You are part of an honorable tradition entrusted to advance the cause of the impoverished, defenseless, and oppressed.

You made a stand when others turned away.

You spoke for someone who could not speak.

You gave your time and your money.

You decided to help and it made the difference between justice for some and justice for all.

You are an Arkansas pro bono attorney.
Dear Arkansas Lawyer,

As members of the legal community, we all know that there are many barriers to equal access to justice. The dominant factor is poverty. More than half a million Arkansans live in poverty, leaving them nowhere to turn when legal problems affecting basic human needs arise, such as freedom from domestic violence, access to safe and habitable housing, and protection from financial exploitation.

Our oath states that we will endeavor always to advance the cause of justice and that we will not reject the cause of the impoverished, the defenseless, or the oppressed. It is our sworn duty as attorneys to ensure that ours is a system that offers justice to all, regardless of wealth or race or class. When economic or social circumstances make our courts accessible only to those able to afford lawyers, the integrity of our judicial system, and indeed our very system of democracy, is at stake.

This report provides an overview of those working to ensure access to justice for all Arkansans in need of civil legal assistance, highlighting legal aid and pro bono attorneys who provide direct services, as well as the organizations that advocate for the funding and the support needed to close the justice gap in our state. There are many partners in this effort, but there is one shared vision: to champion equal access to justice for all regardless of economic or social circumstances.

The Center for Arkansas Legal Services and Legal Aid of Arkansas are the only two free civil legal aid organizations in the state. In 2010, CALS and LAA closed more than 13,000 cases with nearly 3,500 pending cases at the end of the year. With a combined total of only 47 attorneys between these two organizations, the caseload is staggering.

For every 12,500 low-income Arkansans, there is only one legal aid attorney, yet there is one attorney for every 400 Arkansans in the state. As a result of limited staff resources, more than half of those who qualify for and who seek free civil legal help have to be turned away.

Fortunately, the broader Arkansas legal community and other state leaders have realized the need to support efforts to enhance access to justice. In 2001, the Arkansas Bar Association partnered with legal aid to form the Arkansas Pro Bono Partnership to coordinate pro bono efforts between the four pro bono groups in the state. The Arkansas Bar did not stop there. It petitioned the Arkansas Supreme Court to form the Arkansas Access to Justice Commission, an organization designed to implement initiatives to expand access and enhance the quality of justice in civil legal matters.

Since 2003, the Commission has undertaken initiatives to expand pro bono recruitment and participation, implement court assistance projects, effect changes to statutes and court rules that impact access to justice, educate the public about the need for civil legal aid, and increase financial resources available to provide legal assistance to low-income Arkansans. Its success has been augmented by the creation of a sister 501(c)(3) nonprofit organization, the Arkansas Access to Justice Foundation, which coordinates statewide fundraising efforts for access to justice. Another critical partner is the Arkansas IOLTA Foundation. Despite drastic declines in interest income and corresponding cuts to grants, the IOLTA Foundation is working to resume much-needed grant making for access to justice projects.

In our pursuit for greater access to justice for all, we cannot forget the time, effort, and achievements of the Arkansas pro bono and legal aid attorneys. Without these advocates, thousands of Arkansans would go without meaningful access to our system of justice. On the following pages, you will find the names of Arkansas lawyers who volunteered and provided donations. We thank you for your hard work and support.

Jean Turner Carter  
Executive Director  
Center for Arkansas Legal Services

Lee Richardson  
Executive Director  
Legal Aid of Arkansas

Annabelle Imber Tuck  
Arkansas Access to Justice Commission Chair

Bill Waddell  
Arkansas Access to Justice Foundation President
Arkansans place a high value on supporting families, protecting children, securing economic opportunity, and preserving health and home. These are the values supported by the civil legal aid work in Arkansas. They have become even more critical due to the recent economic crisis. Many Arkansas families are on the edge with increased bankruptcies, foreclosures, and unemployment. The following tables and narratives show the number of cases, case types, and the value of the critical pro bono support provided by Arkansas attorneys.

Arkansas Client Numbers

555,000 — Arkansans eligible for legal aid
30,000 — Eligible clients that requested help
16,600 — Clients served (cases closed or pending)
10,000 — Turned away and not served due to resource constraints
$3.1 — Million dollars in client recovery
36,000 — Total Arkansans helped (includes all household members)

Primary Areas of Practice

7,347 — Cases assisting families with domestic abuse, child protection, and other family law
1,859 — Consumer law cases (bankruptcy, foreclosure, collections, and other consumer law)
1,437 — Health & housing issues dealt with evictions, foreclosures, and Medicaid
969 — Juvenile cases for children who were neglected or abused (includes guardianships)
694 — Cases involved Income Maintenance regarding SSI and SSDI
981 — Cases involving employment, education, and individual rights

Pro Bono Support

• 1,525 private attorneys volunteered to take cases Pro Bono
• $1.7 million dollars of pro bono services (in-kind value)
• $220,500 in Private Donations (VOCALS and the Promise of Justice Campaign)

“The work of legal aid secures tangible income benefits for people who are living on the edge economically and protects their housing, health, education, and employment. Legal aid accomplishes this work with a dedicated staff, the creative use of resources, and respect for the dignity of clients.”
There are six sources of financial support for legal aid in Arkansas. These funding sources include: Legal Services Corporation (LSC), grants and contracts, the Public Legal Aid Fund, Interest on Lawyer Trust Accounts (IOLTA), donations from private bar attorneys and corporations, and other donations and partnerships.

The current array of funding sources and contributions is not a viable substitute for stable funding to ensure that legal assistance is available to the poor. The following charts and narratives show the revenue that are used to provide the services detailed on the previous page.

**Revenue**

- **0%** of funding comes from Interest on Lawyer Trust Accounts (IOLTA); however, IOLTA is recovering from the banking crisis and expects to begin funding again.
- **3%** of funding comes from donations by private bar attorneys and corporations.
- **10%** of funding comes from grants and contracts from anti-domestic violence organizations, area agencies on aging, the federal Department of Housing & Urban Development, United Way, and other client based operations.
- **14%** of funding comes from the Public Legal Aid Fund established by the Arkansas Legislature in 2005. This fund distributes a percentage of the filing and re-opening fees in Circuit Court to legal aid.
- **73%** of funding comes from the federal Legal Services Corporation (LSC). LSC is a non-profit entity established by Congress to fund free civil legal services based on the number of people living in poverty.

**Expenditures**

One of the most challenging aspects of legal aid work is to extend the impact of limited funds as efficiently and effectively as possible. The following chart and narratives show the expenditures that are used to provide the

- **5%** Coordinating services for both legal aid organizations. This includes various justice technology, training and support private volunteer attorneys, legal aid advocates, and the public.
- **14%** Support staff that provide services for the main mission including secretarial, business management, information technology, and executive leadership.
- **18%** Operational costs for 14 offices. This includes rent, utilities, postage, telephone/technology, printing/copying, travel, and office equipment/maintenance.
- **63%** Attorney and paralegal salaries and benefits comprise the single largest source of expense. These 60 individuals handle the client cases in fourteen legal aid offices throughout the state.
Justice Timeline — Pieces of Justice

Over the years, legal aid organizations have developed creative ways to stretch their limited resources. A key strategy has been to implement innovative ways of providing legal services to low-income Arkansans. One critical component used for increasing resources is creating highly collaborative partnerships within the Arkansas justice community. These partnerships have resulted in 10 years of real benefits for all Arkansans. Highlights and descriptions of major achievements of the past decade are listed below.

2001
- Mergers of legal services organizations begin in an effort to more effectively represent low-income Arkansans. Six organizations merge into two separate 501(c) (3) nonprofit organizations: Center for Arkansas Legal Services and Legal Aid of Arkansas.
- The first Access to Justice Conference is held.

2002
- The Center and LAA launch the statewide toll-free HelpLine (1-800-9 LAW AID), doubling the number of clients served.
- Arkansas Legal Services Partnership (ALSP) is formed to coordinate statewide initiatives, trainings, and justice technologies.
- The Arkansas Bar Association House of Delegates and the Access to Justice Working Group petition the Arkansas Supreme Court to create an Access to Justice Commission.
- The two free Arkansas legal aid organizations provide services for 15,610 clients.

2003
- The Arkansas Access to Justice Commission is created by per curiam order of the Arkansas Supreme Court. ALSP begins providing full-time staffing resources for the Commission.
- The Arkansas Pro Bono Partnership Blueprint Agreement is formed as a long-term initiative between the Arkansas Pro Bono Partnership, Arkansas Bar Association, and other stakeholders.
- The two free Arkansas legal aid organizations provide services for 13,195 clients.

2004
- ALSP launches the Justice Technology Project, beginning with the creation of www.arlegalservices.org, which provides legal resources for low-income Arkansans as well as poverty law resources for attorneys.
- The two free Arkansas legal aid organizations provide services for 14,501 clients.

2005
- The Public Legal Aid Fund is created when the Arkansas Legislature passes SB584. This is the first time state funds are designated in support of legal services in Arkansas. These funds now constitute 14 percent of total funding for legal services in Arkansas.
- The two free Arkansas legal aid organizations provide services for 14,026 clients.

2006
- AATJ Commission holds town hall meetings in the state’s four congressional districts. Each U.S. Representative hosts the meetings.
- The two free Arkansas legal aid organizations provide services for 14,281 clients.

2007
- ALSP and the Commission launch the Arkansas Automated Document Project.
- Pro Bono Case Alerts, a monthly e-newsletter, is sent to more than 1,500 registered pro bono attorney subscribers.
- The ALSP website receives more than 1 million page views.
- The two free Arkansas legal aid organizations provide services for 15,094 clients.

2008
- ALSP and the AATJ Commission request staff funding and support of court assistance technology projects from the Arkansas Administrative Office of the Courts (AAOC) and the Arkansas Supreme Court.
- LiveHelp, an online chat service, is launched on the ALSP website.
- The two free Arkansas legal aid organizations provide services for 14,900 clients.

2009
- Arkansas Legislature passes SB348, which provides additional funds for the Public Legal Aid Fund.
- The IOLTA Compliance Form is created so Arkansas attorneys can report their annual amount of pro bono hours.
- By per curiam order, the Arkansas Supreme Court provides funding for Commission staff.
- The Arkansas Supreme Court combines the efforts of the Commission and the Arkansas IOLTA Foundation.
- The Arkansas Access to Justice Foundation is formed to help raise funds for the access to justice projects. It conducts the first ever statewide fundraising campaign with VOCALS and LAA and raises more than $300,000.
- The ALSP website receives more than 2 million page views.
- The two free Arkansas legal aid organizations provide services for 16,900 clients.

2010
- AATJ Commission proposes that attorneys licensed out-of-state be allowed to provide pro bono services in Arkansas under the sponsorship of a legal aid provider. The proposal is unanimously supported by the Arkansas Bar Association Board of Governors and the House of Delegates.
- AATJ Foundation conducts second annual statewide fundraising campaign with VOCALS and LAA raising $372,285.
- ALSP launches www.statesidelegal.org at an event hosted by the White House.
- The two free Arkansas legal aid organizations provide services for 16,600 clients.
Guardian of the Guardians – She anticipated the difficulties of caring for her adult niece that had recently suffered a massive stroke and slipped in and out of consciousness, but when her niece died and left a newborn infant, the client shifted her full focus on the well-being of the baby left behind. Since there was no father of record, the hospital was required to turn the baby over to the DHS if there was not a guardianship in place. The client acted swiftly in contacting the Center for Arkansas Legal Services in search of an attorney to assist her. The client’s case was referred to VOCALS attorney Elizabeth Cummings, who accepted the case.

Ms. Cummings, who normally practices transactional law at Cross, Gunter, Witherspoon & Galchus, P.C., had recently finished two cases for VOCALS when the client was referred to her. Considering the facts in the case, both the Center and Ms. Cummings believed the case to be a relatively simple minor guardianship. However, after Ms. Cummings drafted the petition for guardianship, other family members came forward to contest the client’s fitness as guardian and they sought to be guardians of the infant as well.

Any time a case leaps from an uncontested matter into a case with multiple interested parties, the amount of effort increases exponentially. Ms. Cummings, however, continued to advocate for her client without hesitation. With a little advice from the Center’s staff, Ms. Cummings was able to successfully overcome the challenges in an unfamiliar area of law and the client was granted guardianship.

Advocate: Elizabeth Cummings, VOCALS Pro Bono Attorney – Cross, Gunter, Witherspoon & Galchus, P.C.

Protecting Arkansas Homes – The client, a 65-year old homeowner, contacted legal aid after she had been notified that her mortgage had been referred to a company to initiate the foreclosure process. The client had fallen behind on her mortgage because of a loss of income when her place of employment reduced her hours. She tried to send in partial mortgage payments in an effort to keep her home, but the lender returned the payments as insufficient to cure the default on her home. With nowhere else to turn, she contacted Legal Aid of Arkansas for help.

Legal aid attorney Teresa Franklin worked diligently with the lender and achieved a modification of the client’s mortgage. This resulted in the client’s interest being reduced to 4.8 percent from 7.5 percent. After legal aid’s assistance, the client had lower monthly payments and her deficiency was added into the loan principle so she could keep her home.

Advocate: Teresa Franklin, Staff Attorney – Legal Aid of Arkansas

Protecting Children and Families – The client was the mother of four children whose husband had been sentenced to seven years in prison for sexually assaulting her son. She needed a divorce and needed help putting protections in place to stop him from abusing the children again.

She contacted the Center for Arkansas Legal Services and asked for help. Her case was referred to Jerry D. Pruitt, a member of the River Valley Volunteer Attorney Project.

Mr. Pruitt assisted the client over a period of seven months and obtained a final decree of divorce with a permanent restraining order. Although much damage was done by the abuser, the finality of the divorce and the protection of the permanent restraining order was a start in the right direction to re-building both the client’s life and the lives of her children.

Advocate: Jerry D. Pruitt, VAP Pro Bono Attorney
Representing Hope — Client Stories

In the Name of Justice - The client was born in Arkansas but had since moved to Arizona. All she needed was a name change. It seemed simple enough, but her issue was that she was misnamed at birth. Her birth certificate was completely wrong. This created problems, as she was not able to prove her identity, which resulted in her repeated denial of employment or request for public assistance.

The case was referred to VOCALS attorney Anthony “Tony” Mansell. Mr. Mansell is a licensed Arkansas attorney but spent 10 years as an engineer and 17 years as a college math teacher. After retiring from teaching, Mr. Mansell sought out the VOCALS program to devote his time to and volunteers at least 15 hours a week at the Center for Arkansas Legal Services. Mr. Mansell petitioned the Court to change the client’s birth name, and once the judge signed the Order, the Department of Vital Statistics adhered to the Order and issued a new birth certificate to the client with her real name. This enabled the client to seek valid employment and all other benefits to which she was rightly entitled.

Advocate: Tony Mansell, VOCALS Pro Bono Attorney

Protecting Arkansas Income - The client had been served with an action of garnishment seeking to attach all of the funds in her bank checking account. All of the proceeds in her account, however, were from unemployment compensation, Stafford student loans, and Pell grants. These types of funds are protected from garnishment and Ben Seay, staff attorney for the Center of Arkansas Legal Services, filed a claim of exemption to protect all of the account’s funds.

This still did not stop the creditor from trying to reach the client’s protected funds. The creditor presented an unfiled copy of an order to the bank, but the bank immediately called Mr. Seay. In turn, he alerted the court to what had happened and requested a hearing be scheduled. As a result of Mr. Seay’s quick action, the creditor dropped the garnishment action. The client’s funds are now protected.

Advocate: Ben Seay, Staff Attorney – Center for Arkansas Legal Services

Protecting the Elderly - From the moment that the 69-year old public housing resident received a Notice of Eviction, she believed it was in retaliation for a complaint she made to HUD regarding her landlord. She had no one to speak on her behalf, but she refused to be intimidated and contacted Legal Aid of Arkansas for help. The case was assigned to Staff Attorney Eric Bray. The landlord claimed that she was disruptive and disturbing the peaceful enjoyment of other residents. Mr. Bray, however, was able to get the complaint against the client dismissed. With legal aid’s help, the client was able to celebrate her 70th birthday in her home instead of becoming a victim of a retaliatory eviction.

Advocate: Eric Bray, Staff Attorney – Legal Aid of Arkansas

Representing Hope - When Emily Reynolds, EAJP pro bono attorney, received the referral from Legal Aid of Arkansas and met with her client, she said the young woman felt hopeless. The client was involved in an abusive situation and needed to get a divorce and full custody of the children.

Although Ms. Reynolds had only been practicing a year, she had already closed two pro bono cases, volunteering more than 75 hours of time. Ms. Reynolds stated, “This was one of the most rewarding of the cases I worked on this year.” In the end, even though there were some difficult aspects, they obtained the divorce, full custody, a favorable division of property, and child support with no visitation. Ms. Reynolds is still in touch with her client and says the children are happier and the family more stable.

Advocate: Emily Reynolds, EAJP Pro Bono Attorney – Warner, Smith, & Harris PLC
Marcia Barnes
Pulaski County VOCALS Attorney of the Year
The VOCALS Board of Directors honored Marcia Barnes of Mitchell, Blackstock, Barnes, Wagoner, Ivers & Sneddon as the VOCALS Attorney of the Year for 2010. Since joining the VOCALS Pro Bono Panel, Barnes has worked aggressively on family law cases, and last year, completed 80 hours of pro bono work. Barnes has produced several videos about domestic violence, divorce, and custody, resources that have appeared in schools to teach and warn juveniles about abuse. These videos have also been a resource for the Pulaski County Bar Association. This is the second time Barnes has been recognized for her work with VOCALS.

Sandra Y. Harris
Jefferson County VOCALS Attorney of the Year
Sandra Y. Harris has been named the Jefferson County VOCALS Pro Bono Attorney of the Year for 2010. Harris joined VOCALS in 1993, a year after graduating from the University of Arkansas at Little Rock School of Law. Last year, Harris donated more than 50 hours of service to the program and is currently an attorney in Pine Bluff at the office of Sandra Y. Harris, Attorney at Law, P.L.L.C.

Joel Johnson
River Valley Volunteer Attorney Project Attorney of the Year
The River Valley Volunteer Attorney Project presented its 2010 Pro Bono Publico Award to Joel Johnson. Johnson, a partner in the Fort Smith Law firm of Warner, Smith, and Harris, earned the award for providing more than 140 hours of pro bono services to the poor in 2010. Johnson has served as a volunteer attorney for the Volunteer Attorney Project since its inception in 1990 and has served his profession and community as a member of the Arkansas Bar Association’s House of Delegates, as a member and past president of the Arkansas Association of Defense Counsel, as a state representative for Arkansas in 2002, and as a member of the American Board of Trial Advocates.

Emily Reynolds
Outstanding Volunteer Attorney for Legal Aid of Arkansas
Legal Aid of Arkansas recognizes Emily Reynolds as the 2010 Outstanding Volunteer Attorney. After practicing law for only a year, Reynolds, of Warner, Smith, & Harris PLC in Rogers, closed two pro bono cases, one in which she volunteered more than 75 hours of her time. She serves on the Equal Access to Justice Panel, a cooperative effort with the Benton County Bar Association to provide free civil legal services to residents in Benton County, and is also a member of the Benton County Bar Association, the Arkansas Bar Association, and the American Bar Association.
In 2010, the Arkansas Access to Justice Foundation partnered with Legal Aid of Arkansas and the Volunteer Organization of the Center for Arkansas Legal Services to complete the second-ever statewide fundraising campaign for legal aid, bringing in a combined total of $372,285.46. Of that amount, VOCALS raised $173,405, the Foundation raised $129,353.28, and Legal Aid of Arkansas raised $69,527.18, with $43,874.56 of the LAA total designated for project-specific grants. This amount exceeded the overall campaign goal of $350,000. Significant gifts came from the Walmart Legal Department; the Walmart Foundation; Friday, Eldredge & Clark; Wright, Lindsey & Jennings; Tyson Foods; and Williams & Anderson.

In addition to increasing donations, a primary goal for the 2010 Access to Justice Campaign was to boost participation from all donor categories, including individual private attorneys, individual government attorneys, attorney organizations, corporations, and foundations. Significant increases were seen in all categories except individual private attorneys, which dropped slightly. Most notable growth was seen in participation from government attorneys, judges, corporations, and foundations, each of which doubled in donor participation. In all, 20 of the state's 75 counties were represented. Another campaign goal was to increase statewide pro bono participation.

**2010 Campaign Donation Sources**

- **1%** of campaign donations came from organizations other than law firms and corporations, such as bar associations and government agencies. A total of 5 such organizations participated.
- **13%** of campaign donations came from individuals, including private and government attorneys, corporate counsel, judges, law professors, law students, and non-attorneys. A total of 533 individuals participated.
- **41%** of campaign donations were received from law firms, many of which made contributions on behalf of their attorney members. A total of 47 law firms participated in the campaign.
- **45%** of campaign contributions were made by a total of 38 different corporations and foundations.

Of the campaign totals, each legal aid organization kept 100 percent of funds that program raised. AATJ Foundation funds, less 2010 expenses and projected 2011 expenses, were allocated to achieve a distribution of total unrestricted campaign funds corresponding to the poverty population percentage each program serves.

**2010 Campaign Expenses**

- **$10,411** of funds raised covered one-time costs associated with the establishment of the AATJ Foundation, which is primarily responsible for coordination of statewide private fundraising efforts for justice projects.
- **$17,773** of funds raised supported the operation of the AATJ Foundation and the 2010 statewide fundraising campaign.
Your contributions of money and pro bono volunteer time are critical to our efforts to close the justice gap in Arkansas. The pages that follow list all of the partners who supported the 2010 Access to Justice Campaign by giving or volunteering. Thank you for your participation in the campaign. Together, we represent hope for the thousands of Arkansans for whom justice would otherwise be denied.

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