

AMENDED AND RESTATED
THIRTEENTH JUDICIAL CIRCUIT PRO BONO PLAN

I. Introduction: The Thirteenth Judicial Circuit Pro Bono Committee (the “Committee”) originally adopted the Thirteenth Judicial Circuit Pro Bono Plan in 1994. This Amended and Restated Thirteenth Judicial Circuit Pro Bono Plan (the “Plan”) is adopted effective as of September 1, 2012 (the “Effective Date”). The intent of this Plan is to provide guidance and a framework for the Thirteenth Judicial Circuit Pro Bono Committee (the “Committee”) pursuant to 4-6.5(c) of the Rules Regulating The Florida Bar. The Plan aims to fulfill the pro bono legal needs of the Thirteenth Judicial Circuit (the “Circuit”) and enable the lawyers of the Circuit to easily fulfill their ethical obligations as set forth in Rule 4-6 of the Rules Regulating The Florida Bar, and to comply with the Florida Supreme Court’s order establishing judicial circuit pro bono committees. *In Re 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). The State pro bono plan and its definitions are incorporated by reference herein. The Rules referred to herein are the Rules Regulating The Florida Bar. The term “pro bono legal services” is not limited to actual case handling. It also includes but is not limited to: service as or on behalf of the guardian ad litem; community legal education to eligible client groups; participating in client intake and conducting interviews of eligible clients; participating in pro se clinics; mentoring or assisting other attorneys in pro bono matters; and presenting legal seminars designed to train other attorneys to handle pro bono cases.

II. Purposes: The Plan’s purposes are to: (1) assure the continuation of existing Supreme Court approved pro bono opportunities within the Circuit; (2) increase the availability of legal services to poor people by recruiting pro bono volunteers and supporting pro bono programs in the Circuit; (3) increase the variety of pro bono opportunities available to lawyers to provide pro bono legal services to the poor; (4) improve the support offered to lawyers who provide pro bono legal services to the poor; (5) foster collaborative relationships among the Courts, pro bono attorneys and organizations providing pro bono services; and (6) recognize the pro bono efforts of attorneys.

III. Committee Makeup:

A. The Chief Judge of the Circuit shall designate the composition of the Committee, which shall consist of individuals and representatives of organizations which shall be specified in Administrative Orders of the Chief Judge. Pursuant to such Administrative Orders, the composition of the Committee may be revised from time to time. As of the Effective Date of this Plan, Administrative Order S-2012-040 is the most recent Administrative Order addressing the Committee. Administrative Order S-2012-040 lists the members of the Committee as of the Effective Date and is attached as Exhibit A and incorporated by this reference. If new

Administrative Orders are issued with respect to the Committee, each such order shall replace the prior order and shall be substituted in Exhibit A.

B. The selection of the client member of the Committee shall be made with the advice of community service providers.

C. The Chief Judge shall appoint the Chair and Vice-Chair/Chair-Elect of the Committee, each of whom shall serve two-year terms. Upon completion of the term as Chair, the Chair shall serve an additional two-year term as Immediate Past Chair.

D. The Chair of the Committee may appoint coordinators to address certain needs of the Committee.

E. Replacement and succession members of the Committee shall be appointed by the Chief Judge or the Chief Judge's designee, upon nomination by the association, the provider organization, or the Committee, as the case may be, as deemed appropriate or necessary to ensure an active Committee.

F. Committee members shall serve for a one (1) year term and may be nominated for additional terms. The Committee shall encourage each Committee, Division and Section of the Hillsborough County Bar Association ("HCBA") and each voluntary bar association within the Circuit to recommend individuals to the Committee who are not the same person who serves as chair of such Committees, Divisions or Sections or as president of such bar associations. The Committee also shall encourage each Committee, Division and Section of the HCBA and each such voluntary bar association to assure that each individual recommended for appointment to the Committee is willing to serve at least two consecutive one-year terms. The Committee shall coordinate with the Committees, Divisions and Sections of the HCBA and with each voluntary bar association within the Circuit to identify potential nominees for appointment to the Committee.

IV. Functions of the Committee: The Committee will work to meet the pro bono needs of the Circuit by: (1) recruiting pro bono volunteers to increase the level of legal services available to the poor people in the Circuit; (2) mobilizing community support for pro bono services; (3) fostering collaborative relationships to promote pro bono services within the Circuit; (4) soliciting input regarding pro bono needs from the community at large and from organizations that serve the poor; (5) recognizing the pro bono efforts of attorneys within the Circuit; and (6) ensuring the availability of training and support for pro bono volunteers. The Committee will perform all of the reporting functions set forth in the Rules.

V. Needs Assessment and Monitoring by the Committee: The Committee is responsible for assessing the civil legal needs of the poor in the community, for establishing case-acceptance priorities, and for monitoring the needs of pro bono service organizations in the Circuit. The priorities shall be in writing. The Committee shall monitor and evaluate the activities, results and costs of the Plan. The Committee will have policy-making authority, and will conduct regular reviews of the Plan's substantive, administrative and financial

performance. The Committee will also recommend new pro bono opportunities, which can be implemented as resources allow. In assessing needs and setting priorities, the Committee shall consider all services and programs currently in place to meet the civil legal needs of the poor. The goal is to avoid duplication of programs. The Committee shall maintain an active and updated list of organizations in the Circuit which provide such legal services. If resources permit, the Committee may direct that a Client Needs Survey be conducted.

VI. Administrator: The Committee shall appoint or create a legally qualified entity (the “Administrator”) to administer the Plan. The Committee shall have the authority to maintain or replace the Administrator. The Committee is responsible for assisting the Administrator in providing legal representation or assistance to the indigent in accordance with the rules adopted by the Florida Supreme Court. Since 1993, the Administrator has been and continues to be Bay Area Legal Services, Inc. (“BALS”), which works jointly with the HCBA in administering the Bay Area Volunteer Lawyers Program (“BAVLP”). The functions of the Administrator will include, but not be limited to, the following:

- Screen and schedule potential clients. BALS staffs a Call Center with nine (9) telephone screeners, most of whom are part-time, who screen and schedule applicants calling from a 5-county service area, and applicants to the Florida Senior Legal Helpline, who may call from any county in Florida. The telephone screeners use web-based equipment and have immediate access, via computer, to all BALS and BAVLP records. Additionally, BALS has a separate Conflicts Department to evaluate applicants for conflicts.
- Conduct client intake and evaluate potential cases. Require on-site staff supervision, support service and office space.
- Refer cases to volunteer lawyers and provide support, including costs of litigation.
- Provide professional liability coverage. This coverage is secondary for those already insured, and is primary for those not otherwise covered.
- Provide substantive legal training and support, including Computer Assisted Legal Research.
- Implement additional pro bono opportunities as directed by the Committee and as funding permits.
- Maintain all quality control measures which are currently in place, including accounting for all funds received by the program.
- Provide support to all lawyers serving eligible clients on a pro bono basis, outside of any organized pro bono program, as resources permit.

VII. Annual Report: The Committee shall submit to The Florida Bar Standing Committee on Pro Bono Legal Services, the annual report described in Rule 4-6.5(c)(2). The Administrator, on behalf of the Committee, will submit the annual report after conducting an assessment of attorney pro bono participation during the preceding year and such annual report shall include a plan for carrying out the pro bono plan in the coming year.

VIII. Meetings: The Committee shall meet at least quarterly to consider and review the Plan, to monitor the success of the Plan, to oversee and allocate funding, and to make recommendations on the community's needs, the possible resources available to meet those needs, and a long-term plan to fulfill the legal profession's obligation to its community. Officers and coordinators may meet more frequently as needed to assist the Committee in fulfilling its responsibilities.

IX. Training: The Committee will sponsor training events to prepare attorneys to handle cases outside their areas of expertise. Experienced judges and attorneys will have the opportunity to teach at seminars since it may be necessary to train attorneys to handle cases outside of their areas of expertise. The Committee will coordinate with the HCBA and other organizations with respect to joint Continuing Legal Education related to pro bono and volunteer topics. The Committee may form a training coordination group within the membership of the Committee.

X. Recognition of Pro Bono Efforts: The Committee will publicly recognize the pro bono services of lawyers. Each year, the Committee shall organize and host an awards ceremony including with state and federal judges, to recognize attorneys, including state and federal practitioners, who have provided a significant number or hours of pro bono service within the Circuit, and to present awards for outstanding pro bono efforts, including but not limited to: (1) Outstanding Pro Bono Service by an Organization; (2) Outstanding Pro Bono Service by a Law Firm; (3) Outstanding Pro Bono Service by a Young Lawyer; (4) Outstanding Pro Bono Service by a Lawyer; and (5) The HCBA Jimmy Kynes Pro Bono Service Award.

EXHIBIT A

Administrative Order of the Chief Judge