

>> SUPREME COURT OF FLORIDA IS NOW IN SESSION, THE HONORABLE CHIEF JUSTICE CANNADY PRESIDING.
>> THE FIRST CASE ON THE DOCKET IS AMENDMENTS TO RULES REGULATING THE FLORIDA BAR 5-1.ONE G.
FIRST RECOGNIZE MAYDOWNS.
>> I'M THE CHAIR OF THE TASK FORCE ON A GROUP PUT TOGETHER BY THIS COURT AS YOU KNOW IN OCTOBER OF 2019 TO EXAMINE THE STATUS QUO FOR THE USE, DIRECTION, SPENDING, AND DISTRIBUTION OF MONEY PURSUANT TO THE HIGHER PROGRAM AND THE ROLE THAT JUSTICE CANNADY IDENTIFIED.
IN THE CHARGE THAT YOU GAVE US IN THE ADMINISTRATIVE ORDER YOU TOLD US TO LOOK AT THE MOST EFFECTIVE WAY TO DEPLOY IOTA MONEYS AND IN DOING THAT WORK TO CONSIDER ALTERNATIVE DISTRIBUTIONS, TO CONSIDER THE POSSIBILITY OF RECORDING REQUIREMENTS AND KEEPING IN MIND THAT THIS COURT DETERMINED THAT THIS GROUP SHOULD GIVE PRIORITY CONSIDERATION TO THE NEED FOR FUNDING TO LOW INCOME LITIGANTS AND DIRECTED US TO REPORT BACK BY SEPTEMBER 20TH OF 2020, SEPTEMBER 15TH, EXCUSE ME.
IN CONDUCTING THIS WORK WE FORMED A NUMBER OF SUBCOMMITTEES, 12 TIMES OVER 10 MONTHS, WE REVIEWED 5600 PAGES, DOCUMENT AND INFORMATION FROM THE FLORIDA BAR FOUNDATION, THE SOUL DESIGNATED CHARITY OF IOTA MONIES, CONDUCTED A NATIONAL SURVEY OF IOTA PROGRAMS INCLUDING BRITISH COLUMBIA.
THE RESULTS OF THAT SURVEY ARE ATTACHED TO OUR REPORT.
WE HAVE TWO PUBLIC HEARINGS, WE CONSIDER ORAL PRESENTATIONS AND WRITTEN COMMENTS FROM GRANTEEES AND THE FOUNDATION AND WE AMENDED MANY OF OUR INITIAL PROPOSALS BASED ON INPUT WE GOT FROM THE FLORIDA BAR FOUNDATION

AND ITS GRANTEES.

ON MEETINGS OF THE TASK FORCE WERE PUBLIC, DONE IN ADVANCE AND ALL THE INFORMATION, THE HEARINGS WE HELD WERE PUBLISHED TO ALL TO READ AND REVIEW ON OUR WEBSITE.

THE TAX FORCE CONTEXT AND OF JUDGE SCALES WHO HAS SERVED FOR QUITE SOME TIME ON THE FOUNDATION BOARD IS THE BOARD'S LIAISON AND APPOINTMENT, JOHN STUART, THEN PRESIDENT OF THE FLORIDA BAR, AND LONG TIME FOUNDATION BOARD MEMBER.

KAREN, 30 ARE EXECUTIVE DIRECTOR, OLDEST OF ARTISTS IN THE ORGANIZATION, SCOTT THOMAS, FORMER CHAIR OF THE FLORIDA ELECTIONS COMMISSION FROM JACKSONVILLE AND PRESIDENT OF THE FLORIDA BAR FOUNDATION, LONG TIME MEMBER OF THE FOUNDATION AND FLORIDA BOARD OF GOVERNORS, I WAS APPOINTED CHAIR OF THE FLORIDA BAR TO TIME BOARD MEMBER OF THE FOUNDATION AND PRESIDENT OF ORANGE COUNTY LEGAL AID SOCIETY.

THE TASK FORCE MEMBERS, FELLAS OF THE FLORIDA BAR FOUNDATION IN RECOGNITION OF PERSONAL GIVING.

>> COULD I INTERRUPT YOU?

>> I CAN.

>> YOUR TASK FORCE WORK HAS BEEN INCREDIBLE, IT HAS TAKEN A LOT OF HOURS AND TIME TO DO THIS.

I HAD A COUPLE THINGS I WAS HOPING YOU COULD CLARIFY FOR ME. DO YOU KNOW, THIS MIGHT NOT BE INFORMATION YOU HAVE, DURING THE PAST PANDEMIC CRISIS, HAS THE FOUNDATION USED ANY OF ITS RESERVES TO MEET WHAT WE WOULD CALL PRESSING UNEXPECTED NEEDS?

>> BECAUSE THERE IS NO REPORTING REQUIREMENT NONE OF US HAVE MUCH INFORMATION ABOUT SPECIFIC WORKS OF THE FOUNDATION.

THE FOUNDATION DOES A LOT OF GOOD WORK BUT PRIMARILY MONEY TO OTHERS.

I CAN TELL YOU AS A RESULT OF MEETING WITH INDIVIDUAL RELATING

ORGANIZATION MEMBERS THE COVID HAS PROVIDED A CHALLENGE AS YOU CAN IMAGINE, NEEDS CONTINUE TO GROW AND THE MONEYS FOR IOTA HAVE GONE FROM 74 MILLION DOWN TO THE COMING YEARS, 8 MILLION AND CERTAINLY COVID ENHANCED THE NEEDS FLORIDIANS HAVE.

>> DO YOU KNOW IF AT ANY POINT IS THERE ANY INFORMATION WHETHER THE FOUNDATION WENT INTO ITS RESERVES TO ASSIST WITH THE PAST SORT OF CRISIS THAT WE HAVE?

>> I DON'T HAVE ANY WAY OF KNOWING THAT.

THERE ARE NO REPORTING REQUIREMENTS.

WE DON'T KNOW HOW THE MONEYS ARE SPENT.

I DO KNOW THE FLORIDA BAR FOUNDATION ACCESS TO RESERVES OVER THE LAST DECADE WHILE THE MONEYS HAVE CONTINUED TO REDUCE BUT HOW THAT MONEY IS SPENT, KEEP IN MIND THE UMBRELLA THAT DICTATES HOW IT CAN BE SPENT UNDER THE CURRENT STATUS QUO IS IMPROVING THE ADMINISTRATION OF JUSTICE.

THAT'S A HARD BENCHMARK TO MEASURE.

I DON'T KNOW THE ANSWER TO THAT BUT I SUSPECT THEY HAVE ACCESS.

>> MY SECOND QUESTION IS YOUR TASK FORCE RECOMMENDATION REGARDING 10% OVERHEAD COST OF THE PRO BONO ORGANIZATIONS, HOW IS THAT FORMED?

HOW IS THAT PRESENTED ESTABLISHED BY THE TASK FORCE?

>> A DETAILED DESCRIPTION OF THAT, THAT YOU CAN FIND THE APPENDIX OF OUR REPORT IN 85 A WEEK.

BUT A BASIC INFORMATION OF THAT, THE FOUNDATION TESTIFIED AND THIS IS BECAUSE OF THE WORK.

2.5 FTEs, THEY SPENT TIME ADMINISTERING AND DISTRIBUTING IOTA.

THE FOUNDATION TESTIFIED THEY DID OTHER THINGS SO IN OUR ASSUMPTION ABOUT OVERHEAD WE DID TWO THINGS.

ONE IS WE IDENTIFIED SPECIFIC OVERHEAD ITEMS IN THE PROPOSED RULE AND SECONDLY, WE SAID THAT THERE IS A OF 15% AT THE FOUNDATION LEVEL, 10% AT THE GRANTEE LEVEL.

BECAUSE THE FLORIDA BAR FOUNDATION REPORTS THEY SPENT 11.3% OF MONIES ON OVERHEAD WE FELT VERY SAFE WITH THE 15% WHICH IS AN EASY MAP OF \$10 MILLION, WOULD BE 1 MILLION AND A HALF DOLLARS AND KEEP IN MIND THERE IS NO CHARITY I KNOW OF WHO GET THEIR MONEY UNBIDDEN. MOST CHARITIES HAVE TO SPEND 10 TO 40 OR MORE% OF OVERALL EXPENSES TO GET DONATIONS.

WE HAVE BEEN THE RECIPIENTS OF CALLS, ADVERTISEMENT AND EVENTS TO SOLICIT DONATIONS, THESE MONEYS COME TO THE GRANTEES YOU IDENTIFY AND ALSO THE FOUNDATION BY OPERATION OF LAW SO WE FEEL VERY COMFORTABLE 15% IS MORE THAN ENOUGH FOR THESE MONEYS, MORE THAN THE FOUNDATION SAYS THAT IT IS BUT KEEP IN MIND THE PROPOSED SPECIFICALLY STATES UPON APPLICATION TO THE COURT THERE ARE VARIANTS, SPECIFIC CRISES AND OTHER EXPENDITURES TO BE APPROVED.

>> BACK TO A COUPLE BACKGROUND POINTS I DID TO FOCUS ON THE ESTABLISH, THERE IS NO RESTRICTION OF ANY KIND AT ALL IN LAW AND NOT EVEN A DESCRIPTION WITH THE MONEYS ARE TO BE USED FOR.

THIS COURT MADE MANDATORY THE IOTA TRUST ACCOUNT PROGRAM, THE PURPOSE OF THE IOTA PROGRAM WAS TO EXPAND THE DELIVERY OF LEGAL SERVICES TO THE CORE IN FLORIDA. OVER TIME AS THE COURT'S ADMINISTRATIVE ORDER IDENTIFIED, GREW TO INCLUDE IMPROVE THE ADMINISTRATION, THE FLORIDA BAR FOUNDATION IS THE SOUL DESIGNATED CHAIR READY, THERE IS NO REPORTING REQUIREMENT, THERE IS INCREASING NEED OF FLORIDIANS TO ACQUIRE ASSISTANCE, HOUSING

MATTERS, FAMILY LAW MATTERS,
MATTERS INVOLVING CHILDREN FOR
GUARDIANS AD LITEM ETC..

THE ORIGINAL ORDER OF 1981 ALSO
STATED THE FOUNDATION COULD NOT
CARRY ON ANY PROPAGANDA, AN
INTERESTING WORD, AND COULD NOT
ATTEMPT TO INFLUENCE
LEGISLATION.

I MENTIONED THAT BECAUSE IT
SEEMED TO US IN DOING OUR WORK
THAT THE SAFEST AND MOST PRUDENT
WAY TO SEND IOTA MONEYS WAS TO
SUSPEND THEM AND PROVIDE LEGAL
SERVICES TO THE POOR.

IT IS THE PUREST AND SIMPLEST
AND MOST OBJECTIVELY MEASURABLE
WAY TO SPEND THESE MONIES AND
SPENDING THE MONIES IN THAT
FASHION SHOULD INSULATE THESE
MONIES FROM BEING A SUBJECT OF
CRITICISM ABOUT SPEECH OR
COMPELLED ASSOCIATION OR
JURISPRUDENTIAL MATTERS WE SEE
DEVELOPING IN THE LAW.

>> SORRY TO INTERRUPT.

I KNOW WE ARE OVER THE TIME,
MIND IF WE ASK A QUESTION?
IS IT OKAY?

>> GO AHEAD.

>> I JUST WANT TO THANK YOU AND
THE REST OF THE TASK FORCE FOR
PUTTING TIME AND THOUGHT INTO
THIS.

A LOT OF YOUR RECOMMENDATIONS
ARE REALLY JUST KIND OF A GOOD
FAITH EFFORT TO RESPOND TO AT
THE COURT ASKED YOU TO DO AND
THE TONE OF IT, A LOT OF THE
RESPONSE TO THIS YOU WOULD THINK
YOU GUYS RECOMMENDED OUTLAWING
SUNSHINE OR SOMETHING, SOME OF
THE RESPONSES WERE BORDERLINE
UNCIVIL AND SINCE TIME IS SHORT
I WANT TO GET YOUR TAKE ON A BIG
PICTURE ON TO EXPLAIN WE HAVE 7
PEOPLE ON THIS COMMITTEE WHO
SHARE THE SAME GOALS AND
DEDICATED A LOT OF THEIR
PROFESSIONAL LIVES TO THE SAME
OBJECTIVES AS THE COMMENTERS AND
THE WAY THE PROPOSAL HAS BEEN
RECEIVED YOU WOULD THINK YOU
ASKED A BUNCH OF ALIENS TO LOOK

AT THIS AND I WOULD APPRECIATE YOUR BIG PICTURE TAKE TO HELP US UNDERSTAND WHY THIS DEBATE IN FRONT OF US IS PLAYING OUT THE WAY IT IS.

>> LOOK.

WE UNDERSTAND FOR 40 YEARS THESE MONIES HAVE DROPPED AS I SAID EARLIER UNBIDDEN.

GRANTEES AND CEOs.

WE UNDERSTAND THIS CHANGE IS ONE THAT WILL MAKE A BIG DIFFERENCE IN THEIR LIVES AND WE ATTRIBUTE SUBSTANTIAL HEARING WE HAD, MEMBER OF THE FOUNDATION, QUESTION WHO GOT THE ORDER WHICH IS SOMETHING I NEVER HEARD ANYBODY COMMENT UPON OR SUGGEST.

>> I CONFESS I WROTE THE ORDER WITH THE COURT'S INPUT.

>> IT SAID SO AT THE TOP AND THE BOTTOM.

I MENTION THAT BECAUSE IT IS SUBSTANTIAL CHANGE, THIS IS A SIGNIFICANT RESTRICTION WITH THE FOUNDATION HAS BEEN ABLE TO DO, UNDER OUR RULE THERE WILL BE REPORTING REQUIREMENTS, OVERHEAD, MANDATORY DISTRIBUTION IN A RELATIVELY SHORT TIME, 6 MONTHS, EXTENSIVE INFORMATION ABOUT MEASURING THE EFFICIENCY OF THIS PROGRAM, THAT REPRESENTS A SUBSTANTIAL CHANGE, NO ONE WAS GOING TO COME BEFORE US OR APPEAR BEFORE YOU TODAY HAS ANYTHING BUT THE BEST INTEREST OF FLORIDA'S POOR IN THEIR HEARTS BUT THAT POINT TAKES US TO THE FINAL POINT AND I APPRECIATE THAT.

IMPROVEMENT OF THE ADMINISTRATION OF JUSTICE CAN BE MEASURED NO MORE EFFECTIVELY THAN ONE COULD MEASURE THE SKY. IT IS A SUBJECTIVE DETERMINATION, IF ALL OF US TOOK A QUICK COFFEE BREAK, WE ARE LUCKY IF 2 OF US AGREE ABOUT THE BEST WAY TO IMPROVE THE ADMINISTRATION OF JUSTICE BUT NOBODY IN GOOD FAITH CAN DISAGREE THE TRANSPARENT REPORTING REQUIREMENTS HEIGHTEN

EFFECTIVENESS AND OBJECTIVE MEASURES WORK BEST AND THE CLOSEST NEXUS TO THE ORIGINAL PURPOSE OF THESE ORIGINAL FUNDS IS TO PROVIDE LEGAL SERVICES, WE DON'T CONSIDER ANYTHING ABOUT ANY OF THOSE MATTERS TO BE CONTRARY.

I THINK AT HEART NOBODY THINKS OF THOSE GOALS ARE BAD IN ANY WAY.

I EXCEEDED MY TIME, WE CAN SEE OUR ROLE IN THE TASK FORCE.

>> GO AHEAD.

>> I HAVE HAD SOME INTERNET TECHNICAL ISSUES AND HOPEFULLY I CAN STAY THROUGHOUT THIS AND I THANK THE COMMITTEE FOR YOUR HARD WORK AND EFFORTS AND I HAVE SOME MORE TECHNICAL QUESTIONS.

IF I UNDERSTAND CORRECTLY HYPOTHETICALLY IF SOMEONE STARTED DIRECT LEGAL SERVICES ORGANIZATION AND HAD TWO ATTORNEYS AND SUPPORT STAFF AND ALL THEY DID, THE SERVICES WE ARE TALKING ABOUT AND THE CLIENTS WHO CANNOT AFFORD CIVIL REPRESENTATION.

SAY IT COST 160,000 A YEAR AND THEY WERE ABLE TO HELP PEOPLE AND SOMEONE ELSE HAS A MODEL WHERE THEY HIRE TWO PROFESSIONALS AND SUPPORT STAFF WHO RECRUITS AND TRAIN ATTORNEYS TO PROVIDE PRO BONO SERVICES AND THEY ARE ABLE TO GET A LARGE NUMBER OF ATTORNEYS AND SAY THEY HAVE 50 TO 100 VOLUNTEERS, AND ABLE TO PROVIDE SERVICES TO 2000 CLIENTS A YEAR, AND A LOT OF THEM SAY WHAT WAS PROPOSED WITHIN HER -- PROHIBIT THAT INNOVATION OF LEGAL SERVICES AND IT WOULD NOT AND COMMENTS MAKE IT CLEAR BUT CAN YOU ADDRESS THAT.

>> THANK YOU, JUSTICE LAWSON. WE WORKED HARD TO HAVE THE WILL AFFECT THE EDUCATION THAT SOME OF US OBTAIN IN STUDYING HOW LEGAL SERVICES ARE PROVIDED AND YOU SET OFF TO HYPOTHETICALS THAT SPAN THE OPTIONS AVAILABLE.

AND WE HAVE MANDATORY PRO BONO FOR VOLUNTARY BAR ASSOCIATION AND ONE THING WE DO VERY WELL AS YOU WELL KNOW IS GET LOTS OF VOLUNTEERS PURSUANT TO THE MANDATORY PROGRAM IS EXTEND LEGAL SERVICES, WE EXPRESSLY STATED IN THE RULES THAT OUR LEASE SERVICES FACILITATED, NOT JUST PROVIDED BUT FACILITATED SHOULD BE A REPORTING REQUIREMENT AND CONSIDERATION OF SELECTION OF GRANTEES, BOTH OF THOSE THINGS ARE REJECTED FOR THE CONSENSUS RULE WHICH IS CODIFICATION OF THAT AND USE THAT TO FACILITATE 3 TIMES.

>> IT IS A QUALIFIED GRANTEE ORGANIZATION OR DIRECTLY PROVIDES.

>> THOSE WORDS WERE USED TO ADDRESS THE EXACT CIRCUMSTANCES THAT YOU IDENTIFIED.

THERE ARE SMALL ORGANIZATIONS PARTICULARLY IN RURAL CASES THAT NEED TO USE VOLUNTEERS TO EXTEND THEIR REACH AND THAT IS WHY WE USE THAT REPEATEDLY.

BOTH IN THE DESCRIPTION OF GRANTEES AND DESCRIPTION OF EXPENSES THAT WOULD PROPERLY BE USED.

>> I HAVE A FOLLOW-UP TO THAT AND INTERNAL RULES PROHIBIT WHILE THE CASE IS, I AM LOOKING SPECIFICALLY AT SUBDIVISION 9 WHICH TALKS ABOUT USE OF IOTA FUNDS.

IT WAS THE 10% OF IOTA FUNDS. AND I'M WONDERING IN THAT PARTICULAR SECTION IF WE SHOULD SAY QUALIFIED GRANT AND I WILL READ IT, MUST EXPEND 90% OF IOTA FUNDS TO FACILITATE QUALIFIED LEGAL PROVIDERS PROVIDING OR FACILITATING QUALIFIED LEGAL SERVICES.

>> WE WOULD HAVE NO OBJECTION TO THAT.

THAT WOULD PUT A FINAL POINT ON THE DISCUSSION THAT WE JUST HAD.

>> THEN I'M WONDERING TO CLARIFY FURTHER IF A QUALIFIED GRANTEE ORGANIZATION MUST EXPEND NO MORE

THAN 10% OF THE IOTA FUNDS RECEIVED FOR GENERAL ADMINISTRATIVE EXPENSES NOT DIRECTLY SUPPORTING THE PROVISION OF QUALIFIED LEGAL SERVICES AND THEN GO ON AND ESTABLISH THE RESERVES AND THE REASON THE MONIES SUPPORT TO FACILITATE LOOK LIKE GENERAL ADMINISTRATIVE EXPENSES AND LOOK LIKE ADMINISTRATIVE EXPENSES, IF WE SEPARATE GENERAL ADMINISTRATIVE EXPENSES AND MAKE CLEARER EXPENSES THAT ARE DIRECTLY SUPPORTING THE PROVISION OF LEGAL SERVICES ARE NOT GENERAL ADMINISTRATIVE EXPENSES THAT I THINK THAT MIGHT HELP CLARIFY.

I WANTED YOUR REACTION TO THAT.

>> WE SPENT A LOT OF TIME TRYING TO GET THIS RIGHT.

WE HAVE NO PRIDE OF AUTHORSHIP. ANYTHING THAT CLARIFIES THE OVERALL INTENT, IS TO PUT AS MUCH MONEY IN THE HANDS OF ORGANIZATIONS THAT CAN PROVIDE LEGAL SERVICES DIRECTLY OR THROUGH FACILITATION IT THAT YOU IDENTIFIED AS WE ARE TRYING TO ACCOMPLISH.

>> SOMETHING ELSE, JUSTICE LAWSON.

>> THIS IS DEFINING WHAT CONSTITUTES QUALIFIED, FACILITATE LEGAL SERVICES AND IN COLLUDING TECHNOLOGY NECESSARY, FOR QUALIFIED LEGAL SERVICES WOULD YOU SEE ANY PROBLEM WITH THAT?

>> I WOULDN'T PARTICULARLY, NOT DIRECT LEGAL SERVICES, VERY QUICKLY YOU CAN MUSHROOM CATEGORY EXPENSES IF YOU DON'T HAVE QUALIFYING WORDS. THAT WOULD WORK FINE.

I WOULD NOTE HERE I AM, EVERYTHING YOU SAID WOULD HAVE THE SUPPORT OF OUR TASK FORCE. AND REMIND THIS COURT THE TASK FORCE UNANIMOUSLY APPROVED OUR REPORT THE PROPOSED RULE AND UNANIMOUSLY APPROVED OUR RESPONSE AND I MENTIONED THAT IN

PART TO GO BACK TO THAT POINT THAT WHEN THERE HAS BEEN CRITICISM IN THE STATUS QUO, OUR GROUP, EXECUTIVE DIRECTOR LEGAL AID GROUP, THE PRESIDENT OF THE FOUNDATION, ALL OF US VOTED FOR WHAT WE DID.

>> WE NEED TO MOVE ON, THANK YOU FOR YOUR PARTICIPATION AND LEADERSHIP OF THE TASK FORCE AND APPRECIATE ALL THE WORK OF THE TASK FORCE.

>> THANK YOU ALL.

>> MISTER HALL.

>> MY NAME IS TOM HALL AND I REPRESENT THE ASSOCIATION, ONE HOUSEKEEPING THING, MISTER MCDONALD FROM THE BUSINESS LAW SECTION HAS A HEALTH ISSUE, APOLOGIZES TO THE COURT BUT IF THERE ARE ANY QUESTIONS DIRECTED TO THEM AND ANSWER THAT QUESTION.

>> THE COURT SUMMARIZED TO SOME EXTENT THE QUESTIONS THAT WERE ASKED AND THE PROBLEM IS WE HAD, THIS WAS THE MOST SIGNIFICANT CHANGE MADE TO THIS RULE SINCE ITS INCEPTION.

IF IT IS TRULY DEVASTATING TO THEM IN THE WAY THEY DO THEIR BUSINESS AND THEIR ABILITY TO PROVIDE LEGAL SERVICES TO THE BOARD.

THE QUESTIONS JUSTICE LAWSON ASKED, WE RAISED THIS ISSUE, TO ONLY GO TO OVERHEAD 10% AND TRAINING AND THE RESPONSE BACK TO OUR COMMENTS.

>> LATE HEARD WHAT JUSTICE LAWSON ASKED AND WHAT MISS DOWNS SAID, THE PROBLEMS YOU PREVIOUSLY IDENTIFIED.

>> IT WOULD GO CLOSE TO THE PROBLEM WE ARE SOLVING ABOUT THE OVERHEAD BUT WE ARE LISTENING.

>> IF YOU WOULD IT WOULD BE HELPFUL TO EXPLAIN HOW THAT SOLUTION THAT ARE UNADDRESSED.

>> IF YOU DEFINE WHAT IT GOES TO, THAT WOULDN'T, THE 10% LIMITATION WOULD NOT APPLY ON TRAINING AS PROVIDED TO QUALIFIED LEGAL SERVICE

PROVIDERS, LAWYERS ONLY SO IF YOU HAVE \$2 MILLION CASE MANAGEMENT SYSTEM AND STATS SHOW LAWYERS USE 50% OF THE TIME CAN YOU WRITE OFF 50% OF THE TECHNOLOGY COSTS FOR THE WHOLE THING BECAUSE LAWYERS ARE USING IT AND THE THINGS JUSTICE LAWSON WERE ASKED, NOT SEEING THEM AND RESPONDING TO THEM EXACTLY, NOT SURE THAT SOLVES THE PROBLEM. IN FLORIDA BUT AROUND THE COUNTRY, THE USE OF IOTA FUNDS FUNDS THE OVERHEAD.

LEGAL ORGANIZATIONS GET GRANTS FROM OTHER PEOPLE AND HAVE A LOT OF STRICT RESTRICTIONS ON THEM WITH THOSE THINGS.

IOTA FUNDS HAVE BEEN USED IN THE PAST TO PAY THE OVERHEAD.

THIS PROCESS HAS BEEN NO CRITICISM OF THE LEGAL AID ORGANIZATIONS AND WHAT THEY ARE DOING IN THE STATE AND PROVIDING SERVICES TO THE POOR.

THAT'S NOT PART, WASN'T PART OF THE REPORT.

>> THE RULE IS INTENDED TO BE CLARIFY, 10% TO GENERAL OVERHEAD, DOES NOT INCLUDE MONEYS USED TO FACILITATE DIRECTLY FACILITATE THE PROVISION OF LEGAL SERVICES.

NOT UNDERSTANDING WHY THAT WOULDN'T SOLVE THE PROBLEM.

>> A VERY ARBITRARY THAT YOU HAVE NO BASIS IN FACT FOR SELECTING.

THREE MEMBERS OF THE TASK FORCE COMMENTED AT MEETINGS THEY HAD AND THEY THOUGHT WAS AN ARBITRARY NUMBER.

THERE IS A DISCUSSION IN THE APPENDIX WE SUBMITTED AROUND 155, A NUMBER OF THEM ARE TALKING ABOUT WE NEED A SUNSET PROVISION A 2-YEAR STUDY PROVISION, THEY SPECIFICALLY SAID WHAT THE OUTCOME IS GOING TO BE, THEY DIDN'T ANALYZE IF YOU IMPOSE THIS 10% AND IF YOU MAKE THE ADDITIONS WE ARE SUGGESTING, THEY DON'T REALLY KNOW HOW THAT AFFECTS THAT.

THAT IS WHAT BUSINESS LAW
SECTION IN THEIR COMMENTS.

THERE SHOULD BE BUSINESS
ANALYSIS TO AFFECT THEM.

IS THAT GOING TO HURT THE BLUE
TO RUB SERVICES TO THE CORE?
THERE IS A PROGRAM ABOUT USE OF
RESERVE FUNDS.

I DON'T KNOW THE ANSWER TO THAT,
AND PART OF THAT, THERE IS A
PROGRAM CALLED FLORIDA EITHER
FICTION HELP THAT LEGAL AID
ORGANIZATIONS HAVE ARE PEOPLE
BEING EVICTED AND GO ONLINE AND
SOMETHING THE SYSTEM DOES IS
PROVIDE AN ANSWER TO ANY FICTION
PROCESS AND BETWEEN AUGUST OF
LAST YEAR AND FEBRUARY, THE
LITIGANTS HAD GONE ON THE
SYSTEM, TO THE INFECTION
PROCEEDING.

AND DISALLOWING THE SYSTEM, THE
LATE ORGANIZATIONS HEADED BY
ATTORNEY.

AND CERTIFYING COMPLIANCE, THEY
HAVE A CONSERVATIVE APPROACH TO
HOW THEY DO THIS, VIOLATING THIS
RULE IF A PARALEGAL HELP
SOMEBODY TO LOVE A LEGAL FORM
AND HAVE ADMINISTRATIVE SYSTEM
WHO HELP SCHEDULE ATTORNEYS OR
ANSWER FUNDS FOR THEM.

>> SORRY TO INTERRUPT BUT LET ME
ASK IT SEEMS THESE CHANGES FALL
INTO 3 BASIC BUCKETS, THE
DEFINITION ON THE SCOPE, THE
OTHER IS THE OVERHEAD ISSUE, THE
10% THING IN THE FINAL THING IS
THE REPORTING.

>> MY IMPRESSION IS THERE IS
CONSENSUS ON BOTH SIDES I.
YOU WANT AS TO THE WILL, AS
CLARIFIED THE WAY THE TASK FORCE
RESPONDED TO YOU.

DO YOUR CLIENTS, UNDERSTAND THE
COMMENTS THE COMMENTERS THAT
COALESCED BEHIND WHATEVER THE
PROPOSAL IS.

FROM YOUR CLIENTS IN PARTICULAR
IS IT FAIR TO SAY, NOT ADVERSE
TO YOUR MISSION WHAT IOTA FUNDS
CAN DO TO PROVIDING SERVICES TO
PEOPLE TO REPRESENT PEOPLE TO
REPRESENT LEGAL PROBLEMS.

>>

>> THEY ARE MORE EFFECTIVE BY HAVING PARALEGALS AND OTHERS THAT ARE DEVELOPING.

>>, THE ADMINISTRATIVE THE JUSTICE CATEGORY, AND DON'T HAVE A DOG IN THAT FIGHT.

>> THAT IS PROBABLY CORRECT.

>> THAT IS ALL I NEEDED TO KNOW.

>> ADMINISTRATIVE JUSTICE THINGS HELP US OVERALL, VERY LITTLE THOSE FUNDS THAT HAVE GONE, 10% ADMINISTRATIVE JUSTICE GRANT AND THAT WAS 500,000 OF THE TOTAL AMOUNTS --

>> THE IOTA FUNDS IN GENERAL?

>> IT IS MY UNDERSTANDING THERE IS 500,000 OUT OF THE TOTAL.

>> WHICH SUGGESTS THE SKY IS FALLING TYPE COMMENTS RELATED TO THAT ARE RELATED, WERE NOT PERSUASIVE.

>> TO THE EXTENT THAT IT IS PRESENTED AS A HUGE CATASTROPHIC LAW IN THE TASK FORCE RECOMMENDATION, THAT SEEMS TO UNDERCUT THAT.

>> THAT IS THE PROBLEM BECAUSE GOING FORWARD, THAT IS THE PROBLEM WITH IT.

AND THAT IS ONE OF THE BIGGEST FLAWS IN THE SYSTEM. AGAINST RESERVES AVAILABLE, SO WE HAVE CONTINGENCIES FOR HURRICANES OR THE EVICTION THING, WHICH WILL REACH AHEAD, AND THERE ARE NOT RESERVES TO SUDDENLY DEVOTE TO THOSE KINDS OF THINGS, THAT WILL BE VERY DIFFICULT.

>> THE PROPOSAL MAKES RESTRICTIONS, ON THE IOTA FUNDS GENEROUS PEOPLE DONATE, THEY DONATED THE MONEY AND FOUNDATION AT OTHER PROVIDERS, THEY USE THOSE FUNDS WITHOUT ANY RESTRICTION FROM RULES TO PREPARE FOR RESERVES.

CAN THEY NOT?

>> WHAT THEY HAVE DONE IN THE PAST IS TAKE TWO SETS, AND THAT IS A -- THAT HELPED US IN THE PAST.

IF IT HADN'T BEEN FOR THOSE

RESERVES, THE LEGAL AID
FOUNDATION WILL BE ALMOST
SHUTDOWN.

I THINK IT IS SHORTSIGHTED TO
SAY YOU CAN'T HAVE RESERVES OR
USE IOTA FUNDS.

FROM A BUSINESS JUDGMENT, A VERY
VERY IMPORTANT THING TO DO.

>> I DON'T THINK IT IS CORRECT
TO SAY THEY PROHIBIT THESE
ENTITIES FROM HAVING RESERVES.
I DON'T SEE THAT ANYWHERE.

>> WHAT HAPPENS IS BECAUSE I
AGREE IT DOESN'T PROHIBIT IT BUT
IF YOU CAN'T USE THE IOTA MONEY
FOR THAT THAT CREATES PROBLEMS.
I WANT TO TOUCH ON THE ISSUE,
THE BIGGEST PROBLEM IN THE
AMENDMENT THEY CAME BACK WITH,
THAT IS GOING TO BE CONSIDERED
MONEY GIVEN TO THE GRANTEES
UNDER THE IRS CODE AND IT IS
VERY CLEAR UNDER THE CODE
SOMEBODY LIKE THE FOUNDATION
GIVES THIS MONEY TO PAY BACK THE
STUDENT LOANS THERE IS NO TAX
CONSEQUENCE TO THE ATTORNEY WHO
GETS THAT MONEY.

IF THE MONEY IS PAID TO THE
GRANTEE WHICH IS WHAT THIS SEEMS
TO SUGGEST IS GOING TO HAPPEN,
IF IT IS PAID TO THE GRANTEE AND
THEY GIVE THEM THE MONEY, IT IS
A TAXABLE CONSEQUENCE, THAT
SEEMS TO ME TO BE A WASTE OF
IOTA MONEY TO HAVE IT PAY TAXES
WHEN THE PROVISION ABOVE IT, ONE
SECTION ABOVE IT SAYS IF THE
FOUNDATION GIVES THE MONEY
DIRECTLY TO THEM THEY DON'T HAVE
TO PAY TAXES.

WE THINK IT WOULD BE BETTER TO
SAY SOMETHING LIKE INSTEAD OF
WHAT THEY SAID IN RESPONSE TO
SIBLEY SAY SOMETHING LIKE --

>> WHERE ARE YOU EXACTLY?

>> I AM SORRY?

WHAT?

>> CAN YOU POINT TO ME THE
PARAGRAPH YOU ARE DISCUSSING?

>> I CAN'T, ONE SECOND.

THAT IS IN THE NOTE.

IT GOES -- I DON'T HAVE THE
EXACT PAGE.

IT IS IN THEIR RESPONSE TO THE COMMENTS THEY HAVE THAT EXACT LANGUAGE.

I THOUGHT I HAD IT HERE AND I WILL TRY TO FIND IT BEFORE WE ARE DONE AND ASK SOMEBODY ELSE. IT IS REALLY CLEAR IF IT GOES TO THE GRANTEE AND THE GRANTEE PAYS TO THE ATTORNEY, THERE WILL BE A TAX CONSEQUENCE AND WE THINK THAT COULD BE COVERED BY SAYING THERE'S NOTHING IN THIS RULE THAT SAYS YOU CAN'T CONTINUE THE PROGRAMS, THAT SEEMS TO SOLVE IT AND THAT IS NOT OVERHEAD FOR EXAMPLE.

THAT WOULD SEEM TO COVER IT. I WOULD URGE THE COURT NOT TO ADOPT THE ROULETTE IF YOU'RE GOING TO ADOPT THE RULE ADOPT A CONSENSUS RULE?

>> MAY IT PLEASE THE COURT, IRAQ PRESENT 26 PAST PRESIDENTS OF THE FLORIDA BAR FOUNDATION AND THANK THE COURT AND THE TASK FORCE, PEOPLE WHO LOVE FLORIDA AND DISAGREE ABOUT THE POLICY AND KEEP FOCUS ON THAT.

I THOUGHT JUSTICE MINIS SUMMED UP THE THREE AREAS REALLY WELL FOR THE DISCUSSION TODAY. ONE IS THE REPORTING, STILL WHAT WE CALL THE DEFINITIONAL ISSUES WITH RESPECT TO LEGAL SERVICES PROVIDED AND THREE, WHAT I DID TO FOCUS ON IN MY DISCUSSION WITH YOU ARE THE 6-MONTH EXPENDITURE, AND HERE IS WHERE THE TASK FORCE IS NOT PROVIDED ANY ANALYSIS OR EVIDENCE FOR THE NUMBERS THAT HAVE BEEN SELECTED HERE.

AS THE COURT IS AWARE, 49 JURISDICTIONS, BRITISH COLUMBIA, AUSTRALIA, HAVE THESE PROGRAMS AND THERE IS NO EVIDENCE FOR ANY PROGRAMS ANYWHERE WHERE THESE NUMBERS WERE TAKEN FROM AND IF YOU GO TO PAGES 248 AND 249 OF THE APPENDIX MISTER HALL'S CLIENTS SUBMITTED YOU WILL SEE THE TRANSCRIPT OF THE TASK FORCE MEETING OF AUGUST 14TH, 2020, THREE MEMBERS, CAN SAY THESE

NUMBERS WERE ARBITRARY AND I HAVE HEARD SOME GOOD SUGGESTIONS FROM THE COURT FOR PERHAPS REWORKING THE DEFINITIONAL ISSUE AND THE SECONDARY CATEGORY AND I URGE THE COURT TO SEND THIS BACK TO THE TASK FORCE, WITH SOME DIRECTION ON THESE ISSUES, THE REAL CONCERN AMONG THE 12 FLORIDA-BASED COMMENTERS, FOCUSED ON THESE ARBITRARY CAPS ON THE 6-MONTH EXPENDITURE REQUIREMENT.

WE DON'T KNOW HOW THIS IS GOING TO IMPACT, WE ARE TAKING ON A GRAND EXPERIMENT WITHOUT ANY -->> JUST FOR THE SAKE OF ARGUMENT, ON OVERHEAD EXPENDITURES THAT WOULD BE ACCEPTABLE FROM YOUR PERSPECTIVE AND IF NOT WHY NOT?

>> I THINK A HARD MAKES SENSE, SOME OF THE CHARTS WE SHOWED, IT IS NOT STEADY.

DURING TIMES, MAKE MORE SENSE FOR THAT NUMBER TO GO UP, YOU HAVE THE SAME OVERHEAD, THE LEGAL AID PROVIDERS, BOTH THE FOUNDATION AND LEGAL AID PROVIDERS MADE CLEAR THAT THESE CAPS WILL BE DETRIMENTAL.

>> WHAT I'M TRYING TO ESTABLISH, TELL ME IF YOU DISAGREE WITH THIS, SAY YOU SENT IT BACK FOR FACTUAL STUDY AND THE SAME TASK FORCE SPENT ANOTHER YEAR AND WENT BACK AND SAID THE DATA THEY HAVE NOW COLLECTED SHOWS THAT MOST LEGAL AID SOCIETIES MAKE DO WITH 7% OF THEIR OVERHEAD AND THEREFORE WE BELIEVE THE APPROPRIATE NUMBER IS 8% OR 9% OR 11%, YOU WOULD BE BEFORE US MAKING THE SAME ARGUMENTS. AM I RIGHT?

>> YES.

THINGS LIKE YOU SEE IN THE STRATEGIC RESET WHICH YOU SEE ON THE FOUNDATION WEBSITE IS THE IMPACT OF THE DOLLAR.

JUSTICE LAWSON GAVE AN EXAMPLE A MOMENT AGO, YOU SHOULD BE TRYING TO FIGURE OUT HOW MUCH BANG FOR OUR BUCK WE ARE GETTING NOT ON

THE OVERHEAD.

MANY CLIENTS HAVE SERVED LEGAL AID BOARDS AND THAT LEGAL AID I WOULD SAY OTHER THAN THE EXECUTIVE DIRECTOR THE MOST IMPORTANT PERSON IS THE CHIEF FINANCIAL OFFICER.

THEY ARE THE ONES WHO KEEP THIS RUNNING.

THEY ARE THE EXECUTIVE OFFICER OF THE SHIP.

ARE THEY PROVIDING DIRECT LEGAL SERVICES, AND THERE IS ALWAYS THE INFRASTRUCTURE, THEY GET THE GRANTS THAT ARE MORE RESTRICTED.

IF WE DON'T HAVE A SOLID FINANCIAL OFFICER IN PLACE, YOU DON'T HAVE TO GROW AND EXPAND THE LEGAL AID AND DON'T HAVE SOLID FOUNDATION FOR THE BUILDING, THOSE MIGHT BE CONSIDERED JUSTICE, BUT THE QUESTION NOT TO BE WHAT IMPACT WE ARE MAKING ON LOW INCOME FLORIDIANS, NOT SOME ARBITRARY NUMBER ON ADMINISTRATIVE OVERHEAD WHERE YOU GET ON TO ALL KINDS OF LAWYERLY DEBATES WE HAVE BEEN HAVING ON THE DEFINITIONAL SECTION ABOUT WHAT IS DIRECT LEGAL SERVICES OR NOT AND WE GAVE SOME EXAMPLES OF THAT, THE APPELLATE HANDBOOK FUNDED BY FUNDS IN THE PAST. IS THAT DIRECT LEGAL SERVICE? DOES IT FACILITATE DIRECT LEGAL SERVICES THE KNOW.

DOES IT HAVE A GREAT IMPACT? YES.

IT IS USED BY MANY PEOPLE, BANKRUPTCY BASIS THAT THE PRO BONO COMMITTEE TALKS TO YOU ABOUT.

SO THAT OUT TO BE THE MEASUREMENT AND YOU ARE TO ASK THE TASK FORCE TO COME UP WITH THAT AND THE FOUNDATION HAS BEEN DOING THIS, STANDARDS IN PLACE, YOU SEE THE GRANTS.

WE AGREE WITH THE TASK FORCE AND THE COURT THAT MORE TRANSPARENCY IS GOOD, THE CONSENSUS RULE AGREES IN LARGE PART --

>> YOU'RE MAKING A PRACTICAL

ARGUMENT.

AND THEY HAVE PROVEN NEGATIVE, THESE ARE PERHAPS NUMBERS THAT ARE REASONABLE, THEY DON'T SEEM UNREASONABLE TO ME.

TELL ME ONE PROVIDER, NAME ONE PROVIDER THAT WILL CLOSE THEIR DOORS OR BE SERIOUSLY ADVERSELY AFFECTED WITH SOME SPECIFICITY, DOES ANYONE HAVE ANY SPECIFIC KNOWLEDGE OR STUDIES ABOUT REACTION TO THESE PROPOSED RULES?

>> I DON'T HAVE THAT BUT WHAT I DO HAVE, WE HAVE 12 GROUPS OF COMMENTERS WITH WEALTH OF EXPERIENCE.

I LEARNED EARLY IN LIFE WITH A YOUNG NAVAL OFFICER LISTED WITH THOSE PEOPLE WITH A WEALTH OF EXPERIENCE.

THEY HAVE UNIFORMLY 28 EXECUTIVE DIRECTORS, IN RUNNING THEIR ORGANIZATIONS, I AGREE WITH YOUR COMMENT THAT RUNNING LEGAL AID IS DIFFERENT FROM RUNNING A LAW FIRM, DIFFERENT FROM RUNNING A COURT AND BASED ON WEALTH OF EXPERIENCE IT DESERVES A FAIR AMOUNT OF RESPECT.

DO YOU HAVE A STUDY? KNOW.

NEITHER DOES THE TASK FORCE AND THERE ARE 49 OTHER STATES DOING THIS.

WE WILL JUMP OFF IN THE MIDDLE OF A PANDEMIC.

YES, SIR?

>> THE UNIQUE PERSPECTIVE.

MY WIFE IS CHAIRMAN OF THE BOARD OF 501 C3 THAT OPERATES AND PROVIDES TRAINING EDUCATION FOR WOMEN IN POVERTY AND HONDURAS AND IF THEY CAN'T PROVIDE THEIR SERVICES CHILDREN CAN STARVE AND DIE AND THEY DON'T HAVE THE BENEFIT OF A STEADY SOURCE OF REVENUE THAT COMES IN TO SUPPORT THE ORGANIZATION SO DURING COVID SHE AND OTHER MEMBERS OF THE BOARD HAD TO WORK VERY HARD TO ACTUALLY RAISE THE MONEY TO KEEP THE DOORS OPEN SO THEY CONTINUE TO PROVIDE WHAT IS NECESSARY AND

IT SEEMS LIKE TO ME AS A POLICY DECISION THAT THE WAY THIS WORKS, LEGAL AID ORGANIZATIONS, DURING THE ABUNDANT TIMES THE ORGANIZATION THAT GROW AND THRIVE AND PROVIDE THE RIGHT SURFACES, TO CONTINUE TO GO TO PROVIDE LEGAL SERVICES, AND TO WORK AND RAISE MONEY TO SUPPORT THE LEVEL THAT THEY HAD FOR ABUNDANT TIMES AND THE MONEY GOES TO ORGANIZATIONS THAT ARE WILLING TO GO OUT AND WORK FOR THE OVERHEAD, AND A REASONABLE PERCENTAGE NO MATTER WHETHER IT IS LEONORE ABUNDANT, FOR THE PROVISION OF LEGAL SERVICES, SEEMS LIKE A RESPONSIBLE MODEL TO ME AND IT SEEMS MORE RESPONSIBLE TO ME, KEEP GIVING YOU THE MONEY WITH 0 ACCOUNTABILITY, IN THE LEAN TIMES CONTINUE TO PAY GENERAL OVERHEAD AT THE EXPENSE OF PROVIDING THAT MONEY TO LEGAL SERVICES, A LONG STATEMENT OR QUESTION, WHY IS THERE NOT A GOOD POLICY CHOICE?

>> LET ME TRY TO ADDRESS IT, WE AGREE THERE SHOULD BE ACCOUNTABILITY.

>> 0 LIMITATION ON THE AMOUNT ON GENERAL OVERHEAD, TO STAY AFLOAT, WITH 0 ACCOUNTABILITY.

>> WE WANT TO MEASURE THE IMPACT ON LOW INCOME FLORIDIANS, WE ARE SAYING ARBITRARY NUMBERS AREN'T THE WAY TO HAVE ACCOUNTABILITY.

THE WAY TO MEASURE ACCOUNTABILITY, THE FUNDS BEING USED TO IMPROVE THE LIVES OF LOW INCOME FLORIDIANS, USE THOSE METRICS.

I'M OVER MY TIME.

>> I HAVE BEEN RATHER GENEROUS WITH TIME.

>> THANK YOU, MISTER CHIEF JUSTICE.

JUSTICE LAWSON, WE'VE BEEN A LEGAL AID BOARDS DURING LEAN TIMES, STARTING WITH THE GREAT RECESSION.

WHEN YOU SEE LEGAL AID BOARDS DO THAT, GET LEANS OFF OF IOTA

FUNDS AND DO THE THINGS YOU JUST TALKED ABOUT PROACTIVELY GO OUT AND GET OTHER FUNDING WHETHER IT IS FROM GRANTS OR FUNDRAISING AND WE ARE NOT SUGGESTING 100%, WE WANT THIS IOTA MONEY TO BE USED FOR DIRECT LEGAL SERVICES AND TO PAY FOR LAWYER SALARIES, PAY FOR PARALEGAL SALARIES, PAY FOR THE TECHNOLOGY AND SELF-HELP MEASURES, TO THE LOW INCOME FLORIDIANS, OUR CONCERN IS WE HAVE COME UP WITH A, NOT LOOKING AT THE OUTPUT.

IF YOU HAD A BUSINESS YOU WOULD BE TRYING -- YOU WOULD BE LOOKING AT THE REVENUE AND THE PROFITS, THAT WOULD BE THE ACCOUNTABILITY TO SHAREHOLDERS AND THAT IS NOT ARBITRARY COSTS ON THE COST SIDE.

BECAUSE IF THEY GO TO 20% OR 25% OR 30% OVERHEAD BUT THEY HELP 5000 LOW INCOME FLORIDIANS THAT IS A BETTER RESULT THAN USING 10% OF AN OVERHEAD AND HELPING ATTEND OF THOSE PEOPLE, THAT IS THE ACCOUNTABILITY, THE IMPACT. THE COURT --

>> IF THE RULE IS STRUCTURED, TO FACILITATE THE PROVISION OF LEGAL SERVICES, NOT INCLUDED IN GENERAL OVERHEAD THAT SEEMS LIKE IT WOULD TAKE CARE OF THE PROBLEM YOU ARE TALKING ABOUT.

>> IF YOU LOOK AT THE FOUNDATION OF THE WEBSITE AND THINGS THEY MEASURE, THE OUTPUT, IF BUSINESS DOESN'T GET A CEO OF A BUSINESS DOESN'T GET JUDGED BY HOW MUCH OVERHEAD HE HAS, HE GETS JUDGED BY HOW MUCH PROFITS, IN THE LEGAL AID WORLD PROFITS ARE TO BE HELD TO LOW INCOME PERSONS, NOT THESE ARBITRARY NUMBERS. WE HAVEN'T TALKED ABOUT IT MUCH BUT THE 6-MONTH EXPENDITURE MAKES IT VERY DIFFICULT AND IF YOU DON'T WANT TO USE THE SKY IS FALLING VERY DIFFICULT ON ANY TYPE OF PLANNING BY THESE ORGANIZATIONS AND THE COURT, THE COMMENTS CAME ACROSS AS UNCIVIL, THE LAWYERS WHO WROTE THEM

SHOULD TAKE THE RESPONSIBILITY
PLEASED DON'T PUNISH THESE
ORGANIZATIONS.

THEY ALL WANT TO HELP LOW INCOME
FLORIDIANS, THEY ARE FILLED WITH
GOOD PEOPLE WHO WANT TO DO THIS
WORK AND THEY ARE VERY CONCERNED
AND THE FACT, I UNDERSTAND ABOUT
MISS DOWNS BEING PROUD THAT 7
TASK FORCE MEMBERS AGREED TO THE
RULE BUT WE HAVE 12 DIFFERENT
GROUPS TO AGREE TO OUR CONSENSUS
RULE AND I CAN ASSURE THE COURT
THAT TOOK A LOT OF TIME AND WORK
BECAUSE THESE GROUPS HAVE
DIFFERENT INTERESTS, THE COURT
NEEDS TO LISTEN TO THE
EXPERIENCE HERE JUST AS YOU
WOULD LISTEN TO CHIEF PETTY
OFFICER OR SOMEBODY WHO HAS THAT
EXPERIENCE.

I HOPE THE COURT WILL CONSIDER
THAT AND ACCOUNTABILITY, HOW WE
HELP FLORIDIANS AT NOT ARBITRARY
NUMBERS.

>> BRIAN GOWDY, YOU WANT TO SUM
UP?

>> YES, YOUR HONOR, THANK YOU.
ON BEHALF OF MY CLIENTS WE HAVE
WORKED VERY HARD WITH ALL THE
DIFFERENT GROUPS BEFORE THE
COURT.

ONLY SOME OF THEM ARE SPEAKING
TODAY.

WE HAVE SPENT A TREMENDOUS
AMOUNT OF TIME TRYING TO DO WHAT
THE COURT DIRECTED IN ITS
ADMINISTRATIVE ORDER, TO BETTER
ENSURE THE MOST EFFECTIVE USE OF
IOTA FUNDS BUT WE FUNDAMENTALLY
DISAGREE WITH THE TASK FORCE'S
APPROACH BECAUSE THE ARBITRARY
NUMBERS ON EXPENDITURES AND
ADMIN, NO EVIDENCE THOSE WILL
GET THE MOST BANG.

>> APPRECIATE YOUR COMMENTS.

>> THANK YOU, SIR.

WE ARE GOING TO MOVE ON TO
ELLIOT SCHKERKER.

>> ELLIOT SCHKERKER ON BEHALF OF
THE MUNICIPAL PROJECT OF
FLORIDA.

OF THE COURT IS INCLINED TO
AMEND THE RULE THE PROJECT

REQUESTS THE COURT TO ADOPT COMMENTARY OR SOMETHING LIKE COMMENTARY WITH COMMENTERS CONSENSUS RULE TO ENSURE THE INNOCENCE PROJECT IS ONGOING FOR 15 YEARS.

WE CONTINUE WITH THE FULL. THE TASK FORCE DOES NOT OBJECT TO INCLUSION OR COMMENT AND THEIR RESPONSE TO PROVIDE LEGAL SERVICES TO LOW INCOME CLIENTS AND POSTCONVICTION REPRESENTATION INCLUDING THOSE FOR WRONGFUL CONVICTION AS ELIGIBLE FUNDS.

WE SET FOR THE INNOCENCE PROJECT'S MISSION AND HOW THE MISSION IS CARRIED OUT, WRONGFULLY CONVICTED, THAT IS INNOCENCE FOR OUR CITIZENS. WE URGE THE COURT TO ENSURE THE INNOCENCE PROJECT CONTINUE TO CARRY OUT THIS MISSION.

>> ALL RIGHT.

THANK YOU FOR YOUR ADMIRABLE REMEDY.

>> MISTER CAN TERRA, YOU HAVE A HARD ACT TO FOLLOW, RAOUL CANTERO.

>> KEEP THE ADMINISTRATIVE JUSTICE ISSUES AND SIT DOWN. THE INCEPTION OF THE IOTA PROGRAM, THE DEFINITION OF HOW THE FUNDS ARE USED, THE OPINION OF THIS COURT WHICH MADE IOTA FUNDING MANDATORY IN 1989 AND EMPHASIZE THE FUNDS WOULD BE USED TO FUND PROGRAMS DESIGNED TO IMPROVE THE ADMINISTRATION OF JUSTICE OR EXPAND DELIVERY OF LEGAL SERVICES TO THE POOR AND EVER SINCE THEN IN ALL THE AMENDMENTS TO THE RULES AND OPINIONS ADDRESSING THE RULES THAT IMPROVE THE ADMINISTRATION OF JUSTICE AND EVEN IN THIS COURT'S ADMINISTRATIVE ORDER CREATING THE TASK FORCE AND ASKING THE TASK FORCE TO STUDY THE ISSUE AND IN THE TASK FORCE'S REPORT.

>> MAY I ASK YOU A QUESTION? HOW DOES THE ADMINISTRATION OF JUSTICE ISSUE RELATE TO THIS

STRATEGIC RESET?

WHEN I READ PRONGS 3 OF THE
RESET AND I SEE THE FOUNDATION
WANTS TO SERVE AS A CATALYST FOR
BROAD-BASED SYSTEMIC CHANGE AND
INNOVATIVE SOLUTIONS TO BLOB
LOBLAW, THAT TO ME IS THE BEST
REASON TO ELIMINATE SOMETHING AS
AMORPHOUS AND CONTESTABLE AS
IMPROVING THE ADMINISTRATION OF
JUSTICE AND FOCUS ON
REPRESENTING CLIENTS WHO HAVE
CIVIL LEGAL -- HELPING PEOPLE
HELP THEMSELVES THROUGH DO IT
YOUR SELF FORM OR WHATEVER.
WHERE SHOULD WE NARROWLY FOCUS
GIVEN LIMITED RESOURCES THAT WE
HAVE?

>> I DON'T THINK THERE IS
ANYTHING WRONG WITH DEFINING
ADMINISTRATION OF JUSTICE AND IF
THE COURT WANTS TO SEND US BACK
TO LOOK AT THE DEFINITION I
DON'T THINK ORAL ARGUMENT IS THE
PLACE TO DO IT BUT I DON'T ADMIT
TO DEFINING THE ADMINISTRATION
OF JUSTICE BUT THE TASK FORCE
HAS NOT IDENTIFIED ANY WRONGFUL
USE OF THE FUNDS UNDER THE
ADMINISTRATION OF JUSTICE, THE
TASK FORCE SUBCOMMITTEE APPENDIX
F, 3, AND 4 OF THE TASK FORCE
REPORT CONCEDED THERE WAS NO
INDICATION WHATSOEVER THAT IOTA
FUNDS WERE IMPROPERLY USED BY
THE FOUNDATION.

>> DO YOU MIND ADDRESSING, WHAT
DOES IT MEAN TO SERVE AS A
CATALYST?

I UNDERSTAND TO ME THIS WHOLE
ADMINISTRATION OF JUSTICE THING
RELATES TO THIS.

>> THIS IS THE FIRST TIME I
HEARD THAT TERM.

>> SORRY TO INTERRUPT, THE FIRST
TIME I HEARD THE TERM, THE
LANGUAGE IS NOT PART OF THE
REPORT OR RESPONSES, I AM NOT
SURE THAT IS PART OF THE RULE
RIGHT NOW, THE ADMINISTRATION OF
JUSTICE USED TO DO, NOT JUST TO
YOUR QUESTION BUT JUSTICE
LAWSON'S QUESTION, DOESN'T FALL
UNDER FACILITATING LEGAL

SERVICES, WHAT WAS IDENTIFIED IN THE COMMITTEE, SEVERAL STATE PROGRAMS, THE ADMINISTRATION OF JUSTICE IS USED FOR THE APPELLATE HANDBOOK, THE BANKRUPTCY BASICS, SELF-HELP HOTLINES, JUSTICE LAWSON'S ANALYSIS, HIRING TWO ATTORNEYS, OR USE THE MONEY, PRO BONO WORK.

>> WHEN YOU REPORTING TO IS BASED ON THE WAY THE CONVERSATION HAS GONE TODAY WE MIGHT BE LIKELY, BUT BEYOND THAT, HELPING TO FACILITATE, AND AND FACILITATING PRO BONO REPRESENTATION.

THEY HAVE MERIT, THEY ARE AIMED AT HELPING, DIRECTLY HELPING INDIVIDUALS IN THE IMMEDIATE LEGAL LEADS BUT BEYOND THAT IS WHERE WE GET INTO QUESTIONABLE AND POTENTIALLY TROUBLESOME AREAS THAT ARE OF CONCERN SO ADDRESS THOSE OTHER AREAS.

>> IT IS HARD TO SHOE AT A TARGET WHEN YOU DON'T KNOW WHAT THE TARGET IS, THE TASK FORCE REPORT DOES NOT IDENTIFY ANY USE OF FUNDS THEY WOULD OBJECT TO AND SAY THIS ISN'T APPROPRIATE, WE SHOULD NOT AUTHORIZE THAT KIND OF APPROPRIATION.

>> LET ME GIVE YOU A TARGET, SERVE AS A CATALYST FOR BROAD-BASED SYSTEMIC CHANGE.

>> I DON'T KNOW WHAT IT MEANS. I WASN'T ON THE FOUNDATION NOR WAS I INVOLVED IN THE RESET.

TO ADDRESS CHIEF JUSTICE CANNADY, IT FACILITATES LEGAL SERVICES DOES NOT INCLUDE CLINICS OR A HANDBOOK.

>> I GET WHAT YOU ARE SAYING. AND INCLUDE ADMINISTRATION OF JUSTICE.

>> IF WE TAKE THAT APPROACH WHAT OTHER SPECIFIC THINGS SHOULD WE INCLUDE?

>>

>> COURT PROGRAMS WILL EDUCATE LITIGANTS, PROGRAMS THAT MAY BE INNOVATIVE THAT HASN'T BEEN DONE BEFORE, NO RUN FOR IT AND A PILOT PROGRAM, ADMINISTRATION OF

JUSTICE FUNDS HAVE BEEN USED TO
FUND EVEN PROGRAMS OF THIS SORT,
IT ISSUE THOSE AS WELL.
OF THE COURT WANTS TO DEFINE
ADMINISTRATIVE VISION OF
JUSTICE, REMOVING IT HAS AFFECTS
OF NOT BEING ABLE TO HELP ALL
KINDS OF LITIGANTS THAT THIS
COURT HAS AGREED IN PRIOR
POSITIONS THAT NO MATTER HOW
MUCH MONEY YOU DO, HOW MANY PRO
BONO TERMS WE HAVE, EVERY
INDIGENT NEEDS REPRESENTATION
AND THERE WILL ALWAYS BE FOR THE
FORESEEABLE FUTURE LITIGANTS TO
THE EXTENT WE CAN EDUCATE THEM
WILL HELP NOT ONLY THEM FOR THE
COURT SYSTEM AS WELL.
AND CONCLUSION MY TIME IS UP AND
I APPRECIATE INDULGENCE.
I WANT TO SAVE THE COURT IS TO
ADOPT ANY RULE RIGHT NOW, ADOPT
A CONSENSUS RULE AND SEND IT
BACK TO STUDY SPECIFIC ISSUES
THAT HAVE BEEN IDENTIFIED AND
THE COURT MAY HAVE TO FURTHER
AMEND THE RULE KNOWING EVERYBODY
AGREES THIS RULE IS NOT GOING TO
HAVE A CATAclysmic, WAY MAY OR
MAY NOT DISAGREE, AT LEAST WE
GUARANTEE THAT IT WON'T,
REMAINING FOR FURTHER STUDY AND
FURTHER DISCUSSION.
APPRECIATE YOUR INDULGENCE AND
APPRECIATE THE TASK FORCE WORK
AND WORK ON THIS.
THANK YOU FOR YOUR TIME.
>> THANK YOU.
I WANT TO THANK MEMBERS OF THE
TASK FORCE, CHAIRMAN DOWNS FOR
HER LEADERSHIP IN THE TASK FORCE
AND ALL THOSE WHO PARTICIPATED
IN THE ARGUMENT EXPRESSING
CONCERNS ABOUT WORK PRODUCT OF
THE TASK FORCE AS WELL AS
OTHERS, THIS IS AN IMPORTANT
ISSUE AND UNDERSTAND
PERSPECTIVES ON IT SO APPRECIATE
THE ENGAGEMENT ON THIS ISSUE.
THE COURT WILL STAND IN RECESS
FOR ABOUT 10 MINUTES BEFORE WE
TAKE UP THE SECOND CASE ON
TODAY'S DOCKET.

