

# Supreme Court of Florida

No. AOSC14-65  
*Corrected*<sup>1</sup>

IN RE: FLORIDA COMMISSION ON ACCESS TO CIVIL JUSTICE

## ADMINISTRATIVE ORDER

WHEREAS, the American and Florida judicial systems are founded upon the fundamental principle that justice should be accessible to all persons, the advancement of which is of profound interest to the Supreme Court of Florida; and

WHEREAS, access to civil justice for lower income and disadvantaged persons is a critical challenge for the legal system, especially in difficult economic times; and

WHEREAS, the number of self-represented litigants has increased significantly over the past decade with the majority of family law matters in most states now including at least one unrepresented party, some of whom are unable to prepare court documents and effectively present their positions in court proceedings; and

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1. A corrected version of this administrative order is hereby issued to correct Ms. Robin Hassler Thompson's title; see page 8.

WHEREAS, the population that is eligible for Legal Services Corporation-funded legal services has grown dramatically in recent years while at the same time federal funding for the Legal Services Corporation declined approximately seventeen percent from 2010 to 2012; and

WHEREAS, the Florida Interest on Trust Accounts Program also provides funds in support of legal assistance for the poor but is experiencing severely reduced revenue as a result of historic low interest rates; and

WHEREAS, the Florida state courts have diligently endeavored since the 1990's to develop forms, instructions, and other self-help resources in order to afford fair and timely resolution of cases involving self-represented family law litigants; and

WHEREAS, other entities in the Florida justice system have likewise endeavored within their respective scope of authority to improve the availability and delivery of judicial and legal services to lower income, disadvantaged, and self-represented individuals; and

WHEREAS, despite these noteworthy and substantial efforts, Floridians continue to encounter barriers when seeking meaningful and informed access to the civil justice system; and

WHEREAS, the Supreme Court of Florida recognizes the importance of responding to the unmet legal needs of low and moderate income Floridians, the

increasing complexity of civil legal services delivery, the importance of access to civil justice in the proper functioning of our democracy, and the need for leadership and effective coordination of access to civil justice efforts in Florida; and

WHEREAS, approximately thirty states and the District of Columbia have established access to justice commissions for the general purpose of collectively identifying and removing barriers to civil justice for low-income and disadvantaged persons; and

WHEREAS, many organizations throughout the state share a commitment to improving access to justice and, as the head of the judicial branch, the Supreme Court of Florida is the logical entity to create a commission to study access and serve as the umbrella organization for efforts to enhance access to civil justice in Florida.

NOW, THEREFORE, the Florida Commission on Access to Civil Justice is hereby established to study the remaining unmet civil legal needs of disadvantaged, low income, and moderate income Floridians. In conducting its work the Commission should consider Florida's legal assistance delivery system as a whole, including but not limited to staffed legal aid programs, resources and support for self-represented litigants, limited scope representation, pro bono services, innovative technology solutions, and other models and potential

innovations. The Commission should encompass the viewpoints of multiple constituencies and stakeholders and not be limited to those of any one particular institution.

During its term, the Commission shall perform the following tasks:

1. Provide a forum for discussion among the judicial branch, legislative branch, executive branch, the civil legal services and pro bono community, Bar leaders, funders, the business community, and other interested stakeholders, about issues affecting access to civil justice for disadvantaged, low income, and moderate income Floridians.
2. Identify and examine barriers that impede access to civil justice for disadvantaged, low income, and moderate income Floridians.
3. Determine how to promote coordination of legal services delivery to low income Floridians, for optimum efficiency and effectiveness.
4. Consider and evaluate components of a continuum of services for the unrepresented, taking into account consumer needs and preferences. Such components might include interactive forms; unbundled legal services; the involvement of court, law, and public libraries; and other innovations and alternatives.

5. Examine ways to leverage technology in expanding access to civil justice for disadvantaged, low income, and moderate income Floridians.
6. Identify and build partnerships among the courts, members of the private bar, providers of legal services, and other stakeholders who are engaged or interested in expanding access to civil justice for disadvantaged, low income, and moderate income Floridians.
7. Examine how available resources might be maximized and identify how additional resources might be procured in order to provide stable funding in support of services that enhance access to civil justice for disadvantaged, low income, and moderate income Floridians.

The Florida Commission on Access to Civil Justice shall submit an interim report to the Court no later than October 1, 2015, and a final report and recommendations to the Court no later than June 30, 2016. Copies of the interim and final reports should also be provided to the Governor of Florida, the President of the Florida Senate, and the Speaker of the Florida House of Representatives. In its final report, the Commission should include recommendations on the need for the establishment of a permanent access to justice commission in Florida.

Members have been selected based upon their experience within the Florida justice system and their anticipated commitment. These individuals offer a

diversity of perspectives and expertise that will enable the Commission to meet its overall mission and specific objectives. The following persons are hereby appointed to the Commission for terms that expire on June 30, 2016:

The Honorable Jorge Labarga, Chair  
Chief Justice, Supreme Court of Florida

Mr. Ramón A. Abadin  
President-Elect, The Florida Bar

Mr. R. Alexander Acosta  
Dean, College of Law, Florida International University

Mr. John A. Attaway, Jr.  
Senior Vice President and General Counsel, Publix Super Markets

The Honorable Jeff Atwater  
Chief Financial Officer, State of Florida

Ms. Martha Barnett  
Attorney at Law, Tallahassee

The Honorable Pam Bondi  
Attorney General of Florida

The Honorable Rob Bradley  
The Florida Senate

The Honorable Nikki Ann Clark  
Appellate Judge, First District Court of Appeal

Mr. Gregory W. Coleman  
President, The Florida Bar

The Honorable Timothy J. Corrigan  
Judge, United States District Court, Middle District of Florida

Mr. Jeffrey S. Craigmile  
Chief Counsel, Walt Disney Company

Mr. Marshall M. Criser, III  
Chancellor, State University System

The Honorable Linda Doggett  
Clerk of Court, Lee County

Mr. Thomas S. Edwards, Jr.  
Attorney at Law, Jacksonville

Mr. Benjamin J. Gibson  
Assistant General Counsel, Executive Office of the Governor

The Honorable C. Robert Hilliard  
County Judge, Santa Rosa County

Mr. James A. Kowalski, Jr.  
Executive Director, Jacksonville Area Legal Aid

Mr. Dominic C. MacKenzie  
President-Elect, The Florida Bar Foundation

Ms. Kathleen Schin McLeroy  
Attorney at Law, Tampa

Chair, Judiciary Committee  
The Florida House of Representatives

Mr. Byron Russell  
Chairman and Chief Executive Officer, Cheney Brothers

The Honorable Bertila Soto  
Chief Judge, Eleventh Judicial Circuit

The Honorable Emerson R. Thompson, Jr.  
President, The Florida Bar Foundation

Ms. Robin Hassler Thompson  
Attorney at Law, Tallahassee

The Honorable William A. Van Nortwick  
Appellate Judge, First District Court of Appeal

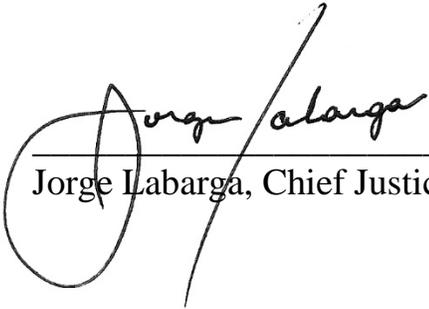
Ms. Gwynne Young  
Past President, The Florida Bar

The Commission may function as a committee comprised of all members or as one or more subcommittees to consider specific issues. The chair is authorized to establish such subcommittees as may be required to effectuate the Commission's charges. Members of the subcommittees may include persons who are not members of the Commission but whose input is required on selected issues.

The Commission is directed to establish the necessary liaison relationships with the Judicial Management Council and other Supreme Court and Florida Bar committees, as appropriate.

The Florida Bar shall provide the necessary staff support to enable the Commission to carry out its duties, and shall consult with the Office of the State Courts Administrator. Members shall serve without compensation. The Commission must be cognizant of the limitations on the resources available to support its efforts as it develops a work plan that will accomplish the important tasks assigned in this administrative order. With regard to meetings, the Commission and any subcommittees should strive to utilize the most economical means appropriate to the type of work being accomplished.

DONE AND ORDERED at Tallahassee, Florida, on November 24, 2014.

  
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Jorge Labarga, Chief Justice

ATTEST:

  
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John A. Tomasino, Clerk of Court

