

> Of Counsel

[Florida Law]



The Florida Supreme Court awarded its 2008 Tobias Simon Pro Bono Service Award to attorney Sylvia H. Walbolt.

she says. "He was killed in a fire in his trailer, one of those slum trailers where half a dozen workers live in enough space for one. He left a widow and two young children. We were able to negotiate a settlement for this family, which felt as good as if I'd just won a multibillion-dollar appeal."

Walbolt makes a special point of championing pro bono work when she meets with young attorneys. During a gathering at the University of Florida Levin College of Law earlier this year, she told law students that they would "miss out on the very best part of the practice of law" if they did not do pro bono work after becoming lawyers.

While many of the students seemed to recognize the importance of pro bono, both Walbolt and officials at the Florida Bar are concerned that the cumulative amount of hours that Florida lawyers donate to the poor

each year hasn't kept pace with the growing number of lawyers. The average number of hours donated by attorneys in Florida was 19.4 in 2003-04. In 2006-07, it was 17.2.

James Baxter, chairman of the Bar's Pro Bono Legal Services Committee, says, "You can't really claim that access

What is Pro Bono?


Pro bono, short for *pro bono publica*, is Latin, meaning "for the good of the public." The Florida Supreme Court has recommended that attorneys donate at least 20 hours a year to people who can't afford a lawyer. For attorneys who can't or won't work pro bono, the court recommends they donate \$350 to legal service organizations that represent the indigent.

to the legal system is fair unless even those who are indigent have the ability to be represented."

There are many theories on why the numbers are down. Some say young associates at larger firms are being asked to work more billable hours to justify their high starting salaries. Another theory says that lawyers, seeking a better home/work balance, are simply working fewer hours overall. Some believe that lawyers are actually doing more pro bono work than ever but are simply neglecting to report the hours.

Kent Spuhler, executive director of Florida Legal Services, says improvement is needed in the process of connecting clients with lawyers who have the right expertise and the willingness to help.

To figure out what's going on, the Florida Bar commissioned a survey to learn more about the pro bono habits and opinions of lawyers in Brevard, Broward, Miami-Dade, Duval, Hillsborough, Lee, Leon and Orange counties. Kelly Carmody, from Arizona-based Carmody and Associates, is conducting the study and expects to present her findings this month to the Bar's pro bono committee, which will then reveal the results.

Thirteenth Circuit Court Judge James Barton, vice chairman of the Bar's pro bono committee, thinks all of the attention that pro bono is getting presents "a real opportunity to educate people and get the new kids right out of law school and also the veteran lawyers and kind of re-energize the whole thing. We're not just going to sit back and watch for this to either continue or not. We're looking to give it a shot in the arm." 

Low Bono

Are Florida attorneys paying less attention to the poor?

Shortly after becoming an attorney 44 years ago, Sylvia H. Walbolt went to work at Carlton Fields in Tampa for William Reece Smith, a legendary Florida lawyer. Smith, a senior member of the firm, also held leadership positions at the Florida Bar and the American Bar Association. What Walbolt noticed most about Smith was his commitment to providing free legal work to clients who couldn't afford to pay him. She decided to follow his example.

Now a shareholder at the firm, Walbolt has litigated hundreds of high-profile, big-money cases during her many years on the job, but she says some of her proudest moments stem from her pro bono work. "In one case, we represented the widow of a migrant farmworker,"

Non-Billable Hours

Year	Attorneys	Pro bono hours
2003-04	74,874	1,457,644
2004-05	77,102	1,322,138
2005-06	79,290	1,450,505
2006-07	81,534	1,398,467

Source: The Florida Bar

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Pro bono award winners and the latest pro bono survey results



Tribune Herald