circuit pro bono plan after evaluating the needs of the circuit and making a determination of present available pro bono services;

(B) implement the plan and monitor its results;

(C) submit an annual report to The Florida Bar standing committee;

(D) use current legal assistance and pro bono programs in each circuit, to the extent possible, to implement and operate circuit pro bono plans and provide the necessary coordination and administrative support for the circuit pro bono committee;

(E) encourage more lawyers to participate in pro bono activities by preparing a plan that provides for various support and educational services for participating pro bono attorneys, which, to the extent possible, should include:

(i) intake, screening, and referral of prospective clients;

(ii) matching cases with individual attorney expertise, including the establishment of specialized panels;

(iii) resources for litigation and out-of-pocket expenses for pro bono cases;

(iv) legal education and training for pro bono attorneys in specialized areas of law useful in providing pro bono legal service;

(v) consultation with attorneys who have expertise in areas of law with respect to which a volunteer lawyer is providing pro bono legal service;

(vi) malpractice insurance for volunteer pro bono lawyers with respect to their pro bono legal service;

(vii) procedures to ensure adequate monitoring and follow-up for assigned cases and to measure client satisfaction; and

(viii) recognition of pro bono legal service by lawyers.

(d) **Pro Bono Service Opportunities.** The following are suggested pro bono service opportunities that should be included in each circuit plan:

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- (1) represent clients through case referral;
- (2) interview prospective clients;
- (3) participate in pro se clinics and other clinics in which lawyers provide advice and counsel;
- (4) act as co-counsel on cases or matters with legal assistance providers and other pro bono lawyers;
- (5) provide consultation services to legal assistance providers for case reviews and evaluations;
- (6) participate in policy advocacy;
- (7) provide training to the staff of legal assistance providers and other volunteer pro bono attorneys;
- (8) make presentations to groups of poor persons regarding their rights and obligations under the law;
- (9) provide legal research;
- (10) provide guardian ad litem services;
- (11) provide assistance in the formation and operation of legal entities for groups of poor persons; and
- (12) serve as a mediator or arbitrator at no fee to the client-eligible party.

[Revised: 10/01/2015]

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