

ADMINISTRATIVE ORDER
NO. 2016-03

IN THE CIRCUIT COURT OF THE
NINTH JUDICIAL CIRCUIT, IN AND
FOR ORANGE AND OSCEOLA
COUNTIES, FLORIDA

ORDER GOVERNING PRO BONO SERVICE,
NINTH JUDICIAL CIRCUIT

WHEREAS, pursuant to Article V, section 2(d) of the Florida Constitution and section 43.26, Florida Statutes, the chief judge of each judicial circuit is charged with the authority and the power to do everything necessary to promote the prompt and efficient administration of justice; and

WHEREAS, pursuant to the chief judge's constitutional and statutory responsibility for administrative supervision of the courts within the circuit and to create and maintain an organization capable of effecting the efficient, prompt, and proper administration of justice for the citizens of this State, the chief judge is required to exercise direction, *see* Fla. R. Jud. Admin. 2.215(b)(2), (b)(3); and

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 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 – 1-3.1(a) and Rules of Judicial Administration – 2.065 (Legal Aid)*, 573 So. 2d 800, 806 (Fla. 1990); and

WHEREAS, three years later, the Florida Supreme Court promulgated Rule 4-6.5(c) of the Rules Regulating The Florida Bar providing for the establishment of a pro bono committee in each judicial circuit. *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); and

WHEREAS, the chief judge of each judicial circuit is mandated to appoint and convene a circuit pro bono committee; and

WHEREAS, Administrative Order No. 07-91-28, dated February 28, 1992, styled Administrative Order on Pro Bono Service in the Ninth Judicial Circuit was amended by Administrative Order No. 07-93-24, dated November 23, 1993, styled Amended Administrative Order on Pro Bono Service, due to the implementation of Pro Bono Rules by the Supreme Court as adopted by Opinion dated June 23, 1993; and

WHEREAS, it is necessary for the Chief Judge to re-establish the Ninth Judicial Circuit Pro Bono Committee to assess the legal needs of the indigent in the Circuit, the pro bono resources available, and to develop plans and establish opportunities for attorneys to address those needs;

NOW, THEREFORE, I, Frederick J. Lauten, pursuant to the authority vested in me as Chief Judge of the Ninth Judicial Circuit of Florida under Florida Rule of Judicial Administration 2.215, do hereby order that the following standards, requirements and procedures shall be established for the Ninth Judicial Circuit Pro Bono Committee, **effective immediately**, and to continue until further order:

1. Pro Bono Committee

The Ninth Judicial Circuit Pro Bono Committee (“Committee”) is hereby re-established pursuant to this Administrative Order. Pursuant to Rule 4-6.5(c) of the Rules Regulating the Florida Bar, the Committee shall develop, implement, and administer the Ninth Judicial Circuit Pro Bono Plan. Each member of the Florida Bar who practices in the Ninth Judicial Circuit is encouraged to perform pro bono service by providing free legal service to the indigent (in accordance with the aspirational goals set by the Florida Supreme Court) through the Circuit pro bono plan.

2. Committee Leadership

Under this Administrative Order, the Chief Judge appoints the Honorable Heather Pinder Rodriguez as Acting Chairperson. At the next meeting of the Committee, the Committee will appoint its chairperson and set the terms of such office. The Committee shall elect such other officers as are desired to carry out its duties. The entire Committee shall meet at least once annually and at such other times and locations as are necessary to carry out its duties. Committee meetings may be held via video conference or by such other means as may be available to ensure greater participation and cost effectiveness.

3. Composition of the Committee

The Committee shall consist of the following:

a. Two representatives selected by the Orange County Bar Association, one of whom should be a member of the board of directors and one of whom should be directly involved with the administration or organization of an Orange County Bar Association pro bono organization or event.

b. Two representatives selected by the Osceola County Bar Association, one of whom should be a member of the board of directors and one of whom should be directly involved with the administration or organization of an Osceola County Bar Association pro bono organization or event.

c. One representative from each of the voluntary bar associations within the Ninth Judicial Circuit, including, but not limited to:

- i. American Board of Trial Advocates
- ii. Central Florida Association of Criminal Defense Lawyers
- iii. Central Florida Association for Women Lawyers
- iv. Central Florida Bankruptcy Law Association
- v. Central Florida Chapter of the Christian Legal Society
- vi. Central Florida Family Law Inn of Court
- vii. Central Florida Gay and Lesbian Law Association
- viii. Federal Bar Association (Orlando Chapter)

- ix. The George C. Young American Inn of Court Association
- x. Greater Orlando Asian American Bar Association
- xi. Hispanic Bar Association of Central Florida
- xii. Paul C. Perkins Bar Association

d. One representative from each pro bono and legal assistance provider in the Circuit

whose organization is not otherwise represented on the Committee, including but not limited to:

- i. Harbor House of Central Florida
- ii. IDignity
- iii. Orange County Clerk of Court Self Help Center
- iv. Osceola County Clerk of Court

e. Two representatives selected by the Legal Aid Society of the Orange County Bar Association, one of whom should be a member of the Organization's board of trustees.

f. Two representatives selected by the Legal Aid Society of Osceola, one of whom should be a member of the Organization's board of directors.

g. One representative selected by each of the ABA accredited law schools in the Ninth Judicial Circuit who is directly involved with the law school's pro bono programs or initiatives and/or administering the law school's pro bono legal clinics.

h. At least one public member selected by the Committee.

i. At least one client eligible member selected by the Committee.

j. A judge designated by the Chief Judge who is a resident of Orange County.

k. A judge designated by the Chief Judge who is a resident of Osceola County.

l. The Chief Judge of the Ninth Judicial Circuit or the chief judge's designee.

The Committee may assess committee membership needs, including the number and composition of the Committee. The Committee may extend membership to any other voluntary bar association or organization providing pro bono legal services not identified in this Order without the necessity of amending this Order.

4. Administrator

The Committee may appoint an Administrator to administer the Ninth Judicial Circuit Pro Bono Plan. The Committee has the authority to maintain or replace the Administrator.

5. Annual Report

The Administrator will assist with preparing the required annual report which includes an assessment of attorney participation in the Circuit pro bono plan during the preceding year and a plan for carrying out the Circuit pro bono plan in the coming year.

6. Committee Responsibilities

In meeting its responsibilities under Rule 4-6.5(c)(2) of the Rules Regulating The Florida Bar, the Committee will meet periodically during the year to consider and review the annual report, to oversee and allocate any funding, and to make recommendations on the community's needs, the possible resources available to meet those needs, and its long-term plan to fulfill the legal profession's obligation to its community. The Committee shall develop, implement, and administer the Ninth Judicial Circuit Pro Bono Plan and shall discharge all additional responsibilities imposed by the Florida Supreme Court and pro bono rules. The Committee will submit an annual report to The Florida Bar Standing Committee on Pro Bono Legal Services.

7. Committee Member Responsibilities

Committee members shall be responsible for:

- i. Attending all Committee meetings;
- ii. Collecting information on pro bono services provided by attorneys and/or law students in the Ninth Judicial Circuit through their organization;
- iii. Sharing information on pro bono opportunities and needs in the Ninth Judicial Circuit with the Committee and their organization;
- iv. Promoting pro bono service in the Ninth Judicial Circuit and participation by their organization;
- v. Fostering collaborative relationships to promote pro bono service within the Ninth Judicial Circuit;
- vi. Identifying additional organizations and/or individuals to serve on the Committee;
- vii. Assisting the Administrator with the preparation of the annual report; and

- viii. Performing such other tasks to support and promote pro bono services in the Ninth Judicial Circuit as may be specified by the Committee.

Administrative Orders No. 07-91-28 and No. 07-93-24 are hereby vacated and set aside and have been incorporated and/or amended herein.

DONE AND ORDERED at Orlando, Florida, this 19th day of January, 2016.

_____/s/_____
Frederick J. Lauten
Chief Judge

Copies provided to:

Clerk of Courts, Orange County
Clerk of Courts, Osceola County
General E-Mail Distribution List
<http://www.ninthcircuit.org>