

2006 ANNUAL REPORT

CENTER FOR ARKANSAS LEGAL SERVICES & LEGAL AID OF ARKANSAS

FORGING THE ROAD TO CIVIL JUSTICE

INTRODUCTION

Our vision is to improve the lives of low-income Arkansans by championing equal access to justice for all so that when an individual enters the civil legal system they get equal justice regardless of their economic or social circumstances.

We are a nation of laws and those laws have sustained us for 220 years as a democratic republic unequaled in the history of the world. Our laws promote a fundamental sense of fairness and equity. But if that promise of fairness and equity are ever to be fully achieved everyone in the society must have access to the protection of those laws. Such is not the case in 21st Century America or Arkansas. A national study released last year demonstrates an 80% gap between the need for civil legal services and the provision of those services. Fairness is not possible until everyone who needs it can have access to a court for the disposition of justice.



We are fortunate in Arkansas to have legal aid operations throughout our state whose vision and mission it is to *forge a better road to civil justice*. These attorneys, paralegals and support staff work hard to address the civil legal needs of low-income Arkansans. This annual report is about their work, the impact of that work on clients throughout the state, and the as yet unmet needs of far too many of our fellow citizens. We hope when you see what we do and the important values and principles we uphold within a nation of laws, that you will join us in ***Forging the Road to Civil Justice***.



*Jean Carter, Executive Director
Center for Arkansas Legal Services*

*Lee Richardson, Executive Director
Legal Aid of Arkansas*

ARKANSAS LEGAL SERVICES PROGRAMS

Family Law

A major area of work for legal aid involves family matters, including domestic abuse, divorce, custody, visitation, and guardianship. Legal aid works with women's shelters, law enforcement, and the courts to end family violence and to provide stability and financial support for children and vulnerable adults.

Consumer Law

The elderly and disadvantaged are targets of deceptive business practices. Legal aid handles cases involving abusive debt collection, garnishments, home foreclosures, home equity scams, predatory lending, and bankruptcy.

Housing Law

Landlord/tenant disputes, evictions, federally subsidized housing, and tax liens can be particularly distressing situations without legal advice. Legal aid has a special focus in the Delta region of the state to save land that has been in families for generations.

Income Maintenance

Legal aid handles eligibility or termination of benefits for Social Security Disability, SSI, unemployment compensation, and veterans' benefits. Legal aid also helps find transitional employment, education, and job training so that Arkansans are able to support themselves once again.

The Arkansas Legal Services Website

The Arkansas Legal Services Partnership has developed a nationally acclaimed website that is rich in content and resources. The ALSP website includes resources for low-income Arkansans, pro bono attorneys, community partners and legal aid advocates. These resources 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. These online materials have become a trusted source of civil legal information for many Arkansans. In 2006, there was an average of 2,215 web pages viewed per day and a total of 808,648 web pages viewed for the year. For more information please visit www.arlegalservices.org.

The Statewide Arkansas HelpLine (1-800-9 LAW AID)

HelpLine professionals provide legal aid in civil matters to Arkansans who meet low-income guidelines. Clients are assisted differently depending on their unique situation: some receive legal advice over the telephone; some receive detailed information sent by mail; others are provided brief services such as filing a form; and still others are referred to a staff or volunteer attorney for legal representation. In 2006 the Statewide HelpLine received 24,398 calls, opened 11,268 cases, but could not assist 10,115 callers because of resource shortages.

ARKANSAS ACCESS TO JUSTICE COMMISSION

The Arkansas Access to Justice Commission was created by the Arkansas Supreme Court to develop and implement initiatives designed to expand access to and enhance the quality of justice in civil legal matters for low-income Arkansans.



Mission

To provide equal access to justice in civil cases for all Arkansans.

Commission accomplishments since its inception in late 2004 include:

- A survey of circuit court judges and clerks regarding how court assistance projects can improve pro se litigation.
- Production of 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.
- Five Town Hall Meetings that provided public input into defining legal needs of the state’s poverty population.
- Launch of a website – www.arkansasjustice.org - which provides resources and information to both practitioners and clients.
- Recommended changes to pro bono rules designed to enhance support of the state’s two legal aid organizations.
- Three recommendations for Legislative or court action to increase funding for civil legal aid.

THE ARKANSAS PRO BONO PARTNERSHIP



The Arkansas Pro Bono Partnership is a collaborative effort to improve and expand the reach of pro bono activities in the state. Sanctioned by the Arkansas Bar Association, the Partnership is charged with coordinating the recruitment, responsibilities, and recognition of volunteer attorneys. This year, based on a recommendation of the Access to Justice Commission, Model Rule 6.1 will be changed to include mandatory reporting, setting an aspirational goal of 50 hours per year and establishing the contribution level at \$400. Over 1,200 attorneys, corporations, judges and law students made their commitments to expanding access to justice for low income Arkansans. In 2006, over 660 volunteer attorneys closed 818 cases for legal services which, conservatively priced, amounts to an in-kind contribution of \$746,888. An additional 643 attorneys made contributions in lieu of service, which amounted to nearly \$255,000.

THE FINANCIAL ROAD - 2006

Total Revenue- \$4,840,000

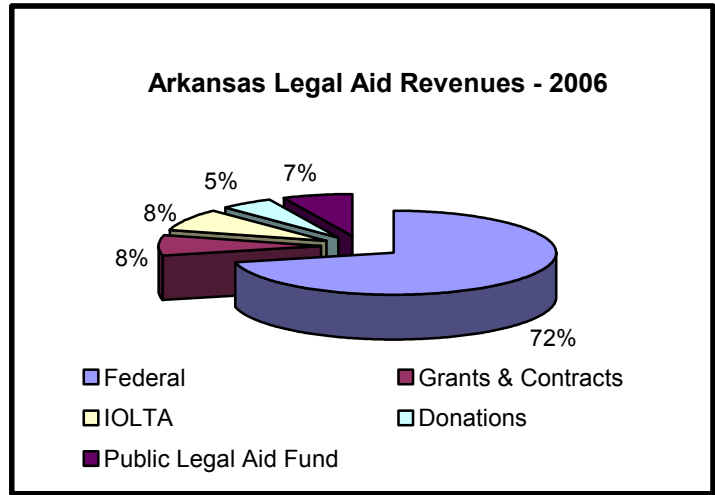
Federal – 72%
The Congressional appropriation which Legal Services Corporation [LSC] provides to Arkansas

Grants & Contracts - 8 %
Represents funds from the Violence Against Women Act, HUD, Title III B, United Way and the Winthrop Rockefeller Foundation

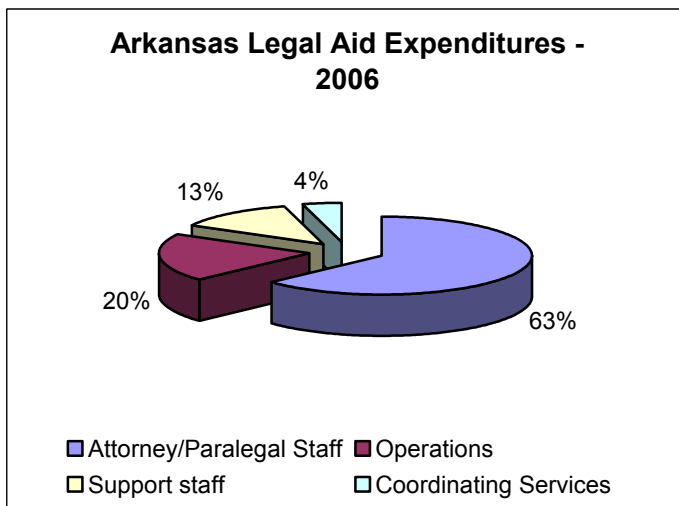
IOLTA - 8 %
Interest on Lawyer Trust Accounts has dropped significantly since 2002 but increased in 2006

Donations - 5 %
Lawyer campaigns, especially VOCALS in Pulaski County, represent the largest amount in this category

State Legal Aid Fund - 7 %
Established by the Arkansas Legislature in 2005 it is the newest revenue source and represents the first time state court fees have been earmarked for use by legal aid in the state



Total Expenditures - \$4,740,000



Attorneys/Paralegal - 63 %
Salaries and benefits

Operations - 20 %
Rent, equipment, utilities, printing, postage, etc.

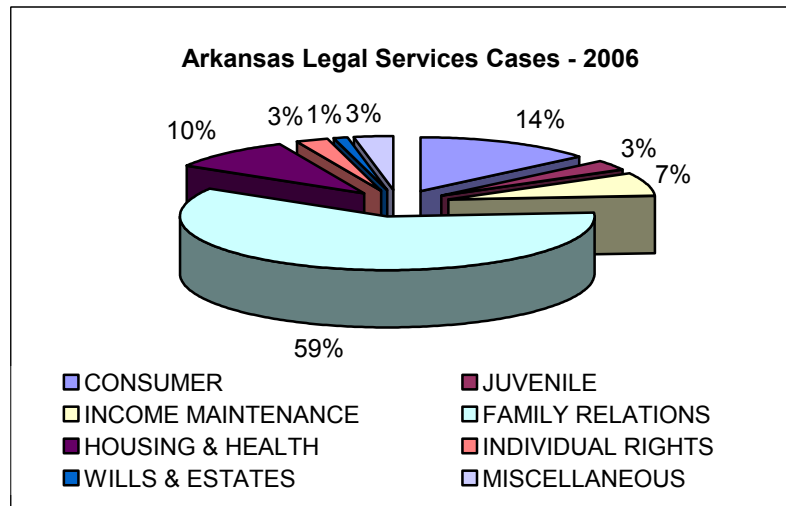
Support Staff - 13 %
Salaries and benefits for secretarial support, business management and technical staff

Coordinating Services - 4%
Arkansas Legal Services Partnership, the Pro Bono Partnership, website development, and staffing the Arkansas Access to Justice Commission

CASE LOAD STATISTICS - 2006

Legal aid eligible Arkansans are the poorest and most vulnerable of our citizens.

Fully 16% of Arkansans live below the poverty level and in nine [9] counties in the Delta that figure rises to over 25% of the population. That makes one [1] in five [5] of the state's citizens eligible for legal aid help. The following statistics reflect the road we have forged this past year to advance civil justice. There were 24,398 requests for service throughout the state of which 11,155 cases were closed and an additional 3,126 are still open. Due to staff resource shortages and eligibility requirements there were 10,115 individuals who could not be served. The Public Legal Aid Fund allowed legal aid to increase the case load by 7%.



Family – 59%

Domestic violence, child support, divorce, child custody, parental rights and guardianships

Consumer – 14%

Bankruptcy, illegal seizure of property, wage garnishment, denial of credit, and fraudulent consumer practices

Housing and Health– 10%

Unlawful eviction, denial of access to public housing, mortgage foreclosure, denial of health care benefits

***Income Maintenance – 7%**

Eligibility for or termination of Social Security Disability, SSI, unemployment compensation, or public benefits including Medicaid and Medicare

Juvenile – 3%

Delinquency, neglect, abuse and dependency

Individual Rights and Education – 3%

Job discrimination, wage claims, education and CETA

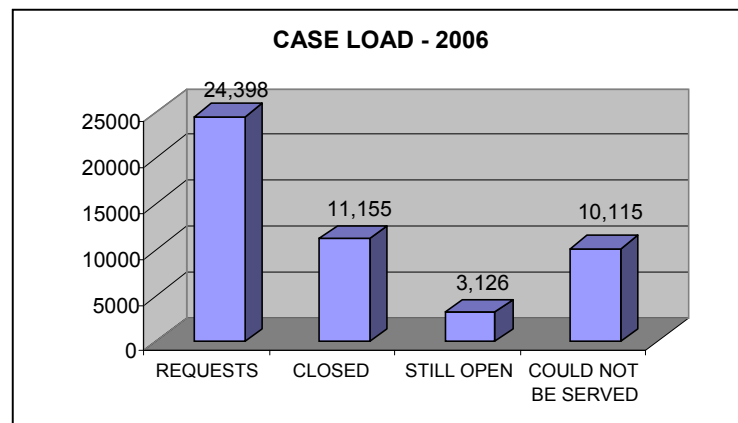
Miscellaneous Other – 3%

Licenses, torts

Wills & Estates – 1%

Wills and Advance Directives

**Successful results in these cases secured \$1,410,000 in federal benefits for low-income Arkansans.*



CLIENT STORIES

Some legal aid cases make the evening news and sometimes you may hear about them through friends or constituents. Most days, however, Arkansans do not know what a legal aid attorney has done for someone in their community. Thousands of clients have benefited from legal aid in Arkansas; these are just a few of their stories ---- **people on the road to civil justice.**



A tragic situation that often arises is the need for a guardianship for abandoned children. Legal aid helps to provide stability for these frightened little ones. In one case, **two minor children whose mother had died and whose father then abandoned them were left homeless.** A friend of the mother's, a single parent with three of her own children, was willing to take them in but could not obtain any type of help for the children. A legal aid attorney established the friend as the guardian for the children and now they have a home to live in and are able to receive benefits and attend school.

After giving birth, the mother left the state and left the baby with her grandmother. When she returned, **she took the child to live with her and her boyfriend, who began sexually abusing the child.** The boyfriend was later imprisoned and the child's mother was unable to care for her. With the help of a *pro bono* attorney, the grandmother obtained guardianship of the child and was able to secure social security benefits. Now the grandmother is able to provide a safe, loving home for the child.

In another case, the mother of six minor children was killed in a car accident. A trust fund was established by the auto insurance company, but the children could not access this money until they reached the legal age of majority. **The children went to live with their grandfather, who was on a limited income. The grandfather applied for food stamps for the children,** but his claim was denied because the food stamps office counted the trust fund as income. A legal aid attorney appealed the denial and showed that the trust fund was not currently available to the children. The grandfather was then deemed eligible for food stamps and now he can feed the children.

After Hurricane Katrina struck in August 2005, over 60,000 people were displaced to Arkansas. After a few months, **FEMA notified several clients in the Arkadelphia area that their rental assistance payments would end.** A staff paralegal contacted state officials and FEMA to determine how to appeal those decisions. After this, legal aid was able to provide information and forms for the FEMA appeal procedures to those displaced to Arkadelphia and other Katrina evacuees.



CLIENT STORIES

An 80-year old woman needed help paying for her medical prescriptions. She did not understand the Medicare system and had missed the deadline for registering with Medicare Part D, the prescription drug benefit program. She had been paying for her medications on a high-interest credit card. A legal aid attorney explained to the client that there was a second prescription drug enrollment period in November and put her in touch with the state's Medicare help-line for the elderly. The attorney also matched the client with the local Area Agency on Aging and the Charitable Christian Clinic, which has a discount prescription drug plan.



A man suffering from cerebral palsy and other severe physical and mental limitations had his SSI disability benefits terminated after the Social Security Administration determined he had made a slight medical improvement. A legal aid attorney appealed this decision and showed that the client's past education did not allow him job opportunities he could perform with his conditions. Additionally, he had no family to assist him and would become homeless without the disability income. On appeal, the judge ruled that the client's mental and physical limits were too great for him to become employed and reinstated his disability benefits.

A thirty-nine year old woman was blind, suffered from arthritis, hernia, migraine headaches, hepatitis B, stomach problems, knee problems, and had deteriorated spinal discs. She also took ten medications daily. The Social Security Administration turned down her claim for benefits, but a *pro bono* attorney was able to obtain SSD/SSI benefits for this client.



A young woman came into legal services because **her husband had used the hot end of a metal hanger and branded his initials into her upper left arm.** A legal aid attorney obtained a one-year Order of Protection for the client.

A young man needed legal services because, while trying to end a relationship, **his ex-girlfriend hit him several times, bit him, head-butted him, and tried to stab him. She also attempted to stab his brother when he tried to intervene.** A legal aid attorney obtained an Order of Protection for the client. After the Order was served on the ex-girlfriend, she came back to the client's home and assaulted him again. At a contested hearing, legal aid was able to obtain a two-year Order of Protection for our client and the ex-girlfriend was charged with felony charges of aggravated assault and domestic battery.

BOARD OF DIRECTORS

◆Arkadelphia Vanessa Sharp ◆Batesville Jerrie Grady Higginbottom ◆Bentonville Brad Karren
◆Blytheville Bruce Harlan ◆Boles Carl Sachs ◆Conway Mary Alice Morris ◆El Dorado Jim Andrews
Mary Henry ◆Eureka Springs Bill Brown ◆Fayetteville Michael Mullane ◆Fort Smith Jeffery
Blassingame David K. Harp David McDonough Jim O'Hern ◆Gosnell Henrietta Cherry ◆Hamburg James
Hamilton ◆Harrison Kandy Webb ◆Heber Springs Beverly Claunch ◆Helena-West Helena Earlon
Major Chalk Mitchell ◆Hot Springs D. Scott Hickam ◆Jonesboro Val P. Price Stevie Prunty ◆Lake
Village Joseph P. Mazzanti, III ◆Little Rock Jess Askew Marva Davis Causley Edwards Neil Sealy Leigh
Anne Shults S. Logan Stafford Herbert T. Wright Randal G. Wright ◆Lonoke Hosiana Robinson
◆Malvern Willie E. Perkins, Jr. R. N. Sanders ◆Marshall Jo Barnes Versalee Wyatt ◆Mountain Home
Stacy Reed ◆Newport Edward Boyce ◆Paragould Joe Holifield ◆Pine Bluff Catherine Lewis
◆Pocahontas Roy Meeks ◆Russellville Russell Wood ◆Summit Susie Evans ◆Stuttgart Virginia Holt
Van Buren R. Derek Barlow ◆West Memphis Claranelle Hopkins Reginald Robertson Ron Wilson

OFFICE LOCATIONS

111 West Elm
El Dorado AR 71730
870-863-0368

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

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

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

402 Franklin
Helena-West Helena, AR 72342
870-338-9834

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

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

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

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

202 Walnut Street
Newport AR 72112
870-523-9892

400 West 5th
Pine Bluff AR 71601
870-536-9006

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

1425 College Drive Suite 100
Texarkana TX 75504-0170
903-793-7661

310 Mid-Continent Bldg/Ste 420
West Memphis AR 72301
1-870-732-6370



Center For Arkansas Legal Services



LEGAL AID of ARKANSAS
Equal Access to Justice

www.arlegalservices.org
Statewide HelpLine: 1-800-9 LAW AID

"IF WE DO NOT MAINTAIN JUSTICE, JUSTICE WILL NOT MAINTAIN US."
-- FRANCIS BACON

