

Appeals to the Third District Court of Appeal of Florida

Information for Persons Who Do Not Have a Lawyer

The Clerk's offices at the Circuit Courts for Miami-Dade and Monroe Counties and at the Third District Court of Appeal **are not permitted to provide legal advice** to any of the parties in a pending appeal. Frequently, individuals who are not represented by an attorney (sometimes called "pro se" parties) ask where and how they may obtain legal advice regarding their appeal. The list which follows has some suggestions as provided by The Florida Bar, but should not be considered to be complete. Your local public librarian may be able to assist you with computer access to the Internet or online sites described in this summary.

Pro se parties should try to obtain legal advice regarding their appeals. Important legal rights may be lost if the rules of procedure are not followed. The rules set deadlines and requirements for filing that must be met if a party's points on appeal are to be considered.

The Florida Bar Appellate Practice Section has prepared a very thorough "Pro Se (Self Represented) Appellate Handbook" that is available online at:

http://prose.flabarappellate.org/pdf/ProSe_English_May09.pdf

A copy of the Pro Se Appellate Handbook is also available in the Third DCA library (open to the public Mon. – Fri. 9 a.m. to noon, 1:30 p.m. to 4:30 p.m.). The Florida Bar's lawyer referral service, described in greater detail below, can be called toll-free at 1-800-342-8011 (Monroe County) or 305-350-5297 (Miami-Dade County).

Copies of the "Florida Rules of Appellate Procedure" and other Florida court rules may be found online at a publicly-available Internet web site without charge:

<http://www.floridalawonline.net/courts.html>.

Printed copies of the rules can be reviewed in the Third DCA library or at any of the local law school libraries (Florida International University, the University of Miami and St. Thomas University are all within Miami-Dade County).

The Third District Court of Appeal has a website online at <http://www.3dca.flcourts.org/>. Through that website it is possible to access the docket listing for a particular case—a list of what has been filed and when. The site also contains directions, answers to frequently-asked questions, other information about the Court, and a link accessing the Florida Rules of Appellate Procedure.

1. Private Attorneys. Lists of private attorneys in Monroe and Miami-Dade Counties who represent parties for a fee are maintained by The Florida Bar and the Dade County Bar Association. The courts and clerk's offices do not monitor those lists or make any recommendation regarding the attorneys on those lists. As of October, 2010, attorneys participating in this program generally agree to charge not more than \$25 for an initial one-half hour consultation with a potential client, but you should confirm this with the attorney's office if you use the Service.

- (a) For persons in Monroe County, The Florida Bar's Lawyer Referral Service can be accessed online at www.floridabar.org or by calling a toll-free number, 1-800-342-8011.
- (b) For persons in Miami-Dade County, the Dade County Bar Association maintains the referral list and can be contacted at 305-350-5297 for information about participating attorneys.

2. Criminal and Juvenile Cases: Offices of the Public Defender. In appeals from misdemeanor, felony, and juvenile cases, the Public Defender's offices may provide legal assistance to defendants meeting certain financial eligibility rules.

- (a) Office of the Public Defender, Miami-Dade County
1320 N.W. 14th St.
Miami, Florida 33125
(305) 545-1600
www.pdmiami.com

- (b) Monroe County Public Defender
Key West, Florida 33041
[524 Eaton Street, Key West 33040]
(305) 294-2501

3. Non-Profit and Volunteer Services. There are several non-profit and volunteer or “pro bono” groups that provide free or reduced-charge legal assistance to those who lack the means to pay for a private attorney. Although each group has its own requirements, generally an individual must prove that his or her income and property are below certain levels in order to be eligible for these services. The list which follows is not an exclusive list, but contains information on groups that have several years of presence and experience in South Florida.

- (a) Legal Services of Greater Miami, Inc. [Main Office]
3000 Biscayne Boulevard, Suite 500
Miami, Florida 33137
(305) 576-0080
www.lsgmi.org

South Dade Law Center
10720 Caribbean Blvd., #400
Miami, Florida 33189
(305) 232-9680

Legal Services of Greater Miami, Inc., or “LSGMI,” is a non-profit with over 30 staff lawyers. LSGMI provides assistance in civil matters in both Miami-Dade and Monroe Counties, including foreclosures and evictions, public benefits, educational issues regarding children with disabilities, and other cases. One of its top priorities is helping families avoid homelessness.

- (b) “Put Something Back,” a voluntary pro bono project
of the Dade County Bar Association
Legal Aid Society of Dade County
123 N.W. First Avenue
Miami, Florida 33128
(305) 579-5733, ext. 2252
<http://jud11.flcourts.org>

“Put Something Back” is a voluntary pro bono service administered by the Dade County Bar Association. The program screens clients under the “income and property value” rules described on the web site. Eligible clients are then referred to private attorneys who have agreed to take a case without charging for their services (although court costs and certain expenses may still be payable by the client). There are waiting lists for many types of cases, and it is best to call the program first to see whether you will be able to obtain assistance.

Guides to free legal services throughout Miami-Dade County can also be found at: <http://www.dadecountyprobono.org> and at:

<http://www.floridalawhelp.org/FL/index.cfm>

- (c) Bankruptcy Bar Association of the
Southern District of Florida
Pro Bono Committee
(305) 891-5080
www.bbassdfl.org

This is another “pro bono” project established by attorneys in South Florida. Bankruptcy specialists volunteer to assist individuals unable to hire a private attorney. These lawyers may be able to renegotiate indebtedness or to assist a client in obtaining a “fresh start” or a repayment plan through the bankruptcy courts.

- (d) Florida Justice Institute
100 S.E. 2nd Street, Suite 4320
Miami, Florida 33131
(305) 358-2081

This non-profit legal services group is based in Miami but addresses statewide legal issues. Representative cases address access to the courts and procedures in the state and federal criminal justice and corrections systems. This group would not be likely to assist with an appeal unless it related to prison conditions or a post-conviction issue of statewide significance.

- (e) Florida Institutional Legal Services, Inc.
1010 B N.W. 8th Avenue
Gainesville, Florida 32601
1-888-375-2494 (Toll Free)

This group provides legal advocacy for prisoners and others in State custody.

- (f) Unemployment compensation benefits

Special self-help guides for these benefits can be found at:

<http://www.lsgmi.org/downloads/THE%20UNEMPLOYMENT%20INSURANCE%20PROGRAM.pdf> and at:

http://www.floridajobs.org/unemployment/uc_emp_claims.html

Updated: October 2010

This summary is for informational purposes only, and is not in any way intended to provide professional or legal advice concerning any legal matter, to serve as a substitute for the services of an attorney, or to constitute statements of official policy or procedure on which anyone may rely in the course of any proceeding before any court.