

**FOREWORD: A PUBLIC EMERGENCY FOR LEGAL AID
ORGANIZATIONS ON THE BRINK**

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“Concepts of justice must have hands and feet . . . to carry out justice in every case in the shortest possible time and the lowest possible cost. This is the challenge to every lawyer and judge in America.”

—Justice Warren E. Burger¹

Housed in a seven story, 100-year-old brownstone building with a distinctive red canopy sits a group of warriors who battle relentlessly for justice and equal access to the judicial system. This historic building, the Major Harding Center, is the headquarters for Jacksonville Area Legal Aid, Inc. (“JALA”).² JALA is a nonprofit law firm that specializes in helping low-income, below the poverty line individuals in civil proceedings.³ These legal warriors practice in areas of family law, foreclosure, real estate, employment, housing, and social security, and they may act as counsel of record, provide legal guidance for individuals acting pro se, refer cases for pro bono credit, and hold monthly training classes.⁴ All of the services offered by JALA are absolutely free to the qualifying public.⁵

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¹ Fredric I. Lederer, *Introduction: What Have We Wrought?*, 12 WM. & MARY BILL RTS. J. 637, 648 (2004).

² *Id.*

³ *About JALA*, JACKSONVILLE AREA LEGAL AID, <https://www.jaxlegalaid.org/about.html> (last visited May 23, 2016).

⁴ *Id.*

⁵ *Id.*

Local attorneys and the Jacksonville Bar Association founded JALA in 1937 to provide basic legal services to the less fortunate in the area.⁶ By 1973, that band of attorneys officially formed the nonprofit firm, JALA.⁷ This firm operates as a nonprofit 501(c)(3) corporation, specializing in civil litigation for low-income individuals and people with special needs.⁸ JALA serves Northeast Florida, maintaining offices in Jacksonville, St. Augustine, and Green Cove Springs.⁹ JALA is comprised of a Board of Directors, a Client Advisory Board, and currently, thirty-five attorneys and staff.¹⁰ JALA receives its funding through donations, the Florida Bar Foundation, federal and state grants, several surrounding counties, the City of Jacksonville, and through successful outcomes in cases.¹¹

The mission of JALA is to provide high-quality legal representation to the underserved and to become a beacon of hope within the community.¹² JALA offers the community different types of legal services including, but not limited to, consumer law, community counsel, child and youth advocacy, deaf and hard of hearing services, elder law, employment law, housing issues, family law, immigration and refugee law, mortgage assistance, and mental-health advocacy.¹³

Currently, legal aid is at a crisis point in Florida.¹⁴ Since 2009, legal services in Florida have received less funding from the Florida Bar and other sources.¹⁵ In 2008, legal aid organizations in Florida received

⁶ *Legal Aid*, JACKSONVILLE BAR ASS'N, <https://www.jaxbar.org/public-resources/legal-aid/> (last visited May 23, 2016).

⁷ *About JALA*, *supra* note 3.

⁸ *Id.*

⁹ *Id.*

¹⁰ *Legal Aid*, *supra* note 6.

¹¹ *About JALA*, *supra* note 3.

¹² *Id.*

¹³ *Service Areas @ JALA*, JACKSONVILLE AREA LEGAL AID, <https://www.jaxlegalaid.org/serviceareas.html> (last visited May 23, 2016).

¹⁴ Andrew Pantazi, *Funding for legal aid reaches crisis point in Florida*, FLA. TIMES-UNION, <http://jacksonville.com/news/florida/2014-06-25/story/funding-legal-aid-reaches-crisis-point-florida> (last updated Jan. 8, 2015, 1:38 AM) (finding that funding for legal aid has been nearly cut in half since 2008).

¹⁵ *Id.*

\$29 million from the Florida Bar Foundation.¹⁶ In 2014, the Florida Bar reduced their contribution to legal aid organizations to \$12 million.¹⁷ In 2015-2016, JALA is only expected to receive \$252,798 from the Florida Bar, a dramatic decrease from the \$1.2 million received in fiscal years 2009 and 2010.¹⁸ Due to the decrease in funding, JALA has been forced to cut staff, suspend retirement matching, and reduce services to the community significantly by closing its doors on Fridays.¹⁹ By reducing the number of operating days, JALA has been forced to render less aid to those who need it the most, the less fortunate.²⁰

This Foreword serves three purposes: (1) to discuss the need for legal services, (2) to discuss the financial struggles facing programs such as JALA, and (3) to provide insight into how JALA's attorneys are continuing to find innovative ways to help the community at large, despite the financial crisis. Part I discusses the history and need for legal services. Part II discuss the funding crisis affecting legal aid programs in Florida. Part III introduces two articles in this journal, written by JALA attorneys, which provide some insight into the complex civil matters JALA addresses on a regular basis. Part IV introduces a new intake program to help triage individuals who are in need of legal services.

I. THE NEED FOR LEGAL SERVICES

A. *History of Legal Services*

Equal justice under the law is a staple in our American jurisprudence, engraved by our nation's highest court.²¹ This principle stems from the Fourteenth Amendment of the U.S. Constitution, which states that no person shall be denied equal protection of the laws.²²

¹⁶ *Id.*

¹⁷ *Id.*

¹⁸ *Id.*

¹⁹ Media Release, Jacksonville Area Legal Aid, Inc., Legal Aid Forced to Cut Service by 20% and Lay Off Staff (Aug. 25, 2014), https://www.jaxlegalaid.org/images/press_releases/082614jalafurlough.pdf.

²⁰ *Id.*

²¹ See U.S. CONST. amend. XIV.

²² *Id.*

Since the birth of the Fourteenth Amendment, courts have long recognized a need to provide legal assistance and protections to low-income individuals so that access to justice is available to all, regardless of one's ability to pay.²³

The beginning of legal services was established in 1876 by the German Society to help protect German immigrants.²⁴ By 1890, the German Society created the Legal Aid Society of New York, extending its services beyond German immigrants.²⁵ Beginning in 1888, the Ethical Culture Society of Chicago created the first legal service agency, established to "offer legal assistance to individuals regardless of nationality, race, or sex."²⁶ After that, the birth of legal services spread throughout the United States.²⁷

In Florida, legal services began to appear during the depression.²⁸ The local bar associations created volunteer services to help address the needs of the poor.²⁹ By the 1960s, the federal government first established funding through the Economic Opportunity Act³⁰ to help combat the War on Poverty.³¹ In 1968, the Florida Constitution was amended to add article I, section 21, which provides, "The courts shall be open to every person for redress of any injury, and justice shall be administered without sale, denial or delay."³²

In 1979, the Florida Supreme Court recognized that more attention was required to provide "effective legal services to the

²³ *In re* Amendments to Rule Regulating the Fla. Bar 1-7.3., 175 So. 3d 250, 251 (Fla. 2015).

²⁴ Martha Bergmark, *A Brief History of Civil Legal Services for Low-Income People in the United States*, LEGAL SERVICES NAT'L TECH. ASSISTANCE PROJECT, <http://lsntap.org/sites/all/files/legalServicesHistory.pdf> (last visited May 23, 2016).

²⁵ *Id.*

²⁶ *Id.*

²⁷ *Id.*

²⁸ Judge William A. Van Nortwick et al., *Pro Bono Services in Florida*, FLA. B.J., Apr. 1999, at 30, 31.

²⁹ *Id.*

³⁰ *A Brief History of Civil Legal Services for Low-Income People in the United States*, *supra* note 24.

³¹ Van Nortwick et al., *supra* note 28.

³² FLA. CONST. art. I, § 21.

indigent” and directed the Florida Bar to conduct a study on the best practices to improve such services.³³ The Furman Report was issued in 1980, which recommended that Florida (1) implement pro bono services statewide, (2) expand funding for legal services to provide for additional staff, (3) expand the use of paralegals and lay representation, (4) enact an attorney fees statute for public interest, (5) reform the “in forma pauperis statute,” and (6) simplify divorce proceedings.³⁴ By the next year, all sixty-seven counties in Florida had legal aid services.³⁵

In 1990, a joint commission was formed in Florida to once again address the needs of legal services.³⁶ “[T]he Joint Commission found that ‘only approximately 20% of the legal needs of the poor [in Florida] are being addressed.’”³⁷ Thus, the Florida Supreme Court adopted the pro bono rule, which provides that attorneys must assume a responsibility and take an oath to represent the poor when required by the court.³⁸ Recently in 2014, the Florida Supreme Court’s Chief Justice, Jorge Labarga, established the Florida Commission on Access to Civil Justice to conduct a study addressing the legal barriers for “disadvantaged, low income, and moderate income Floridians.”³⁹ The Florida Supreme Court has stated on multiple occasions, “Justice is not truly justice if only the rich can afford counsel and gain access to the courts.”⁴⁰

B. Florida in Financial Hardship and Steps JALA Has Taken to Address the Growing Need for Legal Assistance

One of the greatest misnomers about legal services is that the

³³ Fla. Bar v. Furman, 376 So. 2d 378, 382 (Fla. 1979).

³⁴ Van Nortwick et al., *supra* note 28, at 32.

³⁵ *Id.*

³⁶ *Id.* at 34.

³⁷ *Id.* (quoting FLA. BAR FOUND. JOINT COMM’N ON THE DELIVERY OF LEGAL SERVS. TO THE INDIGENT IN FLA., OPENING THE DOORS TO JUSTICE: THE QUEST TO PROVIDE ACCESS FOR THE POOR IN FLORIDA 15 (1991)).

³⁸ *Id.* at 35.

³⁹ *In re* Amendments to Rule Regulating the Fla. Bar 1-7.3., 175 So. 3d 250, 253 (Fla. 2015).

⁴⁰ *Id.* at 260 (quoting *In re* Amendments to Rules Regulating the Fla. Bar 1-3.1(a) & Rules of Judicial Admin. 2.065, 630 So. 2d 501, 502 (Fla. 1993)).

services offered are charity and only for the “deserving poor.”⁴¹ The truth is that most individuals who need legal services are actually the working poor—individuals who work but whose low incomes cannot meet their basic necessities.⁴² In the fall of 2014, United Way released a study it conducted in Florida on financial hardship, known as the ALICE Report.⁴³ ALICE stands for the “Asset Limited, Income Constrained, Employed, comprising households with income above the Federal Poverty Level but below the basic cost of living.”⁴⁴

The ALICE Report analyzes the Household Survival Budget and the incomes within households.⁴⁵ The Household Survival Budget calculates the basic cost of “housing, child care, food, health care, and transportation” for each county.⁴⁶ The ALICE Report uses the Household Survival Budget to create the ALICE Threshold, which is a more realistic estimate of the total income needed to meet the survival needs of a basic household that adjusts for age and other factors.⁴⁷ Thus, the ALICE Report analyzes those in abject poverty plus the working poor—individuals that maintain employment but do not receive enough compensation to cover the basic needs of a household.⁴⁸ The ALICE Report discredits the Federal Poverty Level’s methodology—which has not been adjusted since 1974—because it does not accurately reflect the increase in the cost of living and does not account for cost differences throughout the country.⁴⁹ In 2012, the federal poverty rate in Florida was 15%—meaning about 1.1 million households were below the Federal Poverty Level—but the ALICE Report reflected a different economic picture.⁵⁰ The ALICE Report

⁴¹ See generally *History of NLADA*, NAT’L LEGAL AID & DEFENDER ASS’N, <http://www.nlada.org/about-nlada/history-nlada> (last visited May 23, 2016) (explaining the history of NLADA and its services).

⁴² UNITED WAY ALICE, FLORIDA STUDY OF FINANCIAL HARDSHIP 1 (2014), <http://www.miamifinancialstability.org/images/landing/ALICE-FullReport-REV.pdf>.

⁴³ *Id.*

⁴⁴ *Id.* at 5.

⁴⁵ *Id.*

⁴⁶ *Id.*

⁴⁷ *Id.*

⁴⁸ *Id.* at 1.

⁴⁹ *Id.*

⁵⁰ *Id.* at 1-2.

found that in Florida, 45% of households “struggle to afford basic household necessities.”⁵¹ Thus, adding the Federal Poverty Level households and the ALICE households, 3.2 million Florida households are below the ALICE threshold.⁵²

Currently, Florida’s median annual income of \$45,040 is 14% below the United States’ average median income of \$51,371.⁵³ The average cost of living in Florida ranges from \$18,624 for a single adult to \$47,484 for a family of four.⁵⁴ In comparison, the national poverty rate for a single adult is \$11,170, and for a family of four, with an infant and a preschooler, it is only \$23,050.⁵⁵ As of 2014, Florida ranks better than just ten states for real growth in GDP, and per capita earnings in Florida have not gotten back to 2007 levels.⁵⁶ Currently, 69% of the jobs in Florida—including hourly as well as salaried jobs—pay less than the equivalent of \$20 an hour.⁵⁷ Fifty-four percent receive less than \$15 an hour.⁵⁸ The reason for the low pay is the change in the job market in Florida.⁵⁹ Florida relies heavily on tourism, which requires workers in the retail, customer service, and hospitality industries.⁶⁰ The ALICE Report projects that these types of employment “are projected to grow at double or triple the rate of medium- and high-skilled jobs over the next decade across Florida.”⁶¹ Thus, as the cost of living increases, the level of pay remains stagnant.⁶²

Duval County, Florida, has 32% of its households below the ALICE threshold and 16% below the poverty levels.⁶³ The Household Survival Budget for Duval County is \$18,735 for a single person and

⁵¹ *Id.* at 2.

⁵² *Id.*

⁵³ *Id.* at 6.

⁵⁴ *Id.* at 7.

⁵⁵ *Id.* at 144.

⁵⁶ *Id.* at 6.

⁵⁷ *Id.* at 4.

⁵⁸ *Id.*

⁵⁹ *Id.*

⁶⁰ *Id.*

⁶¹ *Id.*

⁶² *See id.* at 1.

⁶³ *Id.* at 144.

\$47,919 for a family of four.⁶⁴ Twelve of the largest cities in Florida, including Jacksonville, “have more than 37% of households below the ALICE threshold.”⁶⁵ The ALICE figures in Jacksonville are consistent with the high levels of requests for legal assistance that JALA receives.⁶⁶

In 2015, JALA, according to its director of intake, Jamie Ibrahim, received approximately 9,200 requests for legal assistance.⁶⁷ In that same year, JALA received approximately 7,352 calls requesting assistance in consumer law, family law, and other legal areas.⁶⁸ JALA received approximately 1,869 calls regarding consumer law issues.⁶⁹ Consumer law cases include predatory lending of all types, including foreclosures, consumer debt, bankruptcy, deed issues, contract questions, and payday- and refund-anticipation loans.⁷⁰ JALA received 2,158 calls involving family law issues.⁷¹ The family law department addresses domestic violence, divorce, adoption, child support, custody, guardianship, paternity, and visitation.⁷² Family law cases are generally limited to Ryan White clients (persons living with HIV), victims of domestic violence, and clients with disabilities.⁷³ Other calls encompass seal and expungement cases, social security, employment, and deposit issues.⁷⁴ The housing department handles cases that involve landlord-tenant disputes.⁷⁵ Intake received 1,897 calls involving landlord-tenant matters.⁷⁶ The immigration department

⁶⁴ *Id.*

⁶⁵ *Id.* at 2.

⁶⁶ Interview with Jamie Ibrahim, director of intake, Jacksonville Area Legal Aid, Inc., in Jacksonville, Fla. (Jan. 21, 2016).

⁶⁷ *Id.*

⁶⁸ *Id.*

⁶⁹ *Id.*

⁷⁰ *Id.*

⁷¹ *Id.*

⁷² *Id.*

⁷³ *Id.*

⁷⁴ *Id.*

⁷⁵ *Frequently Asked Questions*, JACKSONVILLE AREA LEGAL AID, <http://www.jaxlegalaid.org/> (last visited May 23, 2016).

⁷⁶ Interview with Jamie Ibrahim, *supra* note 66.

handles its own intake.⁷⁷ As of January 2016, there are 4,408 cases open between family law, immigration, consumer law, and landlord-tenant disputes.⁷⁸

To help combat the growing number of cases, JALA offers free legal clinics.⁷⁹ These clinics offer training and advice in the areas of family law, consumer, homeownership, and personal rights.⁸⁰ The family law clinic offers trainings on the second Thursday of each month to discuss child support modifications, custody and timesharing, paternity, and dissolution of marriage.⁸¹ The consumer clinics discuss bankruptcy, consumer rights, small claims, and low-income taxes.⁸² The homeownership clinics help first-time homebuyers understand the buying process and help them learn tips on avoiding foreclosure, foreclosure mediation, foreclosure scams, and other predatory lending issues.⁸³ The personal rights clinics, offered through a partnership with Three Rivers Legal Services and the D.W. Perkins Bar Association, provide information about seal and expungement eligibility, how convicted felons can restore their civil rights, and workers' rights for ex-offenders.⁸⁴ In addition to the clinics, JALA, in conjunction with the Jacksonville Bar Association and Florida Coastal School of Law, offers "ask-a-lawyer" services.⁸⁵ These services allow individuals to briefly ask legal questions to licensed attorneys in multiple areas of law.⁸⁶ Community counseling is provided to other nonprofit organizations that work to improve blighted neighbors.⁸⁷

⁷⁷ *Id.*

⁷⁸ *Id.* As of January 2016, there are 2,158 family law cases open, 1,428 immigration cases open, 1,170 consumer law cases open, and 849 landlord-tenant cases open. *Id.*

⁷⁹ *Self Help Clinics*, JACKSONVILLE AREA LEGAL AID, <https://www.jaxlegalaid.org/free-clinics.html> (last visited May 23, 2016).

⁸⁰ *Id.*

⁸¹ *Id.*

⁸² *Id.*

⁸³ *Id.*

⁸⁴ *Id.*

⁸⁵ *Id.*

⁸⁶ *Id.* The current topics are contracts, family law, foreclosure, real estate, employment, probate, social security disability, personal injury, criminal law, bankruptcy, immigration, wills and advance directives, landlord tenant, and income tax. *Id.*

⁸⁷ *Community Counsel*, JACKSONVILLE AREA LEGAL AID, <https://www.jaxlegalaid.org>

As of 2012, Florida is ranked second in the nation for foreclosure filings.⁸⁸ Given the ALICE Report, a large percentage of the population is struggling.⁸⁹ There is a high demand for legal assistance as well as other social services such as health care, insurance, and governmental assistances.⁹⁰ Despite the need, legal services have experienced a drastic decline in funding since 2010.⁹¹

II. THE 2008 FINANCIAL CRISIS IMPACTS LEGAL AID

Since the Great Recession of 2008, funding for public aid organizations like JALA has been cut dramatically.⁹² For example, the Florida Bar Foundation gave \$1.2 million to JALA in 2009 and 2010, but in fiscal year 2015-2016, JALA will only receive \$252,798.⁹³ In addition to the decrease in funds from the Florida Bar Foundation, the City of Jacksonville has also decreased its funding.⁹⁴ In 2005-2006, the City of Jacksonville funded JALA \$747,110, but this decreased to zero dollars in 2013-2014.⁹⁵ In 2014, the City of Jacksonville eventually provided JALA with some funding, \$240,000; however, the funding is less than some other cities of similar size in Florida.⁹⁶ In comparison, St. Johns County, which JALA serves, gave JALA \$308,119, and Hillsborough and Miami-Dade counties “pay legal aid more than twice as much per poor person in the county limits.”⁹⁷ Federal funding also has decreased for legal aid services.⁹⁸ In 2010, the seven largest legal

/community-counsel.html (last visited May 23, 2016).

⁸⁸ FLA. LEGISLATURE OFFICE OF ECON. & DEMOGRAPHIC RESEARCH, FLORIDA: AN OVERVIEW OF FORECLOSURES 2 (2013), http://edr.state.fl.us/Content/presentations/economic/FLOverviewofForeclosures_1-24-13.pdf.

⁸⁹ See *supra* Section I.B.

⁹⁰ See *supra* Part I.

⁹¹ Pantazi, *supra* note 14.

⁹² *Id.*

⁹³ *Id.*

⁹⁴ Media Release, Jacksonville Area Legal Aid, Inc., Legal Aid Forced to Cut Service by 20% and Lay Off Staff (Aug. 25, 2014), https://www.jaxlegalaid.org/images/press_releases/082614jalafurlough.pdf.

⁹⁵ *Id.*

⁹⁶ See Pantazi, *supra* note 14.

⁹⁷ See *id.*

⁹⁸ *Funding Civil Legal Aid—Florida*, SOUTHEASTERN COUNCIL FOUND., <http://www.secf.org/legal-aid-fl> (last visited May 23, 2016).

aid services in Florida received \$21.39 million, but in 2013, the funding decreased by 17.4%.⁹⁹

As a result of the decreased funding, JALA actually reduced the number of family law staff attorneys from six to one in 2015.¹⁰⁰ Additionally, in order to deal with the cut in funding, JALA placed a sign on the front door of the Jacksonville office stating, “WE ARE CLOSED THIS FRIDAY DUE TO LACK OF FUNDING” and furloughed the staff for 10% of the time, which equates to closing roughly two weekdays every month. The economic outlook has not changed; in 2016, JALA is expected to receive zero funds from the City of Jacksonville.

The legal-aid funding crisis is not only a JALA issue because the decreased funding affects legal service programs throughout the entire state.¹⁰¹ In 2014, 522 Florida Bar members, including the directors of legal services within the state, filed a petition to the Florida Supreme Court asking the court to amend Florida Bar membership fees in Florida Bar Rule 1-7.3(a).¹⁰² Specifically, the petitioners requested the court to increase the membership fees to \$100 per annum and use the increased fee to fund legal aid services.¹⁰³ The Florida Supreme Court, as it did in the past, recognized that there is a need and obligation to represent the “defenseless and oppressed.”¹⁰⁴ The proposal was published in the *The Florida Bar News*, which allowed its members to make comments on the proposal.¹⁰⁵ The court denied the petitioners’ request for two reasons.¹⁰⁶ First, the court found that there was a strong opposition from Florida Bar members to increase the fees.¹⁰⁷ Second, the court stated that allowing this increase would not address the full

⁹⁹ *Id.*

¹⁰⁰ *See Pantazi, supra* note 14.

¹⁰¹ *In re Amendments to Rule Regulating Fla. Bar 1-7.3*, 175 So. 3d 250, 251-52 (Fla. 2015).

¹⁰² *Id.* at 251.

¹⁰³ *Id.* at 252.

¹⁰⁴ *Id.* at 251 (quoting *In re Amendments to Rules Regulating Fla. Bar 1-3.1(a) & Rules of Judicial Admin. 2.065 (Legal Aid)*, 573 So. 2d 800, 804 (Fla. 1990)).

¹⁰⁵ *Id.* at 252.

¹⁰⁶ *Id.* at 252-53.

¹⁰⁷ *Id.*

funding problem legal services face.¹⁰⁸ The court recognized that the petitioners' arguments were valid and, in doing so, instructed the newly formed Access to Civil Justice Commission to complete a study and develop a "best method" plan to fix to the funding crisis.¹⁰⁹

III. DESPITE FUNDING CRISIS, JALA CONTINUES TO BATTLE MAKING ITS PRESENCE KNOWN

This journal contains articles that discuss current legal topics that legal aid organizations, like JALA and others in Florida, face in the twenty-first century. The article, *Disparate Impact Discrimination in Residential Lending and Mortgage Servicing Based on Sex: Insidious Evil*, is authored by Katherine Hanson, a JALA staff attorney who works within the Fair Housing Department. Dr. Michael Binder of the University of North Florida's Public Research Institute assisted Ms. Hanson with statistical research and analysis that focused on the topic of the article. Dr. Binder's research focused on Duval County, Florida, examining current lender and servicer practices that impact non-note-signing borrowers, leading to a disparate and discriminatory impact and violations of the Fair Housing Act.

With that research, the article highlights a current problem of sex discrimination in current lending and loan-servicing practices that leads to illegal foreclosures or denials of modifications against women. The article highlights sex discrimination and discusses how disparate impact discrimination can be applied under the Fair Housing Act. Armed with the research and the current law, JALA counters against foreclosure cases with a disparate-impact-discrimination defense. Additionally, the article discusses the actual causes of disparate impact discrimination against sex in residential mortgage lending: rigid loan contracts and a lender's interpretation of IRS regulations. Therefore, the article highlights current lending practices within the residential mortgage industry that pose a disparate impact on women borrowers and recommends that lenders must give surviving non-note-signing borrowers the opportunity to assume the residential mortgage.

Next, the article, *Targeting the Poor—How Debt Collectors*

¹⁰⁸ *Id.* at 253.

¹⁰⁹ *Id.*

Help Perpetuate the Poverty Cycle, is authored by two JALA attorneys, Ariel Cook and James Millard. Ariel Cook was the deputy unit head of JALA's Consumer Advocacy and Litigation Unit, and James Millard is the assistant deputy director of JALA, and both attorneys focus their practices on debt collection defense, consumer protection litigation, and foreclosure defense. Both attorneys bring considerable knowledge of consumer protection litigation to JALA. They formulated their article to focus on the current state of debt collection practices in the United States.

The article also focuses on the issuance of consumer credit and the lack of available credit for low-income individuals. The article discusses how the debt collection industry revolutionized its tactics to include third-party debt collections, which allow parties to buy and sell debt collections from other companies. Then, the article shifts its focus to the Fair Debt Collection Practices Act, which imposes limits on debt collection methods but also highlights current problems and flaws in the legislation in the twenty-first century. With a focus on Florida, the article discusses problems for unrepresented defendants within the small claims court system because unrepresented defendants face a battle of constant lawsuits from creditors, debt collectors, and debt buyers—essentially the entire debt collection industry. Therefore, the article recommends not just an overhaul of the Florida Small Claims Court system, but also addresses the current abuses within the debt collection industry.

IV. A NEW STRATEGY

Since the establishment of the recently formed Florida Commission on Access to Civil Justice, a new pilot program has been created in Clay County, Florida.¹¹⁰ This plan is an online triage portal, designed to find the best legal programs and services available to those in need.¹¹¹ The portal is an online interview process that analyzes the user's answers using an expert system.¹¹² The portal project is based

¹¹⁰ See Commission Meeting Agenda from Fla. Comm'n on Access to Civil Justice (Feb. 12, 2016), <http://www.flaccessstojustice.org/wp-content/uploads/2016/02/02122016MeetingDocuments.pdf>.

¹¹¹ See *id.* at 3.

¹¹² *Id.*

upon a similar system created by New Mexico Legal Aid.¹¹³ The goal of the pilot program is to determine the best practices, the appeal to users, and the potential for success.¹¹⁴

The pilot program will be limited to two areas of law: family law and landlord tenant law.¹¹⁵ The program will provide the user information to “legal aid agencies; Bar-sponsored lawyer-referral programs; Clerks of Courts; public and private pro bono programs; and volunteer agencies, as applicable.”¹¹⁶ The Florida Justice Technology Center is the general contractor for the project, and the Legal Services Corporation,¹¹⁷ along with the Florida Bar Foundation and the Florida Attorney General’s office, are the primary funders for this project.¹¹⁸ The goal of the project is to take away the barriers that deny access to civil justice by allowing the users to understand what services they may need.¹¹⁹

V. CONCLUSION

It is the hope of *Florida Coastal Law Review* and JALA that this Foreword and these articles help the reader better understand some of the issues that plague legal aid organizations and appreciate the importance of helping the less fortunate. While these articles discuss just a few specific legal issues faced by low-income Floridians, examining these issues exposes some of the systemic problems that create a justice gap for the less fortunate. This justice gap applies not only to those in abject poverty, but to the working poor as well, especially since the defunding of legal aid organizations. As JALA and other organizations continue to battle for equal justice for all, hopefully these articles help the reader better understand what that encompasses and entails.

¹¹³ *Id.*

¹¹⁴ *Id.* at 4.

¹¹⁵ *Id.*

¹¹⁶ *Id.* at 4.

¹¹⁷ *Id.* at 1.

¹¹⁸ *See id.* at 5.

¹¹⁹ *See id.* at 1.