

**PRO BONO COMMITTEE**  
**UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF FLORIDA**  
**MINUTES of January 25, 2024 @ 4:30 p.m.– Zoom Meeting**

Present:

- Hon. Mindy Mora (Judicial Chair)
- Hon. Laurel Isicoff (Former Judicial Chair)
- Peter Kelly (Lay Chair)
- Steven Newburgh (Practitioner)
- Nadine White-Boyd (Secretary)
- Joe Falzone (Clerk of Court)
- Bruce Levine (Dade Legal Aid – attending in place of Karen Ladis)
- Jerry Leakey, Esq. (Legal Aid of PBC)
- Matthew Bayard (Legal Services of Greater Miami, Inc.)
- Jon Martin (Martin County Bar Association)
- Kristina Gonzalez (practitioner)
- Patricia Redmond (UM Law School Professor)
- Ariel Sagre (practitioner)
- Tom Messana (practitioner and BBA Foundation)
- Britt Berg (Florida Rural Legal Services – Pro Bono manager)
- Amy McCaffrey (Florida Rural Legal Services Attorney Berg's administrative assistant)
- Agnes Lambert (Florida Rural Legal Services Fort Pierce – Indian River, Martin County, Okeechobee and St. Lucie)
- Latrice Dean (Florida Rural Legal Services- WPB pro bono coordinator)
- Carlos Sardi (BBA President 2023 – 2024)
- Heather Ries- present
- Tara Trevorrow - present

Absent

- Karen Ladis (Dade Legal Aid)
- Joey M. Grant (BBA ProBono Fort Lauderdale)
- Maria Gonzalez (Legal Aid Service of Broward County)
- Kim Rommel Enright (Legal Aid of PBC) - absent

No longer a member

- Sheena Robison (FRLS)
- Charles Vercillo (Florida Rural Legal Services additional support/coverage to WPB pro bono )
- Cassandra Paniagua (Florida Rural Legal Services- WPB pro bono coordinator)

- I. Meeting called to order at 4:41 pm Welcome and roll call by Peter Kelly.
  - a. Introductory Remarks by Judge. Mora. With the increased number of cases and pro se filings, there is an urgency for more pro bono attorneys.

- II. Approval of Minutes of September 28, 2023, meeting - Steve Newburgh made a motion to approve the minutes, which was seconded by Tom Messana. Minutes approved.
- III. Updated FLSB and National Filing Statistics – Joe Falzone and Steve Newburgh. Joe reported that cases filed in the Southern District in 2023 increased by 9%. Nationally, cases are also increasing. Pro se filings increased in the district as well as nationally. The Southern district ranks 8<sup>th</sup> in total bankruptcy filings.
- IV. Report on Coordination of Pro Bono Cases in the Entire District as Opposed to County by County.
  - a. Peter reported that thanks to P. Redmond attorneys have been successfully paired through the clinics.
  - b. Judge Mora announced that chapter 13 cases will be live and in person starting February 1<sup>st</sup>. She will provide accommodation to attorneys from outside the division who are handling pro bono cases. The other judges may also be flexible. Joe Falzone will place on the agenda to discuss with the other judges.
- V. Low Bono Guidelines – Committees’ Review of and Possible revision of Guidelines and Committees’ Recommendations to the judges. Steve Newburgh reported that he summarized the information which is similar to the roadmap provided by Judge Brown as to what is being done in the Middle district. The summary will be presented to the pro se committee. He is recommending combining this with the pro se clinic. He noted that promotion and advertising is needed.
- VI. Pro Bono Assistance Intake – Posters/information available in courthouses
  - a. Discussion held regarding how to get more information out to attorneys to volunteer and to consumers. Joe Falzone will put a sign-up sheet outside each courtroom to encourage signing up to take pro bono and low bono cases, email blasts, promote the monthly pro se clinics, creating and putting up posters at locations such as supermarkets, request that Judges, Ch. 13 trustee/trustee’s counsel, and committee members announce on chapter 13 days and other motion calendar days about signing up to take pro bono case.
  - b. Prof. Redmond announced that there are other areas such as student loan discharge adversaries that can be handled by pro bono attorneys who may otherwise have a conflict with handling consumer cases.
  - c. Carlos Sardi announced that the BBA platform can be used to get volunteers.
- VII. Committee Interface with Legal Aid organizations – Reports from all Legal Aid Providers Concerning Improvement of Referral Systems
  - a. Miami Legal Aid. They refer out the cases and currently 8 cases were referred to St. Thomas and 7 to UM.

- b. PBC Legal Aid. The consumer department handles or refers out to the pro bono attorneys but it's usually the same 2 or 3 attorneys who are being assigned cases.
- c. Broward – no representative in attendance.
- d. FRLS – Britt announced that Latrice Dean is the new coordinator. They are currently recruiting attorneys and building up pro bono volunteers. Agnes Lambert, the 19<sup>th</sup> circuit coordinator, reported that they now have an in-house attorney handling chapter 7 and 13 cases, but they maintain contact with the attorneys who have helped in the past with cases to assist in the future if there are a meaningful increase in bankruptcy cases.
- e. Legal Services of Greater Miami, Inc. Most cases are handled in-house. A pro bono coordinator handles the cases and not many cases are referred out.

#### VIII. Sub-Committee Reports and Discussion of Pending Projects

- a. Pro se Clinics – Steve Newburgh (chair), Joe Grant. Although people sign up to attend, attendance is low but feedback from those attending is always positive. People attend from out of state or across division or for a few minutes to address their questions/concerns. The pro se clinic dates for 2024 are posted on the court's website.
- b. Help Desks – Peter Kelly (chair) Ariel Sagre, Joe Grant, Kristina Gonzalez. Peter reported that only a few people are utilizing the helpdesk, which are set up during chapter 13 days for certain judges.
- c. Webpage project – Joe Falzone reported that he, Tom Messana, and Joey Grant met with David Berkowitz on 1/3/2024. Joey is in the process of reviewing the prototype of the program that was created by the vendor. Awaiting Joey's review and comments.
- d. Law School Programs – Patricia Redmond (chair), Peter Kelly. Patricia reported that 3 clinics are up and running. 7 students at UM, 8 students at St. Thomas; 2 students at Nova (and thanks to Ross Hartog for handling the Nova clinic). They have received lots of projects. The students are getting great hands-on experience.
- e. Website Review – Joe Falzone (chair), Joe Grant, Ariel Sagre. Joe noted that there is no update as they are devoting their resources to the webpage project
- f. Veterans' Programs – Judge Isicoff, Matt Bayard. No report this meeting.
- g. Pro Bono Week – Karen Ladis (chair), Joe Grant, Kim Enright, Nadine White-Boyd, Tom Messana. Peter announced that the event was successful and Karen proposed to do the CLE presentation during another part of the year. The goal this year was to encourage attorneys to take pro bono cases, let them be aware of the resources available to help them get through a pro bono case, the availability of

the clinics and not to be intimidated. Judge Mora also recommended that it be recorded so that it can be accessed by other attorneys' when they need it. Tara noted that Tracy Eller on the FL Bar Business Law Section can help with coordinating the recording of the CLE seminar.

- h. Elder Affairs Sub Committee – Judge Mindy Mora, Nadine White-Boyd, Peter Kelly, Ariel Sagre. The committee is still working with the Court's IT group to get the informational resource on the court's website.
- i. Fresh Start Subcommittee (f/k/a Dress For Success) – Heather Ries, Judge Mora, Joe Grant, Tara Trevorow. Peter announced that he is working on reaching out to Broward and Miami. Judge Mora continues to get the word out to different organizations.
- j. Student Loan Issues Subcommittee – Patricia Redmond, Matthew Bayard, Nadine White-Boyd, Ariel Sagre, Peter Kelly. Patricia noted again that that student loan adversary issues are an opportunity for attorneys who may otherwise have a conflict with handling a 7 or 13 consumer case.

IX. New Business

- i. Informational assistance program for pro se individuals re: MV Realty bankruptcy. Discussion held regarding using law students to help with this case. Matt Bayard announced another resource, the National Consumer Law Center
- ii. Data collection for various pro bono programs. Any suggestions, reach out to Peter.

X. Next Meeting scheduled for May 23, 2024 at 4:30 pm via ZOOM

Meeting adjourned at 6:02pm