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## OFFICE LOCATIONS

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**El Dorado** AR 71730  
 870-863-0368

100 Greenwood, Suite E  
**Hot Springs** AR 71913-4427  
 501-624-2591

202 Walnut Street  
**Newport** AR 72112  
 870-523-9892

4083 N. Shiloh Drive, Suite 3  
**Fayetteville** AR 72703  
 479-442-0600

714 S. Main St.  
**Jonesboro**, AR 72401  
 870-972-9224

1400 West 5th  
**Pine Bluff** AR 71601  
 870- 536-9006

901 South 21st Street  
**Fort Smith** AR 72901-4005  
 479-785-5211

303 West Capitol Ave., Suite 200  
**Little Rock**, AR 72201  
 501-376-3423

101 E. Main St., Suite C  
**Russellville** AR 72801  
 479-968-3993

213 West Rush  
**Harrison**, AR 72601  
 870-741-2454

712 West Main  
**Mountain View** AR 72560  
 870-269-4355

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**Texarkana** TX 75504-0170  
 903-793-7661

402 Franklin  
**Helena-West Helena**, AR 72342  
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310 Mid-Continent Bldg/Ste 420  
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 1-870-732-6370

**WWW.ARLEGALSERVICES.ORG**  
**STATEWIDE HELPLINE: 1-800-952-4253**



**"JUSTICE** is the end of government. It is the end of civil society. It ever has been and ever will be pursued until it be obtained, or until **LIBERTY** be lost in the **PURSUIT.**"

- James Madison



# The Voices of Justice 2007 Annual Report

CENTER FOR ARKANSAS LEGAL SERVICES  
 LEGAL AID OF ARKANSAS

## VISION OF JUSTICE

Justice is the promise our founders enshrined in the Constitution. It is a promise that defines who we are as a nation, a state, a community. It is the concept which sets us apart from all other societies in the world. We are honored and humbled to be leading two organizations in Arkansas which work every day to fulfill that vision of justice set forth by the founders of our great nation. The Center for Arkansas Legal Services and Legal Aid of Arkansas provide free civil legal help to thousands of low income Arkansans with no other place to turn. A large segment of our citizens [1 in 5 are eligible] encounter barriers to justice simply because of their low income. This annual report is both their story and our story.

Our founding documents do not read, "liberty and justice for those who can afford it." And despite our best efforts through 39 attorneys and paralegals, we had to deny service to nearly half of the requests we received this past year due to lack of funding. You will read in this report about some of the people we were able to help and the circumstances which forced them to our doors. But you cannot hear the voices of an almost equal number who we could not help because of a lack of resources. The founders stated that justice is for all. To fully embrace the democracy we all share, everyone must be included in that promise of justice. We hope this report engages you in the struggle with us to achieve the **Vision and Promise of Justice**.



Jean Carter, Executive Director  
Center for Arkansas Legal Services



Lee Richardson, Executive Director  
Legal Aid of Arkansas

## CLOSING THE JUSTICE RESOURCE GAP

### The Arkansas Legal Services Website

The two legal aid organizations developed a nationally acclaimed website [www.arlegalservices.org](http://www.arlegalservices.org). Resources on the site include hundreds of fact sheets written for low-literacy readers; easy to use automated legal forms for advocates and self-help assistance; hundreds of court forms; and other helpful resources. In 2007 over a million web pages were viewed and nearly 6,000 Arkansans used automated forms to handle their legal issues.

### Arkansas Pro Bono Partnership

Another creation of the two legal aid organizations in cooperation with the Arkansas Bar Association is a partnership designed to facilitate the recruitment, retention, support, oversight and recognition of lawyers who volunteer their services [pro bono] to represent legal aid eligible clients. During 2007, 900 volunteer attorneys closed cases for legal services which amounted to an in-kind contribution of over \$ 800,000. An additional 800 attorneys made contributions of over \$225,000 in lieu of service for a total pro bono contribution of over a \$1,000,000.

### Arkansas Access to Justice Commission

The Arkansas Supreme Court created the Commission to develop and implement initiatives designed to expand access to, and enhance the quality of, justice in civil legal matters for low-income Arkansans. Toward that end the Commission has surveyed circuit court judges and clerks regarding increased efficiency and effectiveness of the courts with regard to pro se litigants; produced a DVD – *“Forging the Road to Civil Justice”* – about the need to expand access to civil legal justice and the impact of legal aid on low-income Arkansans; provided the venues at five Town Hall Meetings for public input into the legal needs of the state’s poverty population; launched a website – [www.arkansasjustice.org](http://www.arkansasjustice.org) – which provides resources and information to both practitioners and clients; recommended changes to pro bono rules which enhanced support of legal aid and increased the pro bono services of the entire legal community; and recommended legislative action to increase funding for civil legal aid of which only one of these proposals was successful in 2005.

## HELPING US END JUSTICE DENIED

The work of legal aid values Arkansans in their families, jobs, and homes thereby helping produce stable and productive lives which in turn sustain viable and healthy communities. The work of legal aid secures tangible income benefits for people who are living on the edge economically and protects housing, health, education and employment. And legal aid accomplishes its work with productive staff, the creative use of resources, and respect for the dignity of clients.

What is clear is that when all these values are insecure – families disintegrate, children become victims, economic productivity becomes welfare dependency, and people are turned out of homes and into homeless shelters. Stability in these values promotes our strength as a state and extends the protections of justice to all our citizens.

In Arkansas, 1 in 5, or 20% of our citizens are eligible for legal aid but nearly 50% of those who apply for assistance must be turned away due to lack of resources. In addition, 4 of every 5 dollars going to legal aid comes from the federal government, local contributions and contracts.

No direct state revenue supports these efforts in Arkansas. Without such funding the voices of justice cannot speak for the values we all hold important – family, economic security, health and home. As James Madison wrote, “We must pursue that justice for everyone – it is the primary end of government and must be pursued until it is obtained.” The leaders of Arkansas’ government must add their voices to that pursuit in order for the state to achieve the vision of justice for all. Without that commitment far too many Arkansans will continue to face justice denied.

## THE LIMITED RESOURCES FOR JUSTICE

The fundamental resource limitation which prevents the two civil legal aid organizations from serving more Arkansans is funding.

### Federal – 69%

Funds by Congress through the Legal Services Corporation [LSC] based on state poverty levels.

### IOLTA – 11%

Interest on lawyer trust accounts.

### Grants and Contracts - 9 %

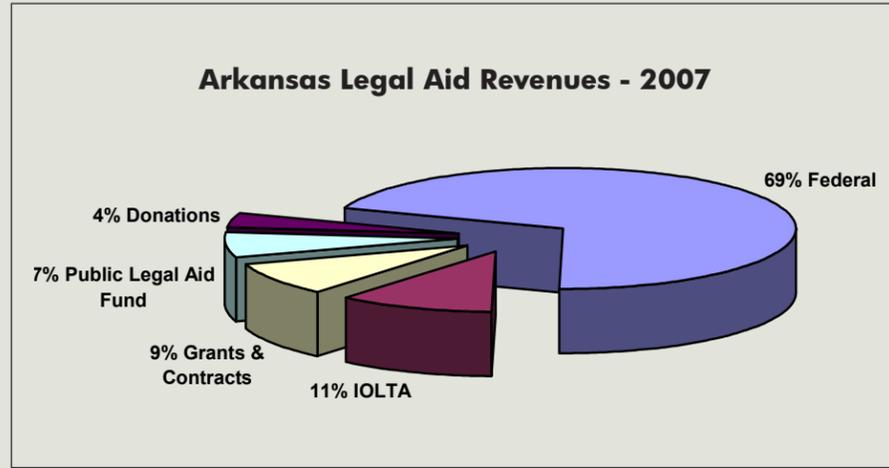
These include funds from United Way, HUD, Domestic Violence organizations, Area Agencies on Aging, and similar client services operations.

### Public Legal Aid Fund – 7%

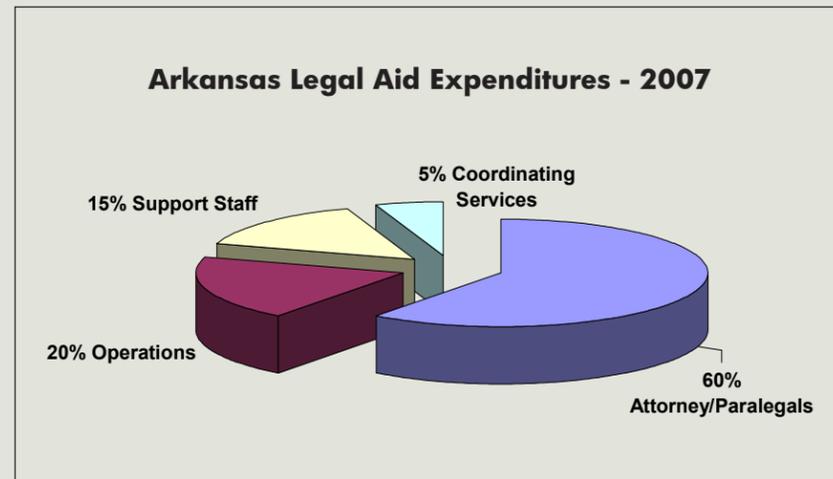
Proceeds from a \$10 fee on the reopening of cases in circuit court enacted by the Legislature in 2005.

### Private Donations – 4%

Legal aid campaigns to local attorneys.



Expenditures reflect the challenge of doing the maximum with limited funds.



### Coordinating Services - 5%

Statewide efforts representing both legal aid organizations for functions including a website, pro bono activities, plus board, management, and legal training. In addition, these three individuals staff the Access to Justice Commission.

### Attorneys and Paralegals – 60%

This is the single largest category of expenditure and reflects salaries and benefits of those individuals who directly manage client cases.

### Operations Costs – 20%

Rent, equipment, utilities, printing, postage and phone expenses.

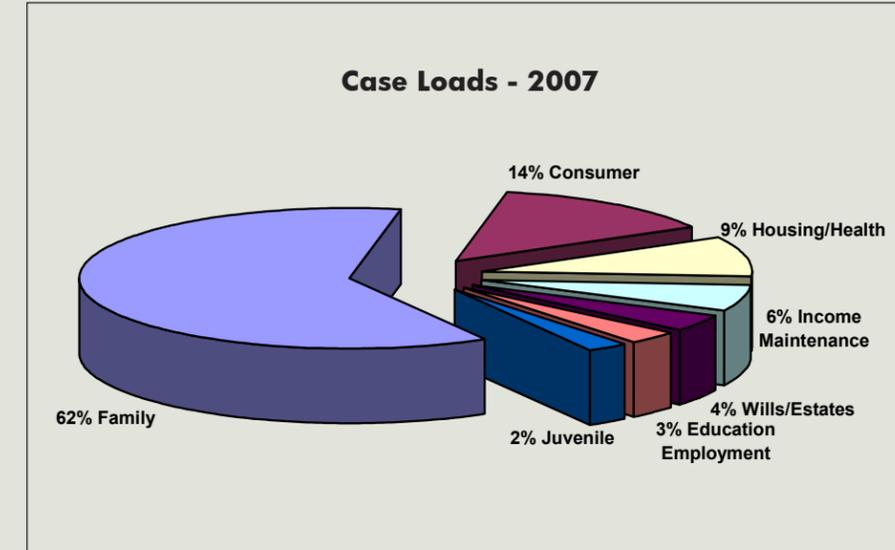
### Support Staff – 15%

Salaries and benefits of secretarial support, business management, and technical staff.

## VALUE OF JUSTICE – THE WORK OF LEGAL AID IN ARKANSAS

### Case Loads - 2007

Most Arkansans place a high value on supporting families, protecting children, securing economic opportunity and the sanctity of the home. When people are secure in their families, jobs, and homes these values help produce stable and productive lives which in turn sustain viable and healthy communities.



### Family - 62%

The overwhelming majority of cases involved supporting families and protecting children. Domestic violence, divorce and the wellbeing of children dominate the case load data.

### Consumer - 14%

These issues related to bankruptcy, collections, garnishments and deceptive sales practices. In a time of worsening economic conditions protecting the poor from predatory situations helps build some stability for individuals and families which are already living on the edge.

### Housing and Health - 9%

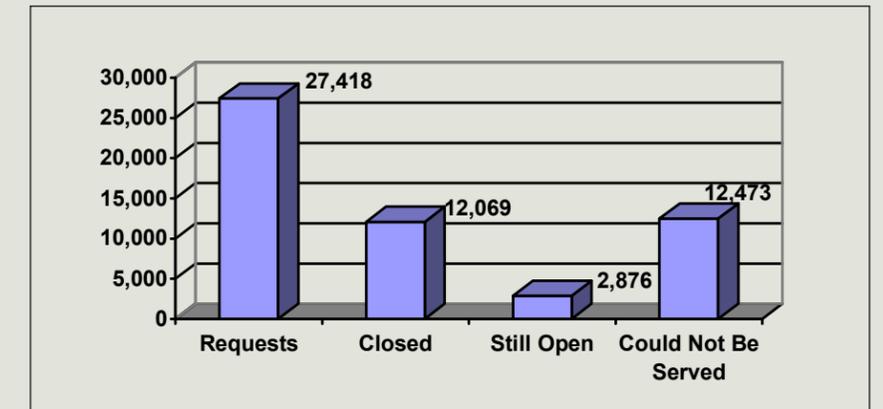
The predominate type of cases reflected in this category, not surprising given the crash of the housing market, were landlord/tenant and home ownership issues. The ability to secure families in their homes provides stability and reduces costs for public agencies in tending to issues of the homeless.

### Income Maintenance - 6%

Most such cases involve maintaining or securing income for poor Arkansans through federal monies from Social Security and SSI. Legal aid improved or stabilized the income of families by securing \$1,327,800 for our clients. This federal money entered the Arkansas economy directly increasing the wealth of the state.

### Helpline

A toll-free HELPLINE provides Arkansans from throughout the state access to the legal aid office closest to their home. If the caller is eligible [based on income and case priorities] the Helpline professionals provide legal services. In 2007 the Statewide Helpline received over 27,400 calls, opened over 14,900 cases, but was unable to serve nearly 12,500 callers [45%] because of resource shortages.



## THE VOICES OF JUSTICE – CLIENT STORIES

There is no better way to provide an understanding of the value of justice to readers of this annual report than to hear some of the voices of justice – those individuals whose lives have been changed by legal aid. Their stories are varied and numerous but here are just a few of the **voices of justice**.

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Many of the cases handled by legal aid are complex situations involving multiple issues effecting families. One such case involved a woman who sought help with a divorce because her husband was an alcoholic who had regularly physically abused her and one of their minor children – a daughter. The abuse was so consistent and destructive that the child was already in a group home receiving treatment for severe emotional problems due to the abuse. The child's problems were exacerbated because she had often witnessed the father's abuse of her mother. This child and one of her siblings living conditions had already come under the scrutiny of the Juvenile Court which had continuing jurisdiction over their custody. Further complicating the situation was the status of a third child who was involved in the divorce action. A legal aid attorney secured as part of the divorce action a court order directing that visits by the father to the third child could only take place in the home of the mother and be supervised at all times. The court also ordered the father to be free of drugs and alcohol on these visits and to get help to control his anger and violent behavior.



In some cases, legal aid attorneys need to modify previous court actions because of changed circumstances. Such a case involved a father who came to legal aid as the legal custodian of four minor children. The mother had been awarded standard visitation with the children as part of the original divorce. The father filed a petition for modification and suspension of visitation because of serious physical abuse committed by the mother against the oldest of the children. The physical abuse consisted of hitting, kicking, stomping and dragging the child down a gravel road. The child suffered a fractured shoulder, bruises and abrasions. The Department of Human Services investigated the incident and rendered a finding of child maltreatment. The mother was convicted of a felony offense for these actions. The legal aid attorney secured for the father a modification of visitation requiring the mother to only visit in the home of her parents and under their direct supervision at all times. Additionally, the mother was ordered to complete parenting and anger management courses, and to refrain from physical discipline of the minor children in the future.

Protecting income of Arkansans is another legal aid priority; especially at risk are the elderly, those unable to work and disabled veterans. Recently, an elderly and paralyzed veteran sought assistance from legal aid after his bank account was garnished by a collection firm. His only income was social security disability. Due to the veteran's disability, a legal aid advocate interviewed him at his home and from that meeting it was clear an Order of Garnishment had indeed been entered against our client. This Order could have resulted in the loss of access to his disability benefits. Legal aid advocates immediately filed motions with the court to stop the garnishment of the veteran's account. The client had previously sent bank statements to the creditor's attorney showing all his income was exempt. Even though the creditor was put on notice that the veteran's funds were exempt from garnishment, they continued their attempt to seize the veteran's disability benefits. However, after legal aid began representing the veteran, the creditor finally agreed that the money in the veteran's account was indeed exempt and vacated the order garnishing the account. The veteran's disability benefits were no longer in danger and he again had complete access to them.



Housing stability is critical, especially to families and the elderly. This area of legal aid work is growing due to the disastrous state of the mortgage market which not only produces foreclosures of single family homes, but impacts as well the rental market and public housing. Usually eviction is the legal issue but sometimes administrative action is cause for eviction. One such case through legal aid this year came from a tenant in public housing. After hearing shots outside her apartment one night, she fled through the back door. Her apartment was quickly burglarized. When she told the housing manager the next day what had happened, her apartment was padlocked with no notice, and she lost all of her personal belongings. The manager said that legal aid's client must have had something to do with the criminal activity. Legal aid filed a lawsuit for the illegal eviction and conversion of her personal property and was able to get a settlement for an amount of money which enabled the client to move to another home.

Health care security is another priority area for legal aid. For many poor people, Medicaid can be the difference between life and death. In one such case handled by legal aid this year, a woman who was eligible for Medicaid was denied a Medicaid card based on Arkansas' claim that the Social Security Administration [SSA] failed to provide necessary information to the Arkansas Medicaid Office. Legal aid, representing the woman, appealed the arbitrary administrative action based on the premise that it was the State's duty to obtain the information if the SSA did not voluntarily provide the needed information. An Administrative Law Judge ruled in favor of our client holding that the State should provide the client a Medicaid card.

