

Center for Arkansas Legal Services | Legal Aid of Arkansas
Arkansas Access to Justice Commission | Arkansas IOLTA Foundation
Arkansas Pro Bono Partnership | Arkansas Access to Justice Foundation



Pieces of Justice

2010-2011 Annual Justice Partners Report

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*.

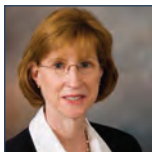
The **Center for Arkansas Legal Services** and **Legal Aid of Arkansas** are the only two free civil legal aid organizations in the state. In 2010, CALS and LAA closed more than 13,000 cases with nearly 3,500 pending cases at the end of the year. With a combined total of only **47 attorneys** between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



Annabelle Imber Tuck
Arkansas Access to Justice Commission
Chair



Lee Richardson
Executive Director
Legal Aid of Arkansas



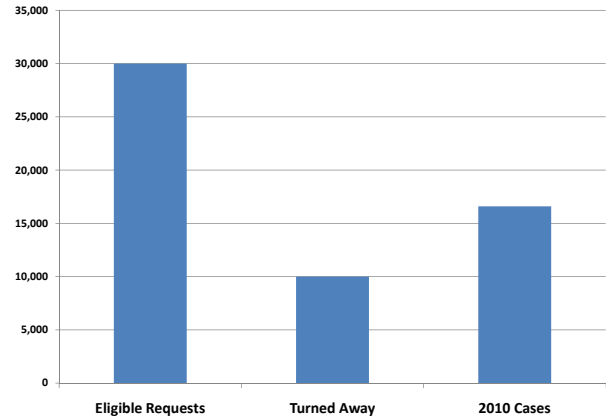
Bill Waddell
Arkansas Access to Justice Foundation
President

Legal Aid in Arkansas 2010 – How We Help

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.

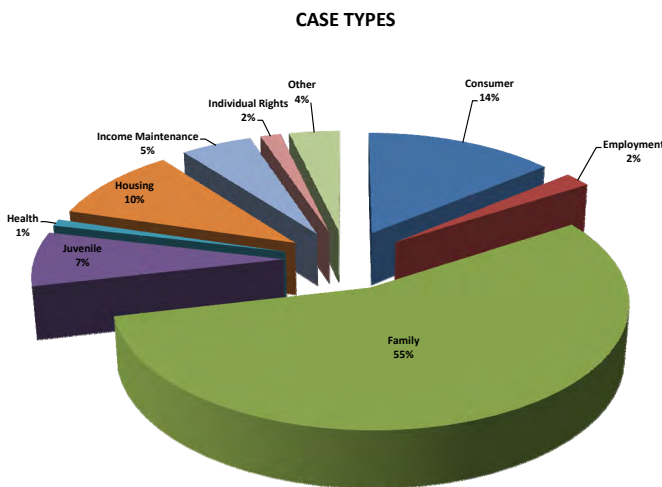
Arkansas Client Numbers

- 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



“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.”

Pro Bono Support

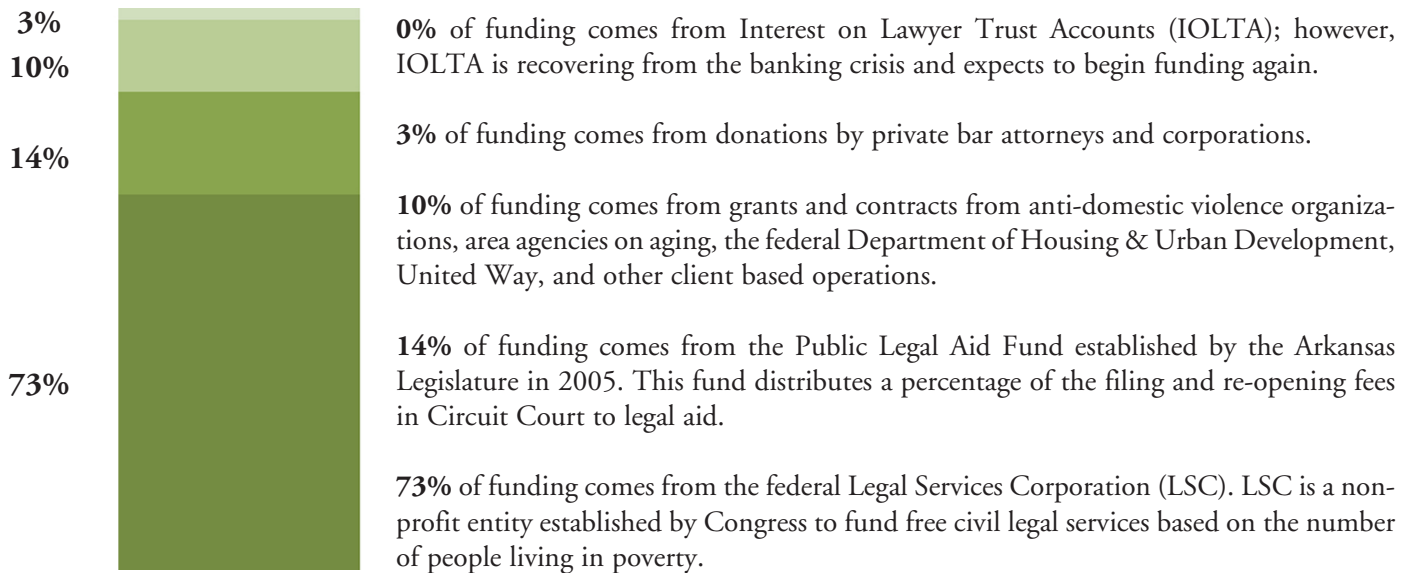
- **1,525** private attorneys volunteered to take cases Pro Bono
- **\$1.7** million dollars of pro bono services (in-kind value)
- **\$220,500** in Private Donations (VOCALS and the Promise of Justice Campaign)

Legal Aid in Arkansas 2010 – Funding

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

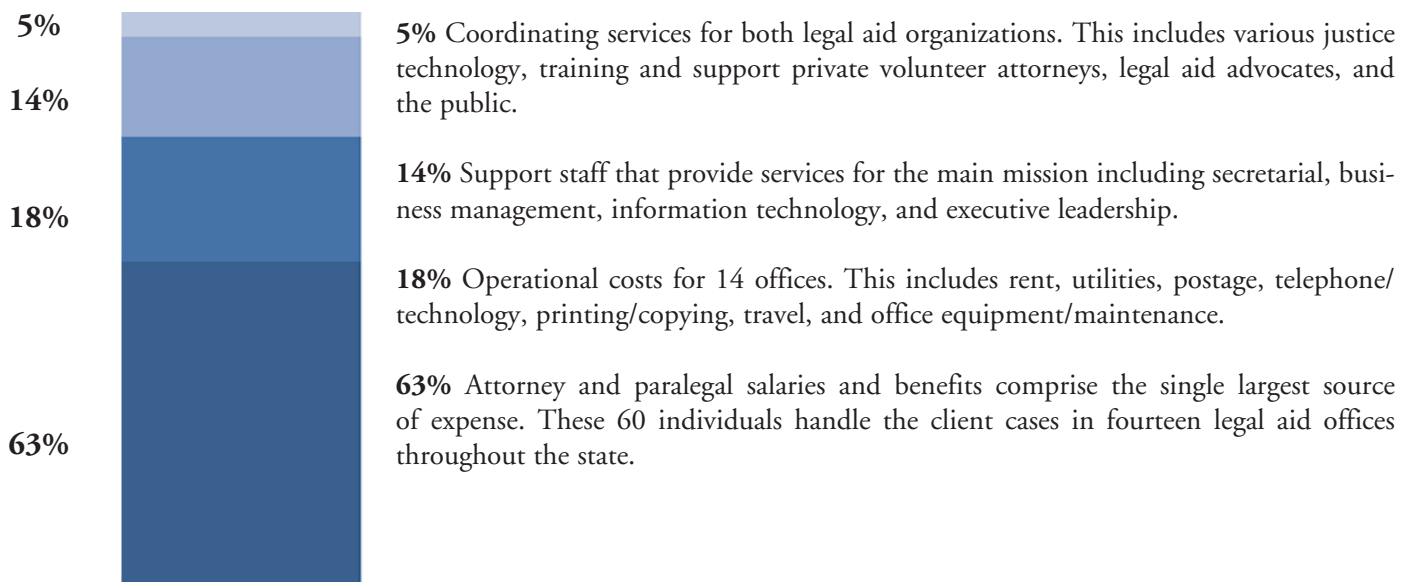
The current array of funding sources and contributions is **not a viable substitute for stable funding** to ensure that legal assistance is available to the poor. The following charts and narratives show the revenue that are used to provide the services detailed on the previous page.

Revenue



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



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**.

Representing Hope — Client Stories

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*

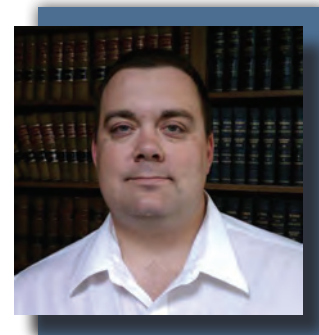


Protecting Arkansas Income - The client had been served with an action of garnishment seeking to attach all of the funds in her bank checking account. All of the proceeds in her account, however, were from unemployment compensation, Stafford student loans, and Pell grants. These types of funds are protected 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*

Pro Bono Attorneys of the Year

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.



Marcia Barnes – Mitchell, Blackstock, Ivers & Sneddon, PLLC



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.

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.



Joel Johnson – Warner, Smith, & Harris PLC in Fort Smith



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.

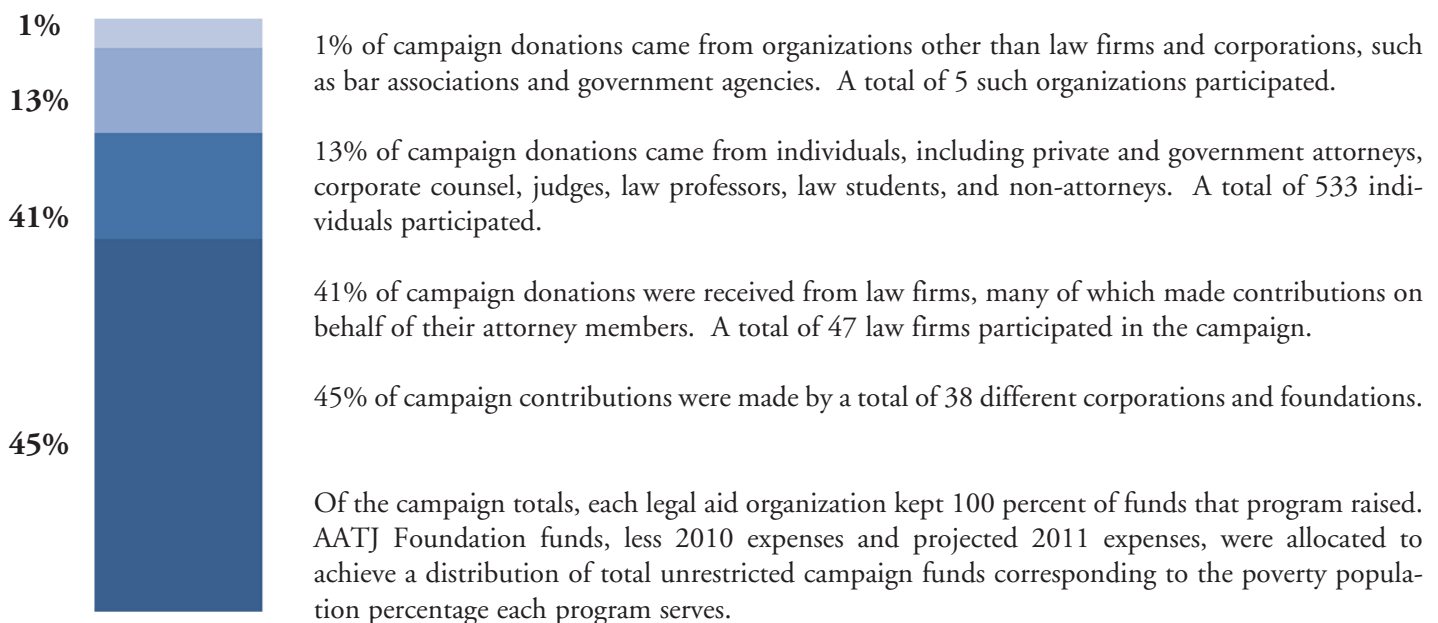
Emily Reynolds – Warner, Smith, & Harris PLC in Rogers

Representing Hope – Access to Justice Campaign

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



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.

Corporate, Firm and Foundation Donors

Visionaries (\$50,000-\$99,999)

Wal-Mart Legal Department

Benefactors (\$20,000-\$49,999)

Friday, Eldredge & Clark

Wal-Mart Foundation

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Huckabay Law Firm

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Legal Aid of Arkansas

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Visionary Members (\$2,500-\$4,999)

Danyelle J. Walker

Jon & Stephanie Comstock

Sustaining Members (\$1,000-\$2,499)

Nate Coulter
Judge Robert Fussell

Chuck & Susan Goldner
Rosanna Henry

Shirley Jones
Jo Ann C. Maxey

David J. Sachar
Justice Annabelle Imber Tuck

Mary A. Winzerling

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Amy Clemmons
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Frankianne Coulter
Chasey Cox
Ray F. Cox
Mary Carole Crane
Bryant K. Cranford
Kimberlin Cranford
Kevin A. Crass
William Creasman

Michael Alfred Crockett
Willis D. Cronkhite
J. Bruce Cross
Courtney C. Crouch
J. Cotton Cunningham
Kirk Dean Darbe
William Webster Darling
J. Mark Davis
John D. Davis
John Gary Davis
M. Jane Dickey
John DiPippa
Allen C. Dobson
J. Charles Dougherty
Lee Douglass
Yolanda Dreher
Bryan W. Duke
Wm. David Duke
Missy McJunkins Duke
J. Benton Dyke
David L. Eanes
Walter M. Ebel
Beth Echols
Khayyam Eddings
Robert Edwards
Byron M. Eiseman
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Jennifer & Todd Furguson
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Kent R. Foster
Jana Fowler
M. Elizabeth Francis

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Richard Glasgow
Melissa Beard Glover
David Glover
Scot P. Goldsholl
Greg Gough
David A. Grace
Connie L. Grace
David M. Graf
Jeffrey M. Graham
Richie Graham
Kathlyn Graves
Sarah Greenwood
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H. Watt Gregory
Randy Grice
Joe Grider
William M. Griffin
Audrianna Grisham
Jim Gunter
Russell Gunter
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