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February 18, 2021

The Honorable Ron DeSantis
Governor of Florida
400 South Monroe Street
Tallahassee, FL 32399

Dear Governor DeSantis:

As a result of the COVID-19 pandemic, millions of Florida residents face serious civil legal issues. Florida's legal aid programs have experienced a significant spike in requests for assistance on matters ranging from housing, to domestic violence, to bankruptcy. These programs could soon be overwhelmed as more Floridians seek help with civil legal issues they cannot handle on their own and cannot afford to pay an attorney to handle on their behalf.

As you know, Section 5001 of the CARES Act (P.L. 116-136) established the Coronavirus Relief Fund and appropriated \$150 billion to the Fund, which was used to make payments to state and county governments to "cover costs that are necessary expenditures incurred due to the public health emergency" caused by COVID-19.¹ According to a document published by the U.S. Treasury Department, Florida received a total of \$8.3 billion from the Fund, with \$5.8 billion of that amount being reserved by the state (and the balance being distributed to counties within the state).²

I respectfully ask you to use a reasonable portion of this \$5.8 billion to fund civil legal aid in Florida, where over 40 legal aid programs are working on cases that have arisen as a result of

¹ See U.S. Treasury Department, Coronavirus Relief Fund, Guidance for State, Territorial, Local, and Tribal Governments (updated September 2, 2020), available at <https://home.treasury.gov/system/files/136/Coronavirus-Relief-Fund-Guidance-for-State-Territorial-Local-and-Tribal-Governments.pdf>.

² See U.S. Treasury Department, Interim Report of Costs Incurred by State and Local Recipients through June 30, available at <https://home.treasury.gov/system/files/136/Interim-Report-of-Costs-Incurred-by-State-and-Local-Recipients-through-June-30.pdf>.

COVID-19. I believe use of federal Coronavirus Relief Fund dollars for this purpose is appropriate as a policy matter and authorized as a legal matter, satisfying the three-part test outlined in Section 5001 itself and in the Treasury Department's guidance.

Notably, providing funding for civil legal aid programs would help ensure that Floridians receive due process in lawsuits brought against them by landlords and lenders who did not comply with your successive executive orders placing a moratorium on evictions and foreclosures and with the Center for Disease Control and Prevention's orders halting residential evictions until March 31, 2021.

Legal aid is an essential service—strengthening our communities and our economy, promoting substantive and procedural due process in our courts, and upholding the rule of law. It prevents minor legal issues from snowballing into major problems for veterans, children, seniors, and other vulnerable Floridians. A 2016 study found that civil legal assistance in Florida generates over \$7 of economic impact for every \$1 spent on legal aid by governments and foundations.

Utilizing federal Coronavirus Relief Fund dollars for civil legal aid would increase access to vital legal services for thousands of Floridians. The Florida Bar Foundation is uniquely positioned to administer these funds and to ensure their equitable distribution to all qualified legal aid programs in the state. The Foundation has over six decades of experience in administering and monitoring grants for civil legal aid and coordinating with grantees through established relationships. In the past year alone, the Foundation has distributed more than \$11 million to grantees, including a \$3.6 million award from the U.S. District Court for the Middle District of Florida.

COVID-19 has upended the lives of many Floridians who would benefit from federally-funded access to expert legal help that will get them back on their feet.

Thank you for your consideration of this request.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Stephanie', with a stylized flourish at the end.

Stephanie Murphy
Member of Congress