

1977-2017

SOUTHERN LEGAL COUNSEL

40 YEARS OF IMPACT

PIONEERING JUSTICE AND PROTECTING CIVIL RIGHTS



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 352.271.8890 • WWW.SOUTHERNLEGAL.ORG
 1229 NW 12TH AVENUE, GAINESVILLE FL 32601

THE PEOPLE OF SLC

MESSAGE FROM THE BOARD CHAIR

“Justice for all” is a fundamental American value and one that Southern Legal Counsel fights for each day. Too many of our fellow Floridians do not have access to justice because of the obstacles they face. They may not have the financial ability to hire a lawyer, they may lack the energy or time to seek legal help due to working several jobs, or they may not even be aware that their problems have a legal solution.

My passion for SLC began when I realized that the organization takes up the fight on issues that affect the largest number of Floridians, from children to people with disabilities, from seniors to people experiencing homelessness. In contrast to other legal aid services that provide valuable assistance on an individual level, SLC engages in litigation that has an impact across the state. It is truly “the small firm that does giant things.”

As you review our work, remember that we achieve these accomplishments with a small but dedicated staff in a no-frills environment (only 11% of expenses go toward administration and fundraising, compared to the typical 20% spent by most nonprofits). We cannot succeed without supporters who understand the critical nature of our advocacy. While we have achieved significant results over the years, this is a period of incredible volatility and much work remains. I hope you will become a partner for justice and support our work of advancing the human and civil rights of all Floridians.

Peg O'Connor

MESSAGE FROM THE EXECUTIVE DIRECTOR

Southern Legal Counsel is turning 40! This booklet updates our work for the last five years since publishing *Balancing the Scales* in 2012. It also celebrates the positive impacts SLC has made over 40 years. SLC is a general-focus public interest law firm. We do not practice in just one area of the law or represent a single population. This allows us the flexibility to address Florida’s most pressing problems. Yet summing up what we do is not easily encapsulated in slogans and phrases. We have organized this report by the type of positive outcomes we have achieved – from precedential opinions to training the next generation of public interest advocates.

We work to make positive, systemic change to achieve social, economic, racial and environmental justice. We represent some of the most marginalized and disenfranchised people: those who are experiencing homelessness, have disabilities, attend failing schools, have been discriminated against or live in unhealthy environments. We file court cases, but also seek to change governmental policies without litigation. We also value the importance of public education and empowering clients to advocate for themselves. Our goal is to create a lasting impact in people’s lives whose voice alone is not heard. Standing together, we make a difference.

I am proud of SLC’s highly successful history. Our work, which takes a systemic approach to problems and a long-haul view, has resulted in far-reaching consequences in changing laws, policies and conversations. I also know that the losses, while hard to accept in the moment, have resulted in far-reaching positive consequences.

As we look to the future, we will face challenges that require your support. The generosity of our donors allows us the independence to expose inequities and stand up to abusive powers. With your help, we will continue to keep powerful interests in check. I look forward to the road ahead.

Jodi Siegel

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SLC'S STORY

BEGINNINGS

SLC was created to fulfill a special role. While some low-income people have access to legal aid or to free or pro bono lawyers, many do not. And many individuals come upon the same obstacles that they cannot fix so the resolution requires a systemic approach to end unlawful or discriminatory practices. SLC has focused on the people and issues that are in greatest need of civil legal assistance.

In 1977, Jon Mills was the director of the newly formed Center for Governmental Responsibility at the University of Florida College of Law, and was heading the school's Executive Impoundment Project, working with Congress investigating then-President Nixon. Mills, Chesterfield Smith, then-law school Dean Joseph Julin, Michael McIntosh and Joseph Onek formed SLC as a separate entity to be able to litigate independent of the law school.

From the beginning, SLC made a positive impact on its service areas. Its efforts on behalf of the environment, for example, led to the creation of 1000 Friends of Florida, with SLC serving as its first general counsel. Grants from the Governor's Commission on Advocacy for Persons with Disabilities (now Disability Rights Florida) allowed SLC for many years to focus on significant issues impacting individuals with disabilities.

In 1996, when Congress passed restrictions on Legal Services Corporation (LSC) programs, The Florida Bar Foundation was a national leader in developing a "companion system" and funded programs like SLC to pursue the kind of work that LSC programs no longer could, e.g., class actions and claims for attorneys' fees. As a state leader on special education issues, SLC began receiving a grant in 1999 from the Foundation's newly established Children's Legal Services program. The goal was to mentor legal aid lawyers to increase the number of lawyers and improve the representation of low income children with special education needs.

A hallmark of SLC has always been our independence; we receive no governmental funding, allowing us to work on improving local, state and federal systems without fear of repercussions. While we have developed areas of expertise, SLC's unique mission is to fill the gaps of unmet legal needs and promote the general public interest.

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MISSION

Southern Legal Counsel, Inc. is a Florida statewide not-for-profit public interest law firm that is committed to the ideal of equal justice for all and the attainment of basic human and civil rights. SLC primarily assists individuals and groups with public interest issues who otherwise would not have access to the justice system and whose cases may bring about systemic reform. SLC uses a range of strategies to achieve its goals, including litigation, policy advocacy, and training and technical assistance to lawyers, lay persons and organizations.



"From my service as a judge on the First District Court of Appeal and as a director and officer of The Florida Bar Foundation, I have seen the importance of Southern Legal Counsel first-hand. SLC is a leader in undertaking vitally important impact and law reform work. With the dramatic decrease in funding for legal services organizations, there are less resources available to devote to handling complex impact work. Without SLC taking on the challenging issues, Florida's justice system is less able to meet the needs of low-income and vulnerable populations and to solve legal problems at a systemic level. I am honored to be able to serve on the SLC Board of Directors."

—The Hon. William A. Van Nortwick, Jr.



PIONEERING JUSTICE

PURSUING INNOVATIVE STRATEGIES TO OBTAIN FAR REACHING RELIEF

We use the power of the law to obtain positive social change, reform systems and institutions, strike down unjust laws and policies, and hold government accountable to the people. Our mission is to represent individuals with the goal of fixing the underlying problem not only for our clients but also for all other persons who have experienced similar injustices. In pursuit of justice, SLC has pioneered innovative legal strategies that have broadly impacted the people of this state.

education programs in adult prisons. Our expert created processes for prison intake to identify eligible youth, develop their special education plan, and improve appropriateness of their services.

SLC obtained the first state appellate order that addressed the federal Education of the Handicapped Act, affirming administrative precedent regarding when a school board is obligated to provide a residential placement for seriously emotionally disturbed youth. *Cook v. Sch. Bd. of Sarasota Cnty.* (Fla. 1st DCA 1982).

CHALLENGING DISCRIMINATION

To protect the rights of employees with contagious diseases, we co-authored a brief in a case that resulted in a landmark U.S. Supreme Court decision that people with tuberculosis and other contagious diseases are covered by federal anti-discrimination laws. The Court ruled that employment cannot be terminated without an objective showing of a probable risk of harm to others. Lead counsel: George K. Rahdert. *Arline v. Nassau Cnty. Sch. Bd.*, 480 U.S. 273 (1987).

INTEGRATING COMMUNITIES

SLC brought the first lawsuit under federal disability discrimination laws to challenge Florida's application of zoning restrictions on group homes for persons with disabilities. The group home residents were permitted to continue their occupancy, an important victory in the ongoing struggle to ensure persons with disabilities are permitted to reside in the community and not be subject to unlawful segregation and discrimination. *Collier County v. Training & Educ. Ctr. for Handicapped* (Fla. 20th Jud. Cir.).

ESTABLISHING PRECEDENT

OBTAINING JUDICIAL OPINIONS ON FIRST IMPRESSION ISSUES

Across SLC's history, we have obtained precedential opinions in a variety of legal areas, including constitutional law, employment discrimination, special education, rights of homeless persons, and Florida's Sunshine laws. SLC influences the development of the law and paves the way for future civil rights plaintiffs.

PROMOTING FAIRNESS

SLC represented extremely low-income tenants who were evicted from their apartment building with less than a day's notice because the City of Orlando had decided to condemn the building. The federal appeals court agreed with SLC that tenants have a constitutional right to contemporaneous notice of their right to a hearing in a condemnation action against the apartment owner. *Grayden v. Rhodes*, 345 F.3d 1225 (11th Cir. 2003). This opinion is the touchstone of federal due process law in the Eleventh Circuit and is cited by courts in hundreds of other cases.

DEMANDING TRANSPARENCY

Florida's voters demanded transparency from candidates for elected office when they adopted a "Sunshine Amendment" to the Florida Constitution in 1976 requiring full and public financial disclosures. SLC successfully fought to ensure that the will of the voters was not defeated by attempts to evade these requirements. The Florida Supreme Court ordered that the financial disclosures were required by all candidates, including incumbents, to protect against conflicts of interest and deter corruption. *Plante v. Smathers*, 372 So. 2d 933 (Fla. 1979).

CHALLENGING DISCRIMINATION

In one of the first cases to challenge federal agency employment discrimination based on disability (here, history of epilepsy), the federal appeals court established a private cause of action which allows persons to bring future lawsuits to challenge discrimination. This precedent was followed by other federal courts of appeal and subsequently was adopted by the U.S. Supreme Court. *Counts v. U.S. Postal Serv.*, 631 F.2d 46 (5th Cir. 1980).

In a case under the Florida Human Rights Act to challenge the termination of an employee because of his perceived history of epilepsy, the federal district court wrote a comprehensive opinion setting out the procedures, burdens of proof, and substantive standards for disability employment cases that became the benchmark for future cases under Florida law. *Kelley v. Bechtel Power Corp.*, 633 F. Supp. 927 (S.D. Fla. 1986).

CREATING OPPORTUNITY

When a school board isolated an HIV positive, developmentally disabled student from the general population at school, SLC submitted an *amicus curiae* brief that discussed an issue of first impression involving the interrelationship of Rehabilitation Act and Education of Handicapped Act claims. The court's decision set out the appropriate framework for evaluating these types of discrimination claims for future courts and reversed the lower court's decision allowing the child to be segregated in a separate "glass box" classroom. The child subsequently won the right to attend school along with the general population. *Martinez v. Sch. Bd. of Hillsborough Cnty.*, 861 F.2d 1502 (11th Cir. 1988).

ACCESSING COURTS

After successful special education advocacy on behalf of a child with disabilities, SLC obtained legal precedent, in a case of first impression, that Florida state courts have legal authority to award attorneys' fees under the federal Individuals with Disabilities Education Act. This ruling expanded the availability of lawyers for these types of cases due to the availability of attorneys' fees, ensuring that more children with disabilities will have access to courts. *W.R. v. Sch. Bd. of Osceola Cnty.*, 726 So. 2d 801 (Fla. 5th DCA 1999).

DECRIMINALIZING POVERTY

To reduce the visibility of homelessness, many cities use trespass laws to ban homeless individuals from public places such as city parks. This often results in arrests of homeless people for mere physical presence in a public place open to other members of the public. SLC obtained a landmark court ruling from a federal appeals court that held that people have a constitutionally protected right to be in public places of their choosing. The court further ruled that if a government is going to take away that right, such as by issuing a trespass warning, then it must provide an opportunity for a hearing. *Catron v. City of St. Petersburg*, 658 F.3d 1260 (11th Cir. 2011). This case has been widely cited by courts across the country to strike down similar trespass policies, including ones used against protesters such as during the Occupy Wall Street movement. Co-counsel: Florida Legal Services and National Law Center on Homelessness & Poverty.

REFORMING INSTITUTIONS

Trading wrongful death damages against the State on behalf of one person to obtain policy reform to protect hundreds of thousands of people with disabilities in the future is a classic example of SLC's innovative legal advocacy. A woman with severe disabilities died from a lithium overdose during an experimental drug treatment program at a Gainesville institution for persons with developmental disabilities. To prevent more unnecessary deaths, SLC filed a lawsuit that changed policy, resulting in a rule regarding the proper administration of psychotropic drugs that applied to all state institutions. *LeClair v. Williams* (N.D. Fla. 1983).

DEMANDING TRANSPARENCY

When state legislators sought to eliminate a ban on their lobbying within two years of leaving office, SLC challenged the inclusion of the legislators' proposed state constitutional amendment on the ballot. This case represented the first time that the Florida Supreme Court struck a proposed constitutional amendment from the ballot because its language was misleading to voters. This case led to comprehensive legislation on requirements for ballot summaries. *Askew v. Firestone*, 421 So. 2d 151 (Fla. 1982).

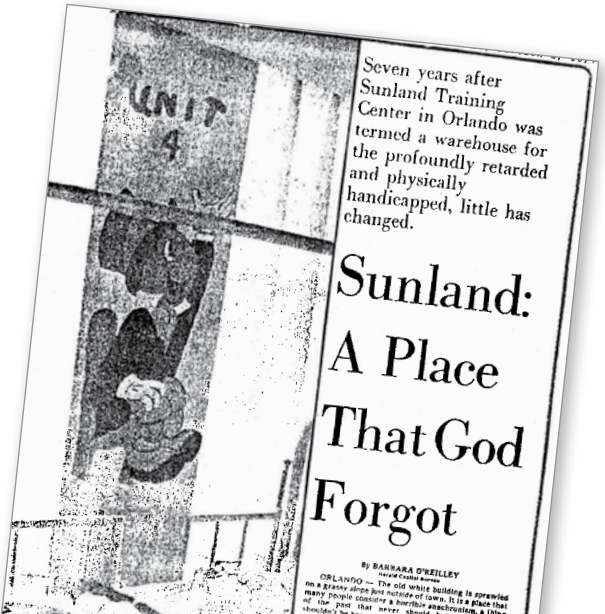
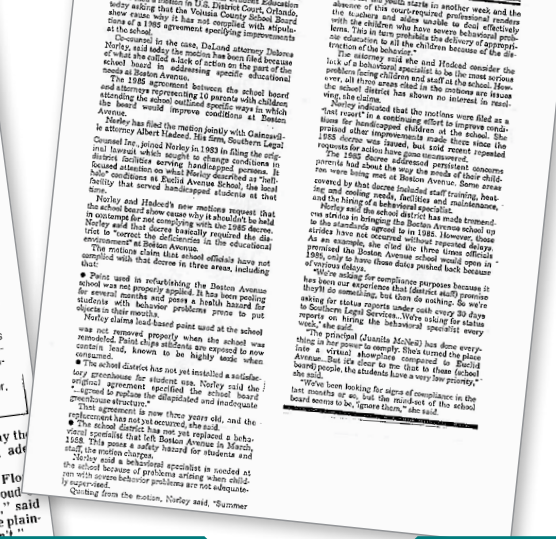
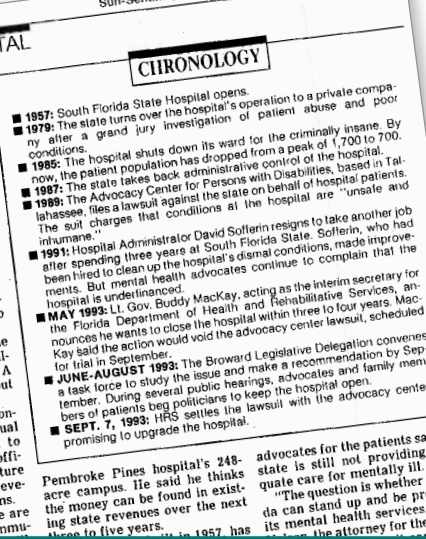
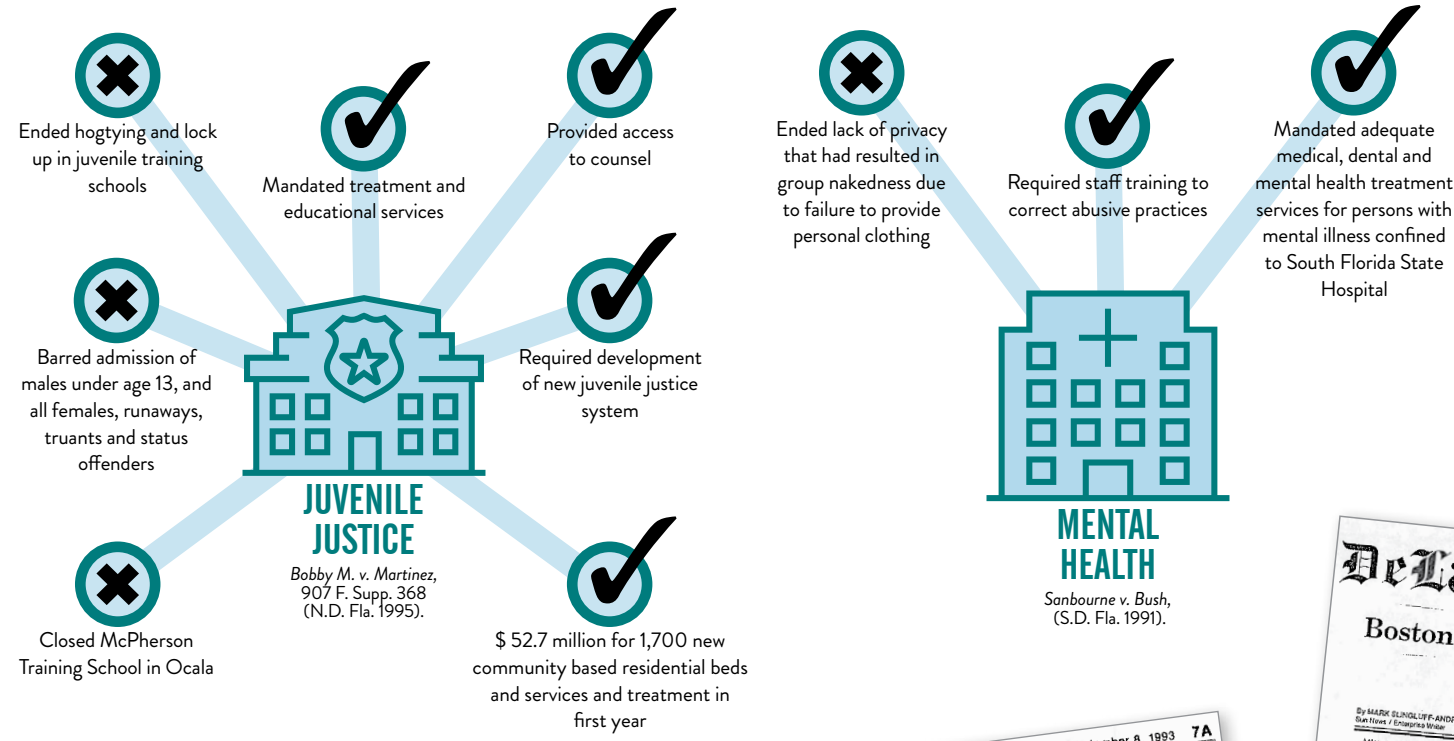
CREATING OPPORTUNITY

SLC's pioneering work in special education law ensures that children with disabilities are able to maximize their potential and have the opportunity to succeed in school. In 1992, we represented youth with disabilities in prisons to address their specialized education needs. Prior to filing suit, we met with Governor Chiles who agreed to establish special

REFORMING INSTITUTIONS

ENDING HORRIFIC PRACTICES AND IMPROVING TREATMENT SERVICES

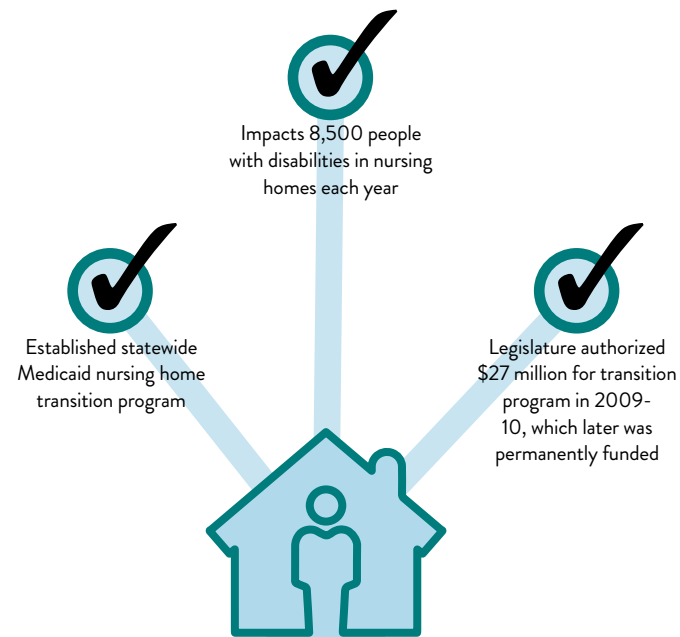
SLC has been at the vanguard of institutional reform in the state of Florida, challenging abusive conditions at institutions that often failed to meet even basic human needs. From the juvenile justice system to institutions for persons with developmental disabilities and mental illnesses, SLC's institutional reform work protects the basic human and civil rights of some of our state's most vulnerable residents. SLC reforms include establishing community systems of care to ensure alternatives to confinement in institutions.



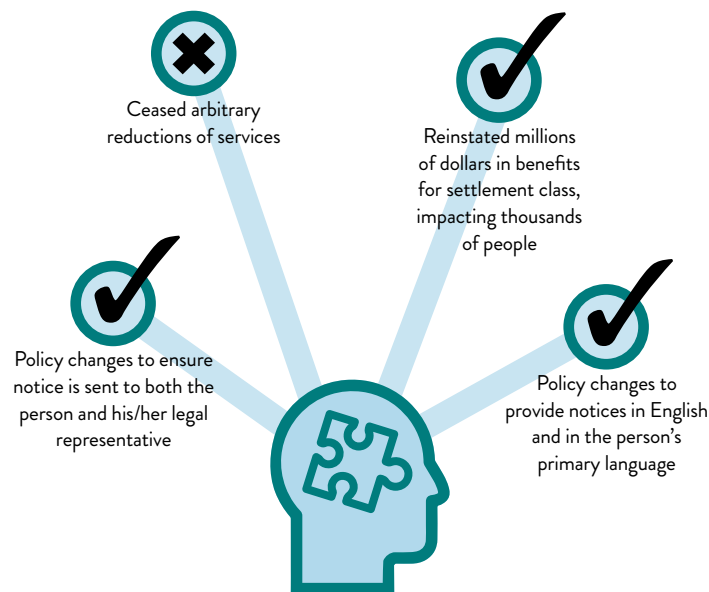
INTEGRATING COMMUNITIES

ENABLING PEOPLE WITH DISABILITIES TO LIVE IN THEIR COMMUNITIES

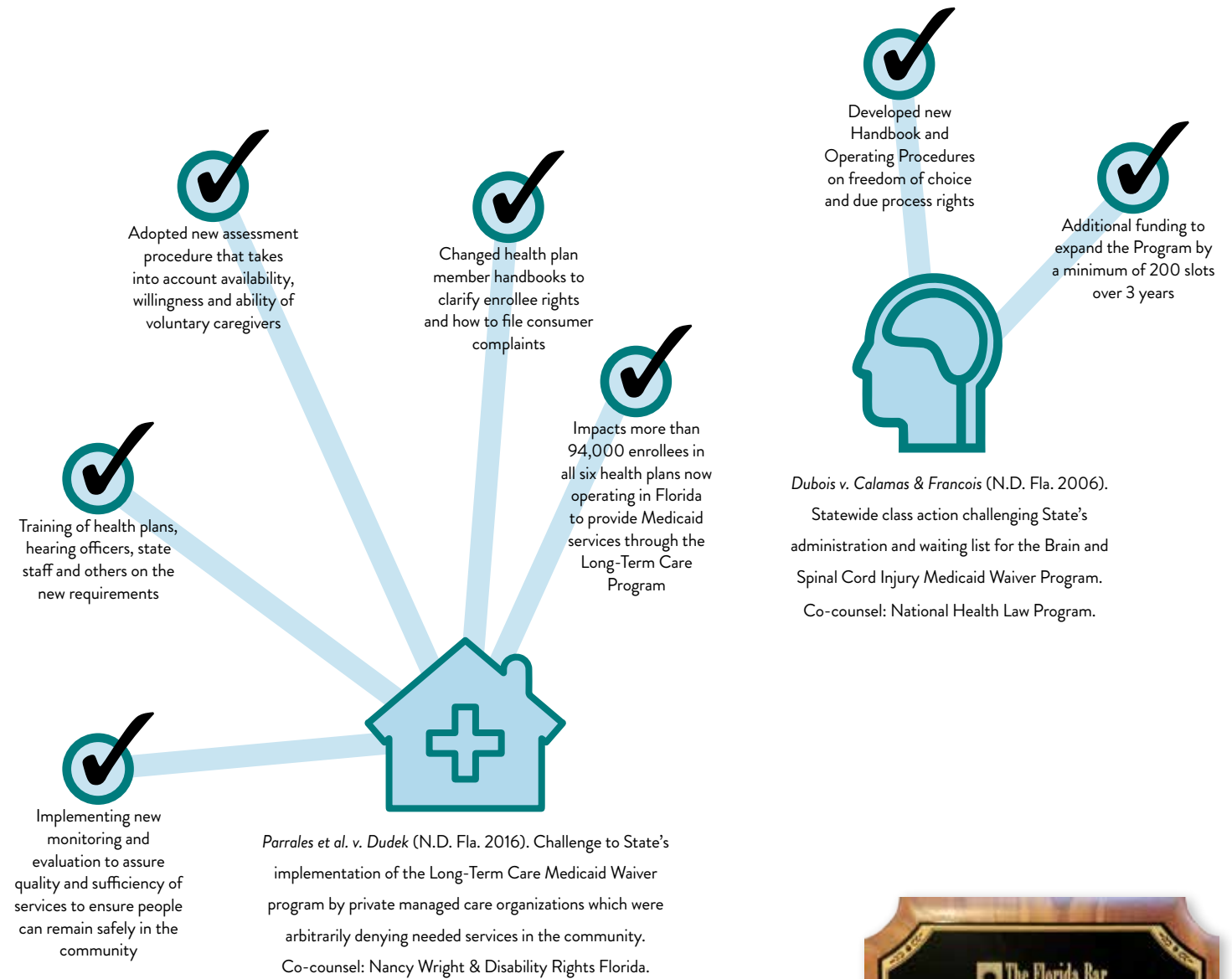
Living in the community rather than a nursing home or institution allows people with disabilities to live, learn and work just like anyone else. Attending religious services, playing basketball, watching movies, dining out - these are life activities that provide meaning and dignity. SLC's longstanding advocacy has succeeded in transitioning thousands of people from institutions into community settings. SLC also works to ensure that persons with disabilities receive home and community based services (such as those provided by Medicaid waiver programs) so that they have the assistance they need to live safely in the community instead of being unnecessarily confined to an institution.



Long v. Benson, 2008 WL 4571903 (granting preliminary injunction), 2008 WL 4571904 (certifying class) (N.D. Fla. 2008), 383 Fed. Appx. 930 (11th Cir. 2010) (affirming preliminary injunction). Statewide class action challenging State's lack of services in the community for Medicaid nursing home residents who wanted to live in the community. Co-Counsel: Steve Gold, AARP Foundation Litigation & National Health Law Program.



Moreland v. Palmer (N.D. Fla. 2013). Statewide class action challenging the State's implementation of the Medicaid Waiver program for persons with developmental disabilities. Co-Counsel: Nancy Wright.



Parrales et al. v. Dudek (N.D. Fla. 2016). Challenge to State's implementation of the Long-Term Care Medicaid Waiver program by private managed care organizations which were arbitrarily denying needed services in the community. Co-counsel: Nancy Wright & Disability Rights Florida.

Dubois v. Calamas & Francois (N.D. Fla. 2006). Statewide class action challenging State's administration and waiting list for the Brain and Spinal Cord Injury Medicaid Waiver Program. Co-counsel: National Health Law Program.



SLC's work on behalf of people with disabilities is award-winning, honored by The Florida Bar Foundation with the Steven M. Goldstein Award for Excellence in 2014 for *Moreland v. Palmer* and with first runner-up for the award in 2010 for *Long v. Benson*. The Steven M. Goldstein Award recognizes a project of significant impact work undertaken by a grantee of The Florida Bar Foundation that must affect a substantial number of poor persons, address an important poverty-law issue, and reflect legal work which is of a high professional level.

CREATING OPPORTUNITY

FIGHTING FOR HIGH QUALITY, APPROPRIATE EDUCATION FOR ALL CHILDREN

Education is the cornerstone of democracy and the ladder of opportunity. To prepare children for a meaningful role in society, education must provide them with the ability to compete effectively in the economy and to contribute and participate as citizens and members of their communities. To ensure all children have the opportunity to succeed in life, SLC advocates to ensure high quality education is available to all children on equal terms.

SPECIAL EDUCATION

From the beginning, obtaining access to appropriate educational services for children with disabilities has been a hallmark of SLC's advocacy. We have represented thousands of children in a variety of forums from administrative proceedings to state and federal courts. Some cases have been precedent setting and others have achieved broad relief. Whether on behalf of an individual or a group, SLC has secured needed services and educational placements to allow children to maximize their potential.

Through our work, special education programs have been established in prisons and juvenile justice programs and we have reformed systems and policies. Transgender children and those who are HIV positive have gained access to education after being discriminated against by schools. And to ensure that low-income children have access to a statewide system of special education advocates, SLC provides training and statewide support to the civil legal aid system with support from The Florida Bar Foundation.

Article IX, Section I, Florida Constitution: The education of children is a fundamental value of the people of the State of Florida. It is, therefore, a paramount duty of the state to make adequate provision for the education of all children residing within its borders. Adequate provision shall be made by law for a uniform, efficient, safe, secure, and high quality system of free public schools that allows students to obtain a high quality education...

HIGH QUALITY EDUCATION

Florida's education system is failing, where more than a million children are not reading on grade level, thousands attend persistently low-performing schools, and the quality of their education is dependent on their race, ethnicity, geography or socioeconomic status.

A considerable number of children come to school not ready to learn, without having the background that children from wealthier households have. There is a clear disparity in the performance of economically disadvantaged students versus those who are not economically disadvantaged. A majority of students living in poverty do not pass statewide assessments in math or reading. To provide educational opportunity to all children as the Florida Constitution requires, school districts need to respond to children's needs at whatever level they are to make that educational opportunity meaningful.

In 1998, the citizens of this State overwhelmingly voted to impose the highest duty on the State to provide a quality education system. SLC filed suit in 2009 (*Citizens for Strong Schools v. State Board of Education*) to hold government accountable to the people for its failures to meet its constitutional obligation. A high quality education system is not complacent with mediocrity, nor does it accept persistently failing schools and glaring achievement gaps as foregone conclusions.

After a four-week trial in March 2016, the trial court ruled in favor of the State and concluded that the constitutional provision was not enforceable in court. Although disappointed by the court's ruling, SLC continues to persevere and has appealed the decision. We will not give up the fight until the promise in our constitution is fulfilled for all Florida's children.

SLC Executive Director Jodi Siegel questions a school board superintendent during the four-week trial about the quality of Florida's public education system in March 2016.

DECRIMINALIZING POVERTY

STRIKING DOWN UNJUST LAWS THAT PUNISH PEOPLE FOR BEING HOMELESS

SLC works to abolish unlawful and harmful practices that punish poverty. Homelessness is a form of extreme poverty experienced by tens of thousands of individuals and families in Florida. Many communities across the state punish homeless people for conduct essential to survival—such as sleeping, sitting, asking for money, owning personal property, and being present in public places. Since 2005, with the initial support of a two-year fellowship funded by the Equal Justice Works program, SLC has worked relentlessly to strike down unjust laws that punish people for being homeless, and promote the right to affordable housing, services, and opportunities that allow people to live with dignity.



SLC clients Chico and Debbie Jimenez at their first food sharing in Manatee Park in Daytona Beach, Florida, after they reached a settlement with the City to allow their food ministry to continue.

Chico and Debbie Jimenez were cited and trespassed from a Daytona Beach park in May 2014. Their crime? Sharing food with hungry and homeless persons as an expression of their religious beliefs through their ministry Spreading The Word Without Saying A Word. With the assistance of SLC, they filed a lawsuit in federal court to challenge the constitutionality of the City of Daytona Beach's ordinances

and park rules. In March 2016, the parties reached a settlement agreement that lifted a 12-year-old ban on feeding homeless and hungry people in city parks. The City also rescinded its trespass policy and lifted all trespass warnings previously issued for public parks, which primarily impacted homeless persons.

Want to end homelessness?
Housing works.
Criminalization doesn't.

HOUSINGNOTHANDCUFFS.ORG

**HOUSING
NOT HANDCUFFS**

#HNNHnow

POLICY ADVOCACY

Housing Not Handcuffs — SLC partnered with more than 100 organizations to launch a national campaign to end homelessness. To end the crisis of homelessness, the campaign advocates that the criminalization of homelessness must end and all persons experiencing homelessness should instead have access to housing, services, and opportunities that allow them to live with dignity.

LITIGATION

SLC HAS SUCCESSFULLY CHANGED LAWS AND POLICIES THAT CRIMINALIZE HOMELESSNESS

- ✓ Panhandling ordinances and state statutes used to arrest and jail people for asking for work, money, or assistance: State statutes (2006), Gainesville (2006), Gainesville (2017), Alachua County (2006), Ocala (2007), Marion County (2008)
- ✓ Food sharing restrictions: Daytona Beach (2016)
- ✓ Policy of systematic destruction of homeless persons' encampments and personal property: Titusville (2013)
- ✓ Trespass policies used to ban people from public parks for durations of time ranging from one year to permanently: St. Petersburg (2012), Gainesville (2013), Daytona Beach (2016)



SLC Attorney Kirsten Anderson (second from left) addresses a room full of policymakers, stakeholders in the criminal justice system, advocates, service providers and other members of the community at a forum in August 2014 about ending the criminalization of homelessness in Key West, Florida. SLC is frequently invited to speak at conferences, trainings, and community forums about constructive solutions to ending homelessness instead of criminalizing homeless people.

CHALLENGING DISCRIMINATION

PROTECTING THE RIGHT TO MARRY, WORK, LEARN, RESIDE, ASSOCIATE AND BE EQUAL

SLC has tirelessly worked to end all forms of discrimination and to eliminate prejudice and unjust barriers in housing, health care, employment, education, homeless shelters, and public services. We have sued under the Americans With Disabilities Act, the Rehabilitation Act, Title VII, Fair Housing Act, Section 1981, Section 1982, and the U.S. Constitution to challenge discrimination based on disability, national origin, race, mental health, HIV, and sexual orientation.

HOUSING

Access to housing is essential for fulfillment of basic human rights and access to economic opportunity. Housing discrimination is pervasive nationwide and severely underreported. SLC educates housing providers on their obligations under the federal Fair Housing Act and other federal and state statutes to provide housing without discrimination. SLC has represented clients to remedy discrimination in the sale, rental, and access to housing on the basis of physical disability, mental health, and race.

Historically, race discrimination by property owners and real estate agents helped create dramatic patterns of housing and neighborhood inequality. We assist individuals to remedy race discrimination in housing, such as on behalf of Antoinette Arnao, an African-American woman who experienced discriminatory treatment when attempting to lease an apartment in Central Florida. The leasing agent refused to show her an available unit or provide her with an application, but then treated a white individual more favorably when she visited the same complex a few days later. SLC filed a race discrimination lawsuit in federal court, which was settled to provide damages to Ms. Arnao.

In October 2003, a fire engulfed Kennedy Homes, a federally subsidized multi-family housing complex for low and extremely low-income families located in Gainesville. The fire was caused by leaking gas lines, a symptom of years of neglect and poor maintenance. The complex was closed due to unsafe conditions and all of the residents were forced to relocate. Many residents were unable to afford the increased costs of replacement housing. SLC and Three Rivers Legal Services represented 35 former residents who sued in federal court to hold the private owner of Kennedy Homes and its parent corporation AIMCO (the largest owner of privately held low-income housing in the nation) responsible for the lack of maintenance that led to its closure. A confidential mediated settlement was reached.



PUBLIC ACCOMMODATIONS

All people should be able to access places of public accommodation, including facilities that offer lodging, food, entertainment, health care, professional services, or recreation. However, federal and state law currently do not provide explicit protection from discrimination on the basis of sexual orientation or gender identity at places of public accommodation. Several cities and counties, including Gainesville, have added sexual orientation and/or gender identity as protected classes under local human rights ordinances to provide these protections. SLC represented the Pride

Community Center of North Central Florida in a discrimination suit on the basis of sexual orientation under Gainesville's human rights ordinance based on a pattern of discriminatory towing of its visitors. The Gainesville Human Rights Commission issued a probable cause finding and prior to the hearing, the parties reached a settlement agreement that resolved the ongoing parking disputes and provided clear protocols related to towing of Pride Center visitors.

PROMOTING FAIRNESS

HOLDING GOVERNMENT ACCOUNTABLE FOR PROVIDING DUE PROCESS

The Constitution protects us from government overreach by requiring the government to provide due process of law when it decides to deprive a person of life, liberty, or property. SLC holds the government accountable for unfairly depriving people of constitutionally protected liberties and property interests without providing the required notice and a meaningful opportunity to challenge those decisions. SLC protects people from wrongful deprivations of their rights by ensuring fairness in government proceedings.

ESTABLISHING PRECEDENT

SLC's impact on the law is profoundly evident in the area of due process jurisprudence. Our cases have established legal precedent that continues to protect the constitutional right of the people to fairness in government procedures when facing deprivations of life, liberty or property. In a landmark case widely cited by courts, SLC established the right of public employees to receive a name-clearing hearing after termination of their employment when stigmatizing information has been made part of public record or otherwise published. *Buxton v. City of Plant City, Fla.*, 871 F.2d 1037 (11th Cir. 1989). SLC's case establishing the right of tenants to contemporaneous notice of right to

a hearing on condemnation proceedings initiated against the owner of an apartment building is widely regarded as a benchmark for due process law. *Grayden v. Rhodes*, 345 F.3d 1225 (11th Cir. 2003). And SLC made legal precedent yet again with a case that established that all people enjoy a constitutionally protected liberty interest to be in public places of their choosing and the government must provide due process if it deprives people of this right by issuing trespass warnings. *Catron v. City of St. Petersburg*, 658 F.3d 1260 (11th Cir. 2011).



AMEND. XIV, U.S. CONST., § 1

... NOR SHALL ANY STATE DEPRIVE ANY PERSON OF LIFE, LIBERTY, OR PROPERTY, WITHOUT DUE PROCESS OF LAW ...

FOR DEPRIVATIONS OF CONSTITUTIONALLY PROTECTED INTERESTS,

SLC obtained ruling that there is a constitutionally protected liberty interest to be in public places of one's choosing, including city parks.

NEED ADEQUATE NOTICE

SLC established right of tenants to contemporaneous notice of their right to a hearing when local government decides to initiate condemnation and eviction proceedings.

SLC enforced right of 9,000 persons with developmental disabilities to receive adequate notice from state agency explaining reasons for proposed reductions in Medicaid waiver services that they relied on to live in their homes instead of being confined to institutions.

+ MEANINGFUL HEARING

SLC compelled state agency to provide evidentiary hearings to more than 3,000 persons with developmental disabilities prior to reducing Medicaid waiver services.

SLC negotiated repeal of policies in multiple cities that allowed police officers to issue trespass warnings because the government failed to provide required hearings to challenge.

= DUE PROCESS OF LAW

DEFENDING DISSENT

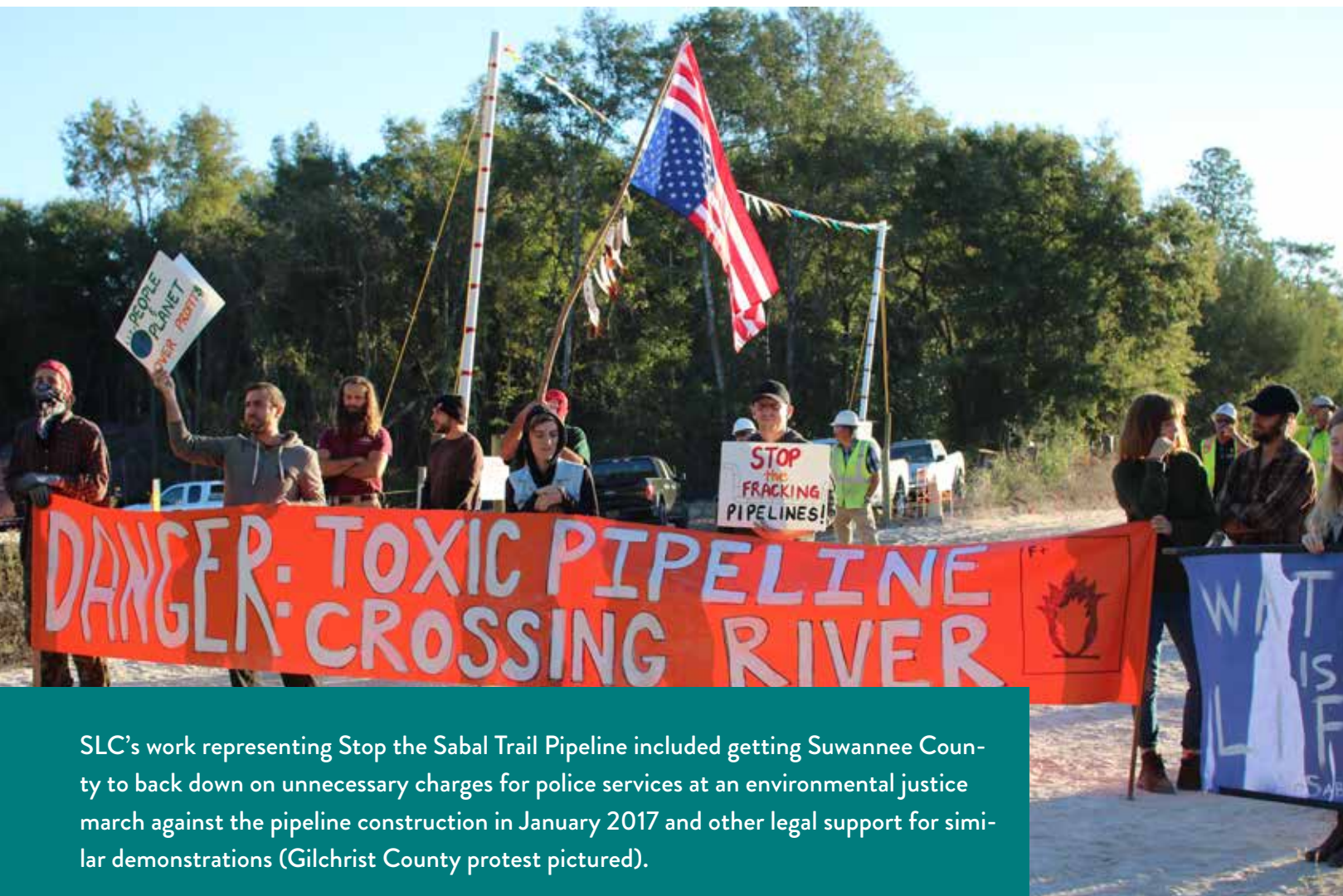
DEFENDING THE RIGHT TO FREE SPEECH AND ASSEMBLY

SLC's impact litigation and advocacy on behalf of grassroots groups has successfully reformed local permit laws in cities around the state that unlawfully restrict free speech activities on public sidewalks, parks and streets. SLC protects the right to engage in political protest and advance struggles for social, racial and economic justice. SLC also provides legal support for organizing through Know Your Rights trainings and legal advice.

SLC has brought successful litigation that won significant monetary settlements for violations of protesters' rights to challenge police and government misconduct based on false arrest, use of excessive force and unlawful political profiling against activists for merely exercising their First Amendment rights. When law enforcement coordinated an all-out assault on the First Amendment during the protests of the Free Trade Area of the Americas (FTAA) in November 2003 in Miami, SLC

responded by successfully challenging the mass false arrests and use of excessive force by over 40 local, state and federal law enforcement agencies to deliberately disrupt lawful protests. *Killmon, et al. v. City of Miami, et al.* (S.D. Fla. 2004).

Co-counsel: Carol A. Sobel, Robert W. Ross, Jr., Mara Verheyden-Hilliard, Carl Messineo & Jonathan Moore.



SLC's work representing Stop the Sabal Trail Pipeline included getting Suwannee County to back down on unnecessary charges for police services at an environmental justice march against the pipeline construction in January 2017 and other legal support for similar demonstrations (Gilchrist County protest pictured).

ACCESSING COURTS

ELIMINATING BARRIERS TO ACCESSING JUSTICE

The courts should not be open only to those who can afford to pay. SLC has fought to remove obstacles to accessing justice on behalf of indigent individuals who do not have money to pay for legal assistance or for court fees. Because justice is often unattainable without the assistance of legal counsel, SLC has worked to expand options available to assist those who cannot afford a lawyer.

OPENING COURTHOUSE DOORS

For more than five years, indigent litigants in the Sixth Judicial Circuit were denied access to appellate courts for one reason: they could not afford to pay the \$400 filing fee. When SLC attempted to file appeals with the circuit court on behalf of homeless individuals, our clients had the courthouse doors slammed in their face due to an administrative order that prohibited filing fee waivers for indigent litigants. SLC petitioned the Second District Court of Appeal to challenge the administrative order. The appellate court ordered the circuit court to grant indigent filing fee waivers to all of our clients. In two separate decisions, the Second District Court of Appeal held that indigent litigants in civil and criminal cases have a clear legal right to filing fee waivers under Florida law and ordered the judges to grant the fee waivers. *Ledger v. City of St. Petersburg*, 135 So.3d 496 (Fla. 2d DCA 2014); *State v. Jachimski*, 162 So. 3d 302 (Fla. 2d DCA 2015).

SLC's advocacy resulted in the repeal of the administrative order that had impacted thousands of indigent litigants in Pinellas and Pasco Counties who were being unlawfully denied access to justice. In 2016, SLC was recognized by The Florida Bar Foundation with Second Runner-Up for the Steven M. Goldstein Award for Excellence for its advocacy in these cases.

OBTAINING LEGAL ASSISTANCE

More options are needed to address the justice gap and assist those who cannot afford a lawyer. Two unauthorized practice of law cases resulted in making it easier for litigants to represent themselves or hire qualified lay advocates. With Public Citizen Litigation Group, SLC represented a paralegal being prosecuted by The Florida Bar for unauthorized practice of law for assistance she provided to self-filers seeking uncontested divorces. *The Florida Bar v. Furman*, 376 So. 2d 378 (Fla. 1979). This case led to the Florida Supreme Court's directive to the Bar to undertake a study of Florida's unmet legal needs. The "Furman Study" led to the creation of the Interest on Trust Accounts (IOTA) Program for funding legal services for the poor and the adoption of simplified divorce procedures and other reforms.

In another unauthorized practice of law case, we represented a labor relations consultant for representing his employer in a state administrative proceeding. This case established precedent that



resolved the conflict between the Florida Supreme Court's authority to regulate the practice of law and the Legislature's authority to provide for and regulate administrative agency proceedings. The Florida Supreme Court ruled that the Legislature has the authority to allow qualified lay advocates to represent others in administrative proceedings. *The Florida Bar v. Moses*, 380 So. 2d 412 (Fla. 1980). Following this decision, SLC participated extensively in the drafting of model rules, which were adopted, governing representative appearances of lay advocates before state agencies.

INNOVATING LEGAL SERVICES DELIVERY

BRINGING LAWYERS TO CLIENTS

TRANSGENDER IDENTITY INITIATIVE

SLC developed a model clinic to assist transgender individuals in obtaining a legal name change through the court and in amending their names and gender markers on their identification documents to accurately reflect their gender identity. Since January 2017, we have been holding a series of clinics across the state in collaboration with local legal aid programs and other community partners. The transgender population is one of the most underserved communities, and there is an urgent need for legal assistance to change their name and gender markers on key identification documents to protect them from harassment, discrimination, and even violence.

THE ESCAMBIA PROJECT

SLC was invited to participate in an innovative new project sponsored by The Florida Bar Foundation in partnership with Pathways for Change in Pensacola to fundamentally rethink how to get legal help to people using an inclusive, interdisciplinary, and participatory design approach. The project identified and piloted promising new ways to deliver legal services based on community needs. SLC, along with Florida Legal Services, led the project's Community Building and Engagement Team that employed a community lawyering approach to ensure that the design and development of new legal services is driven by the needs and involvement of community members.



ABOVE: University of Florida law students (from left) Reina Saco, Brandy Myers, and Brooke Taylor volunteer at an Ask A Lawyer event at the Tri-County Resource Center in Chiefland. More than 80 law students have volunteered since the inception of the project to assist with client intake, legal needs assessment, and event coordination.



SLC attorney Simone Chriss presents information on changing names and gender markers on legal identification documents to a room of 50 participants at a community education event in January 2017 hosted by the Pride Community Center in Gainesville.

ASK A LAWYER

SLC, together with Three Rivers Legal Services and the Eighth Judicial Circuit Bar Association, developed a pro bono project to deliver free legal services to individuals experiencing homelessness at Gainesville's homeless assistance center and other locations in Alachua and nearby counties. We hold monthly events where we bring pro bono lawyers to provide advice and counsel on-site and connect the clients with full representation if needed. Since the program began in January 2015, we have served more than 200 clients to resolve legal issues in all areas of law (civil and criminal).

BUILDING COALITIONS

PARTNERING FOR SOCIAL CHANGE, EDUCATING CLIENTS AND COMMUNITIES

DEVELOPING PARTNERSHIPS

SLC could not have accomplished so much these past forty years without the partnerships, co-counsels and coalitions we have developed around our common goals. It with our deepest gratitude that we recognize some of our long-standing partners in our never-ending quest for justice.

AARP Foundation Litigation
 Advancement Project
 Alachua County Labor Party
 ACLU of Florida
 Baker County Coalition of Communities
 for Environmental Justice
 Center for Reproductive Rights
 Common Cause
 Conservation Planning Coalition
 Council of Parent Attorneys & Advocates
 Disability Rights Florida
 Eighth Judicial Circuit Bar Association
 Equal Justice Works
 Equality Florida
 Florida Association for Retarded Citizens
 Florida Bar Foundation
 Florida Center for Children and Youth
 Florida Law Schools
 Florida League of Women Voters
 Florida Legal Aid organizations
 Florida Public Defenders
 Florida's Children First
 Gainesville Peace Alliance
 GRACE Marketplace
 Guardians of the Planet



Haitian Refugee Center
 Jacksonville University
 Lambda Legal
 League of United Latin American Citizens
 National Association for the
 Advancement of Colored People
 National Association of Protection
 & Advocacy Systems
 National Center for Transgender Equality
 National Coalition for the Homeless
 National Health Law Program
 National Law Center on Homelessness & Poverty

National Lawyers Guild
 National Prison Project
 National Women's Liberation
 Numerous private pro bono counsel
 Pride Community Center of North Central Florida
 Public Citizen Litigation Group
 Samuel Proctor Oral History Program at the University
 of Florida
 Southern Poverty Law Center
 Spanish American League Against Discrimination
 Upper Pinellas Association for Retarded Citizens
 Youth Law Center

EDUCATING COMMUNITIES

Legal knowledge is power. SLC has always valued community education as a complement to our legal advocacy. By demystifying the law and putting critical information and tools in the hands of those directly impacted by civil and human rights issues, SLC works to build power with the individuals, communities and groups that we represent. These are a few examples of the types of community education programs we have provided over the years.

Education Rights. SLC has provided parents with information about special education law and how to navigate the educational system. We also train the professionals who work with families experiencing problems accessing education such as social workers, guardians ad litem, and treatment and medical professionals.

Housing Rights. To proactively further the right to housing, SLC arms low-income tenants and homeless individuals with information about their legal rights so that they can identify legal violations when they occur and seek legal assistance.

Transgender Rights. To promote equality and prevent harassment and discrimination, we are training transgender people in the process of changing their names and gender markers on identification documents.

Environmental Justice. SLC works with community groups like the Baker County Coalition of Communities for Environmental Justice to raise awareness about environmental hazards that jeopardize health and safety in communities of color and to support grassroots organizing, policy advocacy and legal action to address these threats.

TRAINING ADVOCATES

DEVELOPING THE PUBLIC INTEREST BAR

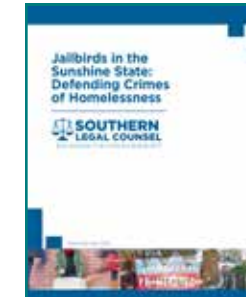
PUBLICATIONS AND TRAINING

SLC has trained thousands of Florida's private lawyers, civil legal aid attorneys, judges and public defenders. Topics include constitutional law, special education law, trial litigation skills, federal practice and procedure, housing and homeless rights, civil rights, attorneys' fees, disability rights, Medicaid Waiver advocacy, ethics of representing children and persons with disabilities, cultural competency for transgender clients, and representing non-English speaking parents. Nationally, SLC annually trains attorneys and lay advocates on a variety of special education law and practice topics. SLC also is regularly invited to national trainings and conferences to present on the civil and human rights of homeless persons.



To combat dangerous practices in schools, SLC co-edited *The Right to be Safe in School: Advocacy and Litigation Strategies to Combat the Use of Restraint and Seclusion*, published in 2011 by the Council of Parent Attorneys and Advocates.

**VOLUNTEER HOURS
 TOTALED OVER 15,610
 BETWEEN 2014-2016**



In our ongoing effort to train advocates to challenge the criminalization of homelessness, SLC published *Jailbirds in the Sunshine State: Defending Crimes of Homelessness* in 2016 with a grant from the Herb Block Foundation.

OUR STUDENTS

SLC offers many student and post-graduate opportunities to train the next generation of public interest advocates. We value the educational benefit provided for the students, but also greatly appreciate the impact their work has on SLC as an organization. Students research the law; investigate the facts; conduct online research; analyze data; summarize discovery; index depositions; draft press releases and newsletters; and assist with fundraising events.

"I am glad to see that SLC continues its work. As a young law student it certainly offered me an opportunity to see that the practice of law could be about many things from the more traditional litigation to broad public policy, but fundamentally it was about serving the public good. I certainly credit my experience at SLC as a factor in the choice I ultimately made to pursue a career in public policy and public service."
 —Carol M. Browner, former Administrator of the Environmental Protection Agency

"At SLC, I was able to experience, first hand, the mechanics of putting together systemic reform litigation. Although we worked on a shoestring budget, I learned how public interest lawyers, through hard work, attention to detail and excellent lawyering, can provide under-represented people with high-quality representation."
 —Robin L. Rosenberg, Deputy Director, Florida's Children First

"Volunteering at SLC during law school was extremely rewarding and honestly, a privilege. Being able to have the guidance of experienced public-interest attorneys passionate about advocating for educational reform was an education in itself."
 —Marisol Silva, 2017 UF Levin College of Law graduate

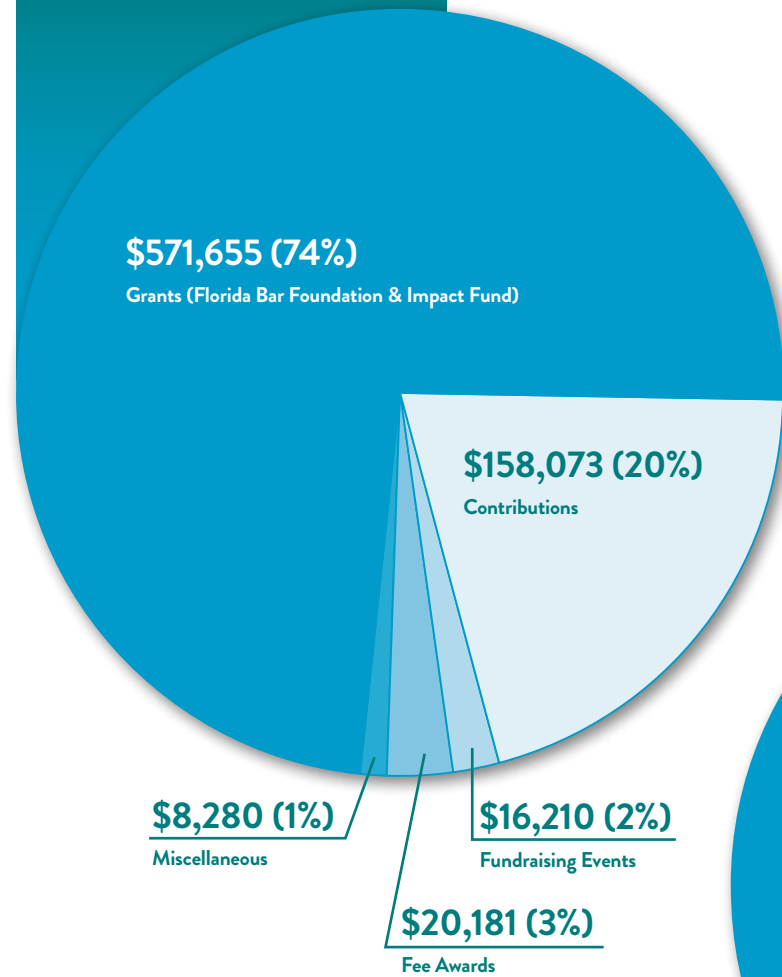


Service to SLC runs in the Graessle family. James Graessle (far left) interned at SLC as an undergraduate student, following in the footsteps of his older brother, Jonathan (far right), who worked at SLC as a law clerk. They are both pictured here (from left) with their father and current SLC Board member, Bill Graessle, and longtime SLC Board member and former Board Chair, the Hon. K.H. "Buddy" MacKay.

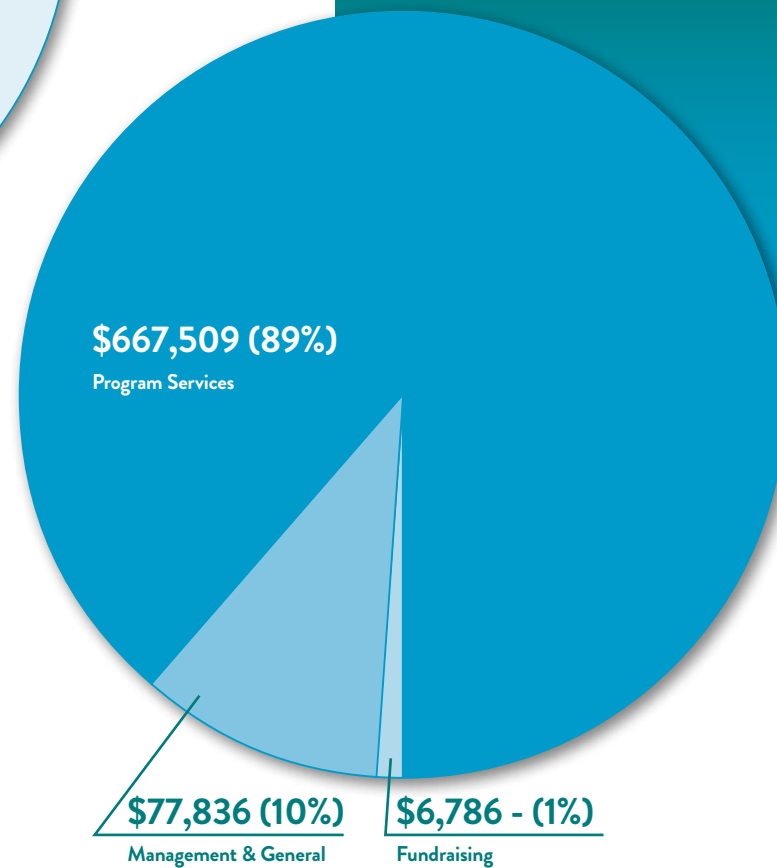
FINANCIAL INFORMATION

FISCAL YEAR ENDING SEPTEMBER 30, 2016

REVENUE \$774,399



EXPENSES \$752,131



SLC is grateful for the continuing support of The Florida Bar Foundation. In 2015, the Foundation conducted a study about the economic benefits that its grantees provide. It found that "every dollar spent on civil legal services for the state's low-income residents yields more than \$7 in economic impacts." As part of the statewide civil legal aid network, SLC sees those positive impacts every day. SLC's success depends on private donors as well as foundation grants. Invest in SLC and you will receive a seven-fold financial impact!

PARTNERS OF JUSTICE

SLC does not receive government funding. Our independence allows us to challenge local, state and federal systems and institutions. We could not continue to demand justice without the generous contributions of our supporters and grantors.

GENERAL SUPPORT FUND, JUNE 2012 - APRIL 2017

SUPERHEROES: \$40,000 +

Gladys Cofrin
Dharma Foundation
Spohrer & Dodd, PL
The Florida Bar Foundation

HEROES: \$10,000-\$39,999

Anonymous (2)
Bennett & Arlene Brummer
Herb Block Foundation

CHAMPIONS: \$5,000-\$9,999

Mark Fenster
Richard A. Gilbert
Impact Fund
KCountry/WindFM
Ross McCloy
NorthC Consulting
Bill Wagner
Nancy Wright

ALLIES: \$1,000-\$4,999

Allen Law Firm N. Albert Bacharach Kyle Bachus Elizabeth Bevington William O. Birchfield Bryant & Higby Chartered Coker, Myers, Schickel, et. al. Raul & Lynn Cuervo Harry & Diane Daniels Shelbi Day & Jennifer Egelseer Phil & Barbara Emmer	Fine, Farkash & Parlapiano, PA Florida Coastal School of Law Friendly Computer Services, Inc. Michael Gengler Raymond Green William H. Harrell E. Andrus Healy Maria Henderson John "Jack" Hickey Hippodrome Theatre Vivian L. Hobbs	Wayne Hogan William Kalish Holland & Knight Barbara Bolton Litten Joseph Little James & Susan Mau Mark McGriff Michael P. McMahon Jeffrey Meldon Geraud & Sherndina Moreland Alice K. Nelson	Jeremy Nelson Seth R. Nelson Peg O'Connor Pajcic & Pajcic Robert Rush Ron Sachs Bill Salmon Satchel's Pizza Tom Scarritt Lansing C. Scriven Harry L. Shorstein	Samuel "Buddy" Shorstein Edie Siemann Cynthia Stump Swanson Hon. William Van Nortwick, Jr. Thomas Warren Weaver & Weaver Eugene Whitford
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FRIENDS: \$50-\$999

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EDUCATION PROTECTION FUND: JUNE 2012 - APRIL 2017

SUPERHEROES: \$40,000 +

E. Andrus Healy
Delores Barr Weaver
Southern Poverty Law Center
The Florida Bar Foundation

HEROES: \$10,000-\$39,999

Dottie & George Dorion

CHAMPIONS: \$5,000-\$9,999

Bill Wagner
5 for Change

ALLIES: \$1,000-\$4,999

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Khanh-Lien Banko
Dawn Burgess-Krop
Raul & Lynn Cuervo
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FRIENDS: \$50-\$999

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Mark McGriff
Nancy McIntosh
Rik McNeill
Tanya Mickler
Jon & Beth Mills
Paula Montgomery
Geraldine Nichols
Peg O'Connor
Karen Paige
Judith Palay
Ann Pierson
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Gerald Stein
Sarah Stone
Sandra Sullivan
Talbot PTA
Allison Thompson
Daniel Thompson
Hon. William Van Nortwick, Jr.
Mary Jane Waldron
Thomas Warren
Karen West
Westwood Middle School PTO
Westwood Middle School Staff
Marilynn Wills
Suzanne Woltanski

WATER PROTECTION FUND: JUNE 2012 - APRIL 2017

CHAMPIONS: \$5,000 +

Hon. K.H. "Buddy" MacKay

ALLIES: \$1,000-\$4,999

Jeri Baldwin
Antonio & Donna DiSclafani
Bruce Kaster

Sarah King
Sierra Club
Sandra Walters

FRIENDS: \$50-\$999

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Lorraine Moore
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David Zeigler

"5 for Change" is a grassroots campaign organized by concerned parents to raise money to support SLC's education protection fund. The campaign raised nearly \$8,000 from 89 donors. Although there were too many to list here, we want to thank every person who donated for standing with us to support quality public education for all Florida's children.

FIVE
FOR
CHANGE



SOUTHERN LEGAL COUNSEL

BALANCING THE SCALES SINCE 1977

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