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LSC Updates is a biweekly summary of the latest news from the Legal Services Corporation and the national civil legal services community.

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LSC News**LSC Urges Congress to Increase Legal Aid Funding**

On April 1, the Legal Services Corporation urged a House Appropriations subcommittee to increase funding in Fiscal Year 2010 for civil legal assistance to the nation's poor.

LSC President Helaine M. Barnett and LSC Board of Directors Vice Chairman Lillian R. BeVier testified before the House Appropriations Subcommittee on Commerce, Justice, Science and Related Agencies. The Subcommittee is chaired by Rep. Alan B. Mollohan (D-W.Va.); Rep. Frank R. Wolf (R-Va.) is the ranking member.

"We are appreciative of the good work that you do," Subcommittee Chairman Mollohan said at the hearing. "I can only imagine that your workload has increased significantly," he said, noting that "the recession is driving more and more Americans below the poverty thresholds that establish eligibility for legal aid services. This growing population of eligible clients is confronted with legal needs that are increasing in both number and complexity."

In her testimony, LSC President Barnett said that LSC-funded programs are reporting a dramatic increase in requests for help from low-income Americans because of the recession and the foreclosure crisis. At the same time, she said, the recession has led to budget shortfalls in many states and cutbacks in non-federal funding for legal aid programs. "It is more important than ever that Congress recognize the federal government's responsibility under the LSC Act, reaffirm the nation's bedrock principle of equal justice for all, and increase appropriations for LSC," she said.

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Senator Harkin Introduces Bill to Reauthorize LSC

On March 26, Sen. Tom Harkin (D-Iowa) and other senators introduced the Civil Access to Justice Act of 2009 ([S. 718](#)), which would increase the authorized funding level for LSC to \$750 million per year from fiscal 2010 through fiscal 2015.

"This is an issue that is very personal with me," Harkin said in introducing the bill. "Before I was

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elected to Congress, I practiced law with Polk County legal aid. I know first-hand how crucial legal assistance is to struggling families who have no place else to turn when they have lost a job and are facing a foreclosure. I know the invaluable assistance that legal aid provides to battered women trying to leave abusive marriages while fearing for their safety and the safety of their children. I know that, without access to an attorney, the poor are often powerless against the injustices they suffer.”

Harkin said LSC has not been authorized since fiscal year 1980, noting that “the federal commitment to legal services and LSC is not as effective as it needs to be.”

Authorizing laws provide for the structure under which a federal program operates. They typically place a time limit on the authorization to encourage a cyclical congressional review of the program. Funding levels are established in authorization laws to guide Congress on how much money to provide programs each year. Although Congress has not reauthorized LSC since fiscal 1980, it has continued to fund LSC every year.

Harkin said his proposed \$750 million authorization is approximately what LSC received in 1981, adjusted for inflation. “At the time, that was seen as the level sufficient to provide a minimum level of access to legal aid in every county,” the senator said.

Senators who are co-sponsoring the reauthorization bill are Sens. Benjamin L. Cardin (D-Md.), Richard J. Durbin (D-Ill.), Edward M. Kennedy (D-Mass.), John F. Kerry (D-Mass.), Frank R. Lautenberg (D-N.J.), Patrick J. Leahy (D-Vt.), Claire C. McCaskill (D-Mo.) Jeff Merkley (D-Ore.), Barbara A. Mikulski (D-Md.) and Patty Murray (D-Wash.).

Sen. Harkin’s introduction of the bill can be found on page S3915 of the Congressional Record from March 26.

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LSC President on Panel at National Medical-Legal Summit

LSC President Helaine M. Barnett participated in a panel discussion at the National Center for Medical-Legal Partnership’s (NCMLP) fourth annual summit, held in Cleveland on March 26. The Boston-based NCMLP supports a nationwide network of medical-legal partnerships that bring doctors and lawyers together to address the legal roots of health problems. Currently, about 40 LSC-funded legal aid programs participate in these partnerships around the country.

Barnett joined Neil McBride, General Counsel of the Legal Aid Society of Middle Tennessee and the Cumberlands, and Gerry Singsen, a consultant on legal aid issues, for the panel discussion, entitled “MLP in the LSC Context: 1 + 1 = 3.”

In her remarks, Barnett highlighted how the partnerships provide added value to both clients and legal aid programs. For clients, the partnerships can provide preventative solutions to problems before they reach a crisis level requiring lengthy litigation. For legal aid programs, the partnerships help them recruit and retain staff, energize pro bono recruitment efforts and attract funding from health-related sources.

“Medical-legal partnership projects are natural collaborations in legal services and health-care delivery, and each play an important role in providing access to both legal services and improved health-care outcomes,” said Barnett to the attendees. “I applaud you and I want you to know that LSC supports your creative, client-centered, empowering efforts that are creating meaningful and lasting benefits for clients.”

[Click here to learn more about LSC-funded programs participating in medical-legal partnerships.](#)

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LSC President Visits Legal Aid Society of Cleveland

LSC President Helaine M. Barnett visited the Legal Aid Society of Cleveland on March 25 to see how the program is confronting the challenge of providing legal aid to the poor in one of the poorest big cities in the country. For years, the U.S. Census Bureau has ranked Cleveland among

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the top-ten most impoverished cities in America—it is currently second-place with a poverty rate of nearly 30 percent.

Colleen Cotter, executive director of the program, arranged for her staff to provide a series of presentations on their substantive work in the areas of consumer, housing and family law, and special projects related to foreclosure, the workplace, volunteer lawyer recruitment and more.

Of note is the program's participation in the statewide "[Save the Dream](#)" foreclosure prevention project. Cleveland has been particularly hard-hit by the nationwide housing crisis: in 2008, the city was ranked 24 among the country's 100 metropolitan areas with the highest foreclosure rates. The "Save the Dream" project brings together representatives from throughout the state government, the state bar association and Ohio's six LSC-funded legal aid programs to provide homeowners and tenants with the information and resources they need to stay in their homes. Barnett also learned about the program's [Wage Project](#) to help laid-off, low-wage or marginally employed workers learn more about their rights in the workplace and to provide direct representation to clients whose rights have been violated.

Following the program visit, Barnett attended a reception to honor the Legal Aid Society of Cleveland's Community Advocacy Program, the group's medical-legal partnership with the MetroHealth network of medical centers. The partnership, one of the largest medical-legal projects in the country, provides direct legal services to low-income patients at MetroHealth sites, educates health-care professionals and students about their patients' legal rights and seeks to draw informed, community-wide attention to broad issues affecting health. The project specifically focuses on children, the elderly, immigrants, and persons who are reentering society after a period of incarceration.

[Click here to learn more about the Legal Aid Society of Cleveland.](#)

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LSC President Receives NYU Law Alumni Achievement Award

LSC President Helaine M. Barnett received the Alumni Achievement Award at the New York University School of Law's Alumni Association Awards Luncheon on April 4. The award recognizes a graduate's significant professional achievements and commitment to the continued development of the law school. Barnett received her Juris Doctor in 1964 and spent the next 37 years providing civil legal aid to the poor at the Legal Aid Society of New York. She became president of LSC in January 2004. Now in her sixth year, Barnett is also LSC's longest-serving president.

In her acceptance speech, Barnett thanked the school for training and preparing her for a career in public service, for supporting her throughout that career and for always championing the value of public interest work. She urged all those in attendance to work together to help close the justice gap by increasing federal funding, developing pro se initiatives, expanding the effective use of technology, rendering pro bono assistance and securing funding from state and local governments and private funders.

"I hope that by working together our nation's promise of equal access to justice will one day be not just for some, but truly for all."

[Click here for more information.](#)

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LSC Vice President Speaks at NALP Education Conference

Karen Sarjeant, LSC's Vice President for Programs and Compliance, participated in a panel discussion as part of the National Association for Law Placement's (NALP) Annual Education Conference in Washington, D.C., from April 1-4. Conference attendees were primarily law firm recruitment managers and law school career placement staff.

Sarjeant's panel focused on this quickly emerging new concept of how legal aid programs and law firms can both benefit from "public interest placement" or "associate deferral" programs—where

firms provide their first-year associates with a portion of their salary to work for a period of time at a legal aid or other public interest organization. There are potential benefits and drawbacks to these arrangements and the panel discussion attempted to touch on and offer ideas for law firms and legal services programs in addressing these opportunities and challenges.

In a recent [Los Angeles Times article](#), Sarjeant pointed out that integrating associates into legal aid programs will require investments of time and money for equipment, office space and supervision. "The environment of a legal services program is very different from the environment of a law firm, and there will certainly be a need for orientation and training and familiarization with poverty law practice," she said.

Steve Grumm, NALP's Director of Public Service Initiatives, moderated the panel. Sarjeant was joined on the panel by Reena Glazer of the Pro Bono Institute, Paul Igasaki of Equal Justice Works, and Tiffany Payne of the National Legal Aid and Defender Association.

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NYU Law to Host Career Fair for Deferred Associates

The New York University School of Law is looking for public interest organizations interested in recruiting 2009 graduates who have joined the ever-growing pool of "deferred associates"—new lawyers whose start dates have been postponed by their firms, but who will receive a portion of their salary to work for a public interest group. The school expects strong attendance from students who have already received deferral packages (more than 100 to date) and others who anticipate receiving similar offers. Some students have expressed an interest in relocating to other parts of the country.

The fair will take place in New York City on April 20. Interested organizations should RSVP by April 13. If your organization is unable to send a representative to the fair but would still like to participate, you can send materials with specific application information to the organizers, who will distribute them at the event.

NYU continues to assist those law students who have been seeking public interest positions throughout their law school careers. NYU welcomes inquiries from organizations interested in hiring these students.

[Click here for more information, including specific instructions to RSVP.](#) (📎 107k)

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Field News

Funding Woes Continue to Plague Legal Aid Programs from Coast to Coast

In recent issues, LSC Updates has compiled stories from around the country highlighting how legal aid programs are confronting a funding crisis at the same time that their workloads are increasing due to the recession. The latest news comes from Maryland, New Jersey, Oklahoma, Oregon and Virginia.

In **Maryland**, the [Legal Aid Bureau reports](#) that revenue from Interest on Lawyers' Trust Accounts, a major source of funding for the state's legal aid programs, is projected to drop by 70 percent in the near future. This dismal prediction convinced the state legislature [to abandon a proposed \\$500,000 cut](#) to the state appropriation for the Maryland Legal Services Corporation, the group that distributes IOLTA and other state funds to 38 legal aid programs.

In **New Jersey**, a former attorney general and former state Supreme Court chief and associate justices have [issued a statement](#) calling for "extraordinary responses from several quarters" to address a looming 50 percent funding cut to the state's legal services system. They warn that every \$1 million in lost funding will result in ten legal services staff being terminated and at least 1,100 fewer clients served. "Inescapably, the government—the state—must act to close the funding chasm that has exacerbated New Jersey's already

serious civil justice gap,” they say.

In Oklahoma, the [Tulsa World](#) reports that the Legal Aid Services of Oklahoma is “witnessing crushing demand”—the group turned away 18 percent more clients in the first quarter of 2009 than in the same time period last year. Many seeking help are the newly poor who have lost their jobs and are facing eviction or seeking government benefits. Bankruptcy cases alone have increased by 32 percent.

In Oregon, the [Portland Business Journal](#) reports that the Oregon Law Foundation, which distributes IOLTA funds to the state’s legal aid programs, is projecting total revenue from that source to be less than \$1 million for 2009—down from \$3.6 million in 2007.

In Virginia, [Harrisonburg’s Daily News-Record](#) reports that Blue Ridge Legal Services turned away three times as many people from October to December 2008 than they did the year before. Executive Director John Whitfield says that the slumping economy is sending more and more potential clients to his door with debt-related issues like evictions, foreclosures and unemployment claims. But with decreasing funding, the program simply can’t afford to help everyone who needs it. “Unfortunately, we can’t do miracles,” says Whitfield.

For previous LSC Updates coverage of the legal aid funding crisis, read:

- [“IOLTA Roller Coaster Crashes in California,”](#) from March 6.
- [“Associated Press Highlights Legal Aid Funding Crisis; New York Times Urges Increase in LSC Funding”](#) from February 5
- [“New York Times Highlights IOLTA Crisis”](#) from January 22
- [“Economic Downturn Sends IOLTA Funding Into Free Fall”](#) from January 8

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More Legal Aid Means Less Domestic Violence in Southwest Virginia

Six years after two economists published a study showing that increased access to legal aid led to a nationwide decline in domestic violence, the Southwest Virginia Legal Aid Society (SVLAS) has found the same to be true in its corner of the country.

In 2003, thanks to funding from the U.S. Department of Justice and Virginia’s Department of Criminal Justice Services, SVLAS significantly expanded its outreach efforts to domestic violence victims. The program assigned four attorneys and three paralegals to coordinate a region-wide effort to help victims obtain protective orders, navigate through child custody and support hearings, and tackle housing and benefits problems.

According to the program’s preliminary analysis, the effort has paid off in a big way. Court statistics show that requests for protective orders decreased by 35 percent from 2003 to 2007, far outpacing the statewide decline of only 16 percent during the same time period—a good indication of a reduction in violence, according to one of the economists who published the nationwide study. Furthermore, total rates of violent crime increased 12 percent during the four-year time frame, making the decrease in domestic violence even more notable.

As a testimony to the effectiveness of legal aid, one victim helped by the program said, “If I had to pay for the services of a lawyer on top of paying for a new apartment and moving costs, I may have backed out of the legal aspects of leaving. I [had] tried to leave before and never succeeded because I never filed protective orders and never filed for custody because I didn’t think I could prove my case.”

[Click here for more information about Southwest Virginia Legal Aid Society.](#)

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Fee Increase to Benefit Pennsylvania Legal Aid Programs

Press Release, Pennsylvania Bar Association – April 2, 2009

Pennsylvania Bar Association President C. Dale McClain [on April 2] issued the following statement in reaction to the Supreme Court of Pennsylvania's announcement that it would increase attorney registration fees for Pennsylvania lawyers from \$175 to \$200 to raise more funds for civil legal services for citizens who cannot afford them. The \$25 increase, which will be passed through to the IOLTA Board to fund civil legal assistance for the poor, is expected to generate about \$1.5 million additional dollars.

"The Pennsylvania Bar Association applauds the leadership of the Chief Justice and the action of the Supreme Court in recognizing the substantial need of those seeking civil legal services and who cannot afford them. The action of the Court, which calls for a \$25 increase in attorney registration fees for legal services, will benefit those who can least afford civil legal services during these difficult economic times."

"This action represents a critical step in restoring depleted funding of civil legal services across Pennsylvania due to the economic downturn. While the increased fee alone will not return civil legal services funding to its previous levels, the additional funds created by the Court's action will allow increased meaningful access to our justice system as provided by legal services, especially in the areas of mortgage foreclosure and loss of residence."

[Click here to view the release online.](#)

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Congresswoman Pays Tribute to Legal Action of Wisconsin

On March 23, Congresswoman Gwen Moore (D-Wis.) paid tribute to the Milwaukee-based Legal Action of Wisconsin in the U.S. House of Representatives as the group prepares to celebrate its 40th anniversary.

"The sole mission of Legal Action of Wisconsin has been to achieve fundamental justice for its clients through creative and effective legal representation," said Moore. "To that end, Legal Action of Wisconsin's lawyers, paralegals and support staff have always upheld the basic democratic principle that all people are entitled to equal justice under law."

"It is with great pleasure and admiration that I pay tribute to Legal Action of Wisconsin for their 40 years of service. Its dedicated staff, board of directors, and volunteers continue to adhere to the principle that all people are entitled to equal justice under the law in the 4th Congressional District and the entire State of Wisconsin."

Moore joins Wisconsin Governor Jim Doyle and Milwaukee Mayor Tom Barrett as honorary co-chairs of the legal aid program's celebration, which will take place in Milwaukee on April 25.

[Click here for more information on the event.](#)

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Opinion: Legal Aid Funding Vital to At-Risk Texans

By Harriet O'Neill, Justice of the Supreme Court of Texas

During these tough economic times, legal aid can help keep people housed and employed and families stable. More than 100,000 low-income Texans are served annually by legal aid providers, including victims of domestic violence, the elderly and the disabled.

We cannot afford to let this safety net unravel. Solving the critical needs thousands of poor Texans face will help them remain productive and inevitably will hasten the state's economic recovery. A recent study by the Perryman Group found that every \$1 spent for indigent civil legal services provides an estimated \$7.42 in economic gains.

Yet the Texas legal aid system is in danger of unraveling.

The largest source of state funds for legal aid in Texas is Interest on Lawyers' Trust Accounts, or IOLTA, which has been impacted by recent declines in interest rates.

Worse, the economic downturn and recent hurricanes have heightened the need for legal aid services. Limited resources and a rapidly increasing poor population are virtually insurmountable challenges given the current funding forecast.

A general appropriation of \$37 million for the biennium has been proposed by the Legislature to address the shortfall in funding. This bridge is desperately needed until interest rates return to levels sufficient to generate enough IOLTA revenue to support the legal aid system once again.

Without the safety net legal aid provides, thousands of Texans will slip further into poverty, creating a bigger drain on state resources. For those who fall over the edge, there may be no recovery.

Keeping vulnerable Texans on their feet during these difficult times will surely pay dividends in the long run. We simply can't afford not to.

Note: The above was excerpted from a statement by Justice O'Neill published in the San Antonio Express-News on March 27, 2009. [Click here for the full article.](#)

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Maryland Legal Aid Seeking Candidates for Chief Counsel Position

The Legal Aid Bureau of Maryland is conducting a nationwide search for candidates to fill the organization's newly created position of Chief Counsel, who will be responsible for directing the program's substantive work and maintaining an innovative, aggressive, client-centered and thoughtful program of providing high-quality civil legal aid to low-income clients throughout the state.

"This is an ideal opportunity for an individual who is passionate about equal justice and who possesses the drive, desire and determination to lead a team of advocates who are solidly committed to rendering legal services of the utmost excellence and effectiveness," said Legal Aid executive director Wilhelm H. Joseph, Jr.

The successful candidate must have at least ten years experience as an attorney, five of which should have been in legal services or a similar program, and preferably five to ten years management experience.

[Click here for more information.](#)

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Upcoming LSNTAP Training Sessions

A2J Author, Google Apps and Pro Bono Support

The Legal Services National Technology Assistance Project (LSNTAP) is holding three online training sessions in April for legal aid advocates interested in learning how to use technology to improve efficiency at their offices and increase access to justice for their clients. On April 8, join LSNTAP for a session on how to use the A2J Author program to facilitate remote online intake, train attorneys on substantive law and more. On April 17, learn why Google is much more than just a search engine—find out how other Google applications can be employed throughout an organization. If you are the point-person for pro bono at your program, make sure to register for a session on April 22 to learn how to use content management systems, HotDocs, LiveHelp and voice recognition software to support your efforts.

[Click here for LSNTAP's full training schedule for 2009.](#)

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Success Story from Texas RioGrande Legal Aid

Legal aid is about helping ordinary people with real-life problems. Client stories illustrate the day-to-day struggles—and victories—of poor Americans seeking justice under law.

Legal Aid Groups Work Together to Reunite Family

“Sally” and her 9-year old daughter had a peaceful life in Illinois. Her daughter’s father, “Michael,” was in jail and had not seen his daughter in nearly three years. When he was released, Michael asked Sally for visitation rights and she agreed. At the beginning of the summer Sally left her daughter with Michael with the understanding that they would be reunited at the end of the season.

However, at the end of August, Sally had not heard from her daughter for a considerable amount of time. Efforts to contact Michael were failing and Sally came to a troubling realization—her daughter was missing.

So Sally did the only thing she knew to do—she found herself a legal aid attorney in Illinois to help her get a court order and have the child returned.

But Michael had filed for custody in Texas and got a restraining order to prevent Sally from contacting her daughter. So Sally called Texas RioGrande Legal Aid (TRLA) to see if [they] could help. She had just received notice of a custody hearing that would take place in Texas in five days and she could not afford to travel more than 1,000 miles to be there on short notice.

So TRLA began to work with Sally’s Illinois legal aid attorney to get her daughter back. A Texas judge agreed that Sally and her daughter should be reunited and ordered that Michael return the child immediately.

Instead, Michael took his daughter out of school and disappeared. So TRLA worked with law enforcement officials to find him. In a short time, law enforcement recovered the child and brought her to TRLA. Within days TRLA put the young girl on a flight back to Illinois where she was reunited with her mother.

Note: This originally appeared in the Winter 2008 issue of Texas RioGrande Legal Aid’s newsletter, the “TRLA Times.” [Click here for the full issue.](#) (📎 2.2mb)

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Created by Congress in 1974, LSC’s mission is to promote equal access to justice in our Nation and to provide high-quality civil legal assistance to low-income persons. LSC Updates is produced by LSC’s Office of Government Relations and Public Affairs. Questions, comments, or articles can be submitted to Sean Driscoll at driscolls@lsc.gov.

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