

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

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 SOUTHERN DISTRICT OF FLORIDA

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FILED BY _____ D.C.

IN THE MATTER OF: THE
VOLUNTEER LAWYERS' PROJECT
AND ATTORNEY DUES FOR THE
SOUTHERN DISTRICT BAR

Admin. Order No. 93-106

ADMINISTRATIVE ORDER

This matter initially was before the Court en banc following public notice of a hearing upon the Resolution of the Civil Justice Advisory Group ("Advisory Group") of the Southern District of Florida. The Court observes the following:¹

1. After eight months of examination of this Court's docket, surveys of judges, attorneys, litigants, and Court staff, the Advisory Group observed, in part, that over 20% of all civil filings are pro se cases. The Advisory Group concluded that pro bono representation of those cases which appear to have merit could significantly reduce the delay attributed with these cases.

2. This Court, sitting en banc, unanimously approved the Advisory Group's Report and recommendation to seek a way to provide counsel for these pro se civil litigants.

3. Upon further study and review, the Advisory Group unan-
mously adopted a recommendation that this Court establish a

1. The Civil Justice Advisory Group was appointed, pursuant to the Civil Justice Reform Act of 1990, 28 U.S.C. § 471 et seq., to examine ways to reduce costs and delay in civil litigation.

Volunteer Lawyers' Project to secure pro bono representation for pro se litigants in civil cases deemed to warrant representation. The Advisory Group further approved that the Project be administered by the Florida Justice Institute. This Project will be accomplished by screening pro se cases that have already been filed and served on defendants; recruiting attorneys to handle cases; training the attorneys; matching attorneys with clients; and operating a Revolving Litigation Loan Fund to help pay for some of the actual costs and expenses.

4. At its September Conference, upon recommendation of the Advisory Group, this Court unanimously approved that the Project be funded through annual dues from all members of the General and Trial Bar of this Court, a portion of any fees recovered from meritorious cases, and a significant initial seed fund from a civil contempt penalty by order of this Court with the parties' agreement.

5. The Court anticipates that all members of the bar of this District will want to participate and volunteer to take cases referred by this Project. Indeed, the Florida Supreme Court reiterated recently (June 23, 1993) that all members of The Florida Bar have an obligation to provide counsel to help meet the legal needs of the poor. In re Amendments to Rules Regulating The Florida Bar, __ So.2d __, 18 FLW S348 (Fla. 1993) ("Justice is not truly justice if only the rich can afford counsel and gain access to the courts."); see In re Amendments to Rules Regulating The Fla. Bar, 598 So.2d 42 (Fla. 1992); In re Amend-

ments to Rules Regulating the Fla. Bar, 573 So.2d 800 (Fla. 1990).

6. Much like the Supreme Court's recent rules on pro bono, this Project is meant to be a motivating force for members of the bar of this Court to step forward and provide legal services to the poor. By the action taken here today, one more recommendation unanimously adopted by our Civil Justice Advisory Group and this Court will be closer to implementation. If this Order brings the concept of equal justice under the law one step closer to reality, much will have been accomplished.

WHEREFORE, it is hereby

ORDERED and ADJUDGED:

1. The Volunteer Lawyers' Project of the Southern District of Florida, administered by the Florida Justice Institute, shall commence a pro bono project for the participation of the bar of this Court. This will be accomplished by screening pro se cases that have already been filed and served on defendants, recruiting attorneys to handle cases deemed meritorious, training attorneys, matching attorneys with clients, and operating a Revolving Litigation Loan Fund to help pay for some of the litigation costs and expenses.

2. The Project shall be funded in part by annual dues in the amount of twenty-five dollars from each member of the General and Trial bar of this Court. Payment of the annual dues shall be made to the Volunteer Lawyers' Project. The Project shall also


be funded in part by attorneys donating a portion of any attorneys' fees recovered in meritorious cases.

3. The Advisory Group shall appoint an Advisory Committee to the Project to make recommendations to the Institute and to assist the Project in whatever manner it can.

4. There is to be separate fund accounting at the Institute for this Project and that the Institute's annual audit be provided to the Advisory Group and the Court, and upon request, any member of the bar of this Court.

5. Finally, the Project shall have the full cooperation and able assistance of all judges, magistrates, clerks, and staff of this Court in fulfilling its mission.

DONE and ORDERED in chambers in Miami, Dade County, Florida, December 17, 1993.


Norman C. Roettger
Chief Judge
United States District Court

cc: All Judges
All Magistrate Judges
Clerk of the Court and all Assistants
U.S. Marshal
Civil Justice Advisory Group