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LSC UPDATES
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LSC Updates is a summary of the latest news and developments affecting LSC and the civil equal justice community.

LSC NEWS

THOMAS A. FUENTES AND BERNICE PHILLIPS JOIN LSC'S BOARD OF DIRECTORS
[By LSC Staff] (Picture of Bernice to accompany article)

Thomas A. Fuentes of Lake Forest, California and Bernice Phillips of Buffalo, New York have been sworn in as members of the Legal Services Corporation's Board of Directors. Mr. Fuentes returns to LSC after serving on the Board as a recess appointment from April 2003 to December 2004. Mr. Fuentes is currently Senior Vice President of Tait & Associates, an engineering, architecture, and environmental firm. Fuentes also served as Chairman of the Republican Party of Orange County. Bernice Phillips comes to LSC after serving on the Board of Buffalo's Neighborhood Legal Services, where she brought her perspective as a former client to the program's governing body. She will serve as a client-eligible member of the Board and will replace Maria Luisa Mercado, who served on the Board for the last 12 years. Ms. Phillips has worked for the Buffalo Prenatal-Perinatal Network, where she helped high-risk populations of women access valuable resources like prenatal and pediatric health care, drug treatment programs, and parenting classes.

SARAH M. SINGLETON NOMINATED TO LSC'S BOARD OF DIRECTORS
[By LSC Staff]

On October 6 President Bush nominated Sarah M. Singleton of Santa Fe, New Mexico to serve on LSC's Board of Directors. Upon confirmation by the Senate, she will replace Ernestine P. Watlington for a term expiring on July 13, 2008. Ms. Singleton is currently an attorney with the Santa Fe law firm of Montgomery & Andrews P.A., serves as co-chair of New Mexico's Access to Justice Commission, is a member of the American Bar Association's (ABA) Standing Committee on Legal Aid and Indigent Defendants, and chairs its project to revise the ABA Standards for Providers of Civil Legal Services to the Poor. Singleton has previously served as President of the State Bar of New Mexico from 1995 to 1996, and helped form the New Mexico Task Force on Legal Services to the Poor.

LSC ISSUES GUIDANCE TO PROGRAMS ON PROVIDING SERVICES TO VICTIMS OF HUMAN TRAFFICKING
[By LSC Staff]

LSC issued Program Letter 05-2 on October 6, which updates LSC-funded programs on their ability to provide legal services in connection with victims of human trafficking. The trafficking of women, children, and men into the United States for sex crimes, illegal labor, and involuntary domestic servitude is estimated to affect thousands of victims annually. Congress enacted the Trafficking Victims Protection Act of 2000 to address this problem, which they did in part by allowing LSC-funded programs to represent victims of trafficking even if they were otherwise ineligible for services due to their immigration status. Subsequent amendments to the Act have expanded the types of people eligible to receive legal services.

Program Letter 05-2 explains that programs can now represent trafficking victims and certain family members of victims, including their spouses, children, unmarried siblings under the age of 18, and the parents of child victims.

(To read the letter in its entirety, go to:

<http://www.rin.lsc.gov/Reference%20Materials/Refrmat/Progltrs/Progltr05-2.pdf>)

MEDIA HIGHLIGHTS

NORTHWESTERN LEGAL SERVICES OFFER WAYS TO HELP OUT
Robert A. Oakley, Erie Times-News (PA) - September 23, 2005

As the waters from Hurricane Katrina continue to recede, the civil legal issues flooding some of its victims are only now beginning to rise.

Intake staff at the Erie office of Northwestern Legal Services received a phone call from an evacuee who wanted help with a family law matter. While the storm wreaked havoc with this person's home and job, it was its effect on his legal responsibilities that had him worried. For those of us in the legal community here in Erie, it was also a wake-up call to the complex issues that these victims are confronting in their lives.

What will happen to child support and visitation agreements now that Katrina victims have been uprooted from their communities and dispersed far and wide throughout our country? How will individuals and families meet financial obligations such as car payments, home mortgages, credit card bills and student loans that existed before the storm? Where can people go for expert legal advice as they struggle to make ends meet and bring a new start to their lives?

It is important for these victims of Hurricane Katrina to realize that legal aid organizations such as Northwestern Legal Services are here to help.

Robert A. Oakley is executive director of Northwestern Legal Services.

(To read this article in its entirety, go to:

<http://www.goerie.com/apps/pbcs.dll/article?AID=/20050923/OPINION30/509230337>)

N.M. PROGRAMS TO AID WOMEN AWAIT FUNDING
Maggie Shepard, The Albuquerque Tribune (NM) - October 4, 2005

Gabe Campos grimly drew his hand across his neck - slice - as he considered a future without federal support for his legal aid program.

"If we didn't have this money, that would be it. We'd be done and we couldn't help anybody," said Campos, program director for New Mexico Legal Aid.

Portions of his program, which provides affordable legal services to battered women and immigrants, is funded through the federal Violence Against Women Act.

Campos joined other community activists and social aid workers for a conversation with Rep. Heather Wilson at the Albuquerque Rape Crisis Center on Monday afternoon. The topic: continuing the fight against violence against women.

(To read this article in its entirety, go to:

http://www.abqtrib.com/albq/nw_state/article/0,2564,ALBQ_19863_4131042,00.html)

COURT KIOSK WILL HELP LITIGANTS FILE CASES

Victoria A.F. Camron, The Daily Times-Call (CO) - October 3, 2005

Not everyone who goes to court needs a lawyer, but sometimes those without lawyers need a little help. Starting today, the Boulder County Justice Center and the Centennial Building of the Weld County Combined Courts will feature a computer kiosk to guide litigants through the process of filing certain court documents. Another kiosk is scheduled to open in Adams County in November.

The system also will be available on the Internet for those who will be filing claims in Boulder, Weld or Adams counties.

The program, known as I-CAN, or Interactive Community Assistance Network, is being tested in the three counties for up to a year, said Molly French, technology advocate for Colorado Legal Services.

"The first three months and how successful it is will determine a lot," French said.

Anyone who needs to file a protective order in a domestic violence case, begin or respond to a small-claims court lawsuit, or defend against an eviction notice can fill out the necessary forms through the system.

Although the forms themselves have been available on the state court's Web site, I-CAN asks the user questions to ensure that the proper forms are filled out correctly. For example, if a user wants to sue for more than \$7,500, I-CAN will stop the process and direct the user to the court clerk's office.

The kiosks cost \$10,000 each, and the program is financed through a Legal Services Corp. technology grant, French said. I-CAN began in Orange County, Calif., in 2000.

(To read the article in its entirety, go to: <http://www.longmontfyi.com/Local-Story.asp?id=3953>)

VICTIMS ADVOCATES UNDERFUNDED

Tammy Anderson, Pacific Daily News (GU) - October 4, 2005

After receiving a call for help from a woman in a family violence emergency situation this weekend, Michelle Camacho had a choice to make.

Should she spend \$20 of her own money to pay for a taxi ride for the victim, or explain to her that the nonprofit organization Victim Advocates Reaching Out [VARO] was not allocated money to pay for transportation services for victims in need of shelter?

Camacho, the director of VARO, is down \$20, but she knows she helped the victim sleep safely at a shelter that night.

Camacho and Guam Legal Services Corp. Director Daniel Somerfleck said that federal money that was previously provided to their agencies to meet critical needs of victims has since been reallocated by the attorney general's office to other groups and agencies, but so far, that change has resulted in minimal assistance for victims.

Attorney General Douglas Moylan yesterday said federal money provided through the Victims of Crime Act Grant Program, or VOCA, is meant to help all victims of crime, and his office is doing the best it can to help victims of domestic violence with its limited staff.

Last year, Guam Legal Services requested \$92,088 for victims' assistance, according to Pacific Daily News files, but was given no federal funds through the VOCA grant distributed by the attorney general's office.

Somerfleck was told that the money previously given to his organization only duplicated services already provided by the AG's office and the Public Defender. The federal money was reallocated to different

areas, and Sommerfleck said he has had to turn people away because of the shortage of manpower.

(To read the article in its entirety, go to:

<http://www.guampdn.com/apps/pbcs.dll/article?AID=/20051004/NEWS01/510040301&SearchID=7322314916571>)

BAR ENDORSES LEGAL SERVICES PROPOSALS FOR THE POOR

Paul Krza, New Mexico Business Weekly - September 27, 2005

The State Bar of New Mexico's governing body, the Board of Bar Commissioners, has endorsed a set of proposals aimed at improving delivery of free legal services for the poor.

The action comes as a special commission appointed by the New Mexico Supreme Court prepares for a second public hearing to improve "access to justice" for the state's low-income population.

Sarah Singleton, a Santa Fe lawyer who co-chairs the New Mexico Commission on Access to Justice, says the pro bono proposals under consideration by the State Bar are part of an effort in the legal community intended to assist people who can't afford legal services. About one-quarter of New Mexico's population lives at or below the federal poverty level for receiving legal services assistance and 60 percent of that group aren't getting legal assistance, the commission says.

NOTE: Please see the above article on Sarah Singleton's nomination by President Bush to the LSC Board.

(To read the article in its entirety, go to:

<http://www.bizjournals.com/albuquerque/stories/2005/09/26/daily11.html>)

PROGRAM NEWS:

LOCAL LEGAL AID OFFICE TO CLOSE

Herb Meeker, The Journal Gazette & Times-Courier (IL) - October 5, 2005

A legal aid office is closing down here due to budget cuts, but it is not leaving its clients high and dry.

For more than a decade, Land of Lincoln Legal Assistance Foundation Inc., 80 Broadway Ave., has offered help to people who cannot afford legal counsel for Medicaid benefit claims, family law cases like domestic violence, tenant-landlord disputes and many more. The Mattoon office will close in December, but the Land of Lincoln Foundation will maintain a satellite office in Charleston to continue assistance in the area.

"These people have nowhere else to go without us. There isn't anyone else to do what we do," said Clare McCulla, managing attorney for the Mattoon office. "We will keep services going through an office in Charleston because that is where the courthouse is located."

Land of Lincoln Legal Assistance Foundation serves about 1,000 clients in Coles, Cumberland, Clark, Edgar, Douglas, Effingham, Jasper, Fayette and Crawford counties. Legal representation is limited to civil actions, but sometimes the Foundation lawyers can change lives around.

McCulla recalled a woman and her young daughter as they both faced the cycle of domestic violence. In one incident, the mother was brutally attacked to the extent that her teeth pushed through her cheek. Legal work through Land of Lincoln helped secure an order of protection, child support and assurance of property rights with the divorce.

"Now, they are doing fine," McCulla said.

(To read this story in its entirety, go to: <http://www.jg-tc.com/articles/2005/10/05/news/news002.txt>)

EASTERN OKLAHOMA TRIBES TO FINALLY HAVE ESTATES PROBATED

Sam Lewin, Native American Times Online - October 5, 2006

Saying the move will "clear out decades of probates waiting to be adjudicated," the regional director of the Bureau of Indian Affairs in Eastern Oklahoma has announced a partnership with an Oklahoma City non-profit legal aid group to do a job state officials have been slow to perform.

Jeanette Hanna said the initiative with Oklahoma Indian Legal Services would help hundreds of people waiting to learn the status of their relative's estate.

"If we can locate the heirs and assist with the paperwork required to determine heirship by the District Court, not only will it clear up land title ownerships, but it will allow the families of these deceased individuals to access funds held for years that could assist in getting new clothes for school kids or paying a light bill," Hanna said in a written statement.

(To read the story in its entirety, go to: <http://nativetimes.com>)

DIRECTOR'S CAREER FOCUS: ACCESS TO JUSTICE FOR POOR

Angela D. Chatman, The Plain Dealer (OH) - October 4, 2005

Colleen Cotter's parents raised their six children in an Irish-American, Roman Catholic home in South Bend, Ind., where they valued working for social justice.

Her late father, Dale, was a reporter and editor for the South Bend Tribune for 35 years. He and her mother, Elizabeth, spoke of ensuring people's human and civil rights.

While an undergraduate at the University of Notre Dame, she volunteered at a legal services program and decided to become a lawyer so she could work with poor communities.

At 40, Cotter has devoted her 15-year career to working mostly for, or advising, legal aid groups. Late this summer, she became the new executive director of the Legal Aid Society of Cleveland, at a time when the century-old agency is building its finances and expanding services to Greater Cleveland's poor.

"My goal is to help the Legal Aid Society of Cleveland grow, and I mean that in terms of grow in budget, grow in numbers of people, grow in support in the community and grow in its ability to impact on the community," Cotter said in a recent interview. "We have this very rich history and excellent staff, but there's always more to do."

(To read the article in its entirety, go to:

<http://www.cleveland.com/cuyahoga/plaindealer/index.ssf?/base/cuyahoga/1128418204199280.xml&coll=2>)

LEGAL SERVICES ALABAMA ESTABLISHES CALL CENTER IN KATRINA'S WAKE

Birmingham Business Journal - September 29, 2005

Legal Services Alabama has established a long-term single toll-free number to assist residents of the state directly impacted by Hurricane Katrina with disaster-related legal issues.

The number, 1-877-393-2333, connects to a statewide call-center network operated by Legal Services Alabama, a nonprofit organization based in Montgomery. The same number may be called to reach legal services in other states affected by recent Gulf Coast hurricanes.

Legal Services Alabama executive director Melissa Pershing says people affected by the hurricanes can be served wherever they are living because the hotline connects callers to lawyers throughout Alabama and to similar legal services programs and private bar volunteer networks set up in Louisiana and Mississippi.

"Lack of money or lack of residency in Alabama shouldn't stop anyone from seeking legal help," Pershing says. "For many of our callers who have lost everything and were already of low-income or modest means before Katrina hit, these services will be free or at a reduced fee."

(To read the article in its entirety, go to:

<http://birmingham.bizjournals.com/birmingham/stories/2005/09/26/daily22.html>)

 OPINION

WITHOUT JUDICIAL ACCESS, JUSTICE IS DENIED

Jeanne Windham, The Lake County Leader (MT) - October 6, 2005

A dad and mom, whose daughter is on meth, want and need guardianship of their granddaughter in order to keep her in high school. An elderly couple is having difficulty getting the social security benefits to which they are entitled. A domestic violence victim is faced with the added trauma of the abuser threatening to get legal custody of the children and refusing to pay the needed child support. A couple who asked their landlord to fix the broken water heater, instead received an eviction notice.

Although each of these legal challenges is unique, what they have in common are low-income Montanans who cannot afford the necessary legal services that will help them. Over 187,000 Montanans, 22 percent of our population, qualify as low income under federal poverty guidelines; and Montana Legal Services, the publicly funded provider of civil legal services to the poor, has lost nearly one-half of its attorney services.

Now, there is only one Legal Services attorney for every 12,000 low-income Montanans. Behind these facts and figures are real people with real problems with no hope of access to justice.

(To read the article in its entirety, go to:

<http://www.leaderadvertiser.com/articles/2005/10/06/columns/columns01.prt>)

SUCCESS STORY FROM LEGAL SERVICES OF EASTERN MISSOURI

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

WOMAN WAS BEATEN BY MAN, THEN ABUSED BY THE SYSTEM

Sylvester Brown Jr., St. Louis Post-Dispatch - October 6, 2005

The last five years of her life have been hell, the 22-year-old woman told me Tuesday night. She described how the father of her two children, now ages 3 and 5, repeatedly beat her, stalked her and vandalized her home. As a result of his actions, she faced scrutiny, scorn and, worse, eviction from the first apartment she'd ever rented.

"I loved that apartment," the woman said. "It was a brand new unit with carpet and central air. I just loved it."

"He punched me like I was a man," the woman said describing the night, back in September 2003, when

the man fractured a bone in her face. It was only one of many violent encounters that escalated after the couple met in 2000. After signing a lease for a public housing unit in May of 2003, the woman told her boyfriend that she was leaving him. That didn't keep him away. He stalked, harassed, beat her and repeatedly threw bricks through the windows of her new apartment. She called police, but, most times, they acted as if she invited the violence, she told me. She got a restraining order, but it didn't deter the harassment. She reported the damage to the apartment manager and asked to be moved to another unit.

Request denied. "She said the complex was not responsible for my domestic situation," the woman said.

The manager told the woman she'd have to make payments on the damaged windows - more than \$1,000. She was also given "lease-violation" warnings. Tenants are evicted after three warnings.

After receiving her third notice in December of 2004, she called Legal Services of Eastern Missouri. Her attorneys contacted the St. Louis Housing Authority, the regulatory agency for public housing, asking that it intercede. Nevertheless, the eviction process moved forward.

As the apartment manager worked to have the woman evicted, her lawyers fought through layers of bureaucracy. They joined forces with both the national and local branches of the American Civil Liberties Union. The lawyers argued that the eviction violated the Federal Housing Act, which prohibits sex discrimination.

"She has been treated like dirt, not like a victim of domestic violence," said Kayla Vaughan, a lawyer with Legal Services. "Would a robbery victim be blamed for getting robbed?"

The St. Louis Housing Authority recently reached a "conciliation agreement" with the woman that requires the agency to relocate the tenant and institute domestic violence awareness training for its employees.

The woman's ex-boyfriend is facing misdemeanor charges for property damage, stealing and assault. The young woman who I spoke with just hopes the man stays out of her life.

"What I went through was horrible but, thanks to my lawyers, I'm not living in a shelter and I don't feel scared anymore."

(To read the story in its entirety, go to:

<http://www.stltoday.com/stltoday/news/columnists.nsf/sylvesterbrownjr/story/11A3B77AA742D2268625709200323BFC?OpenDocument>)

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